

SOUTHERN REGIONAL COMMITTEE
NATIONAL COUNCIL FOR TEACHER EDUCATION
BANGALORE

Minutes of the 266th Meeting of SRC held at the Conference Hall of
NCTE, Bangalore on 02. May, 2014

The following Persons attended the Meeting:-

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| 1. | Shri S.Sathyam I.A.S (Retired) | - | Chairman |
| 2. | Prof. K. Dorasami | - | Member |
| 3. | Prof. Sandeep Ponnala | - | Member |
| 4. | Dr.M.P.Vijaykumar, | - | Member |
| 5. | Dr. P. Revathi Reddy.
Regional Director | - | Non-Member
Convener |

1.The following Members/Representative did not attend the Meeting.

Dr. (Smt.) Padma Sarangapani, Member, Prof. M.S.Lalithamma Member and the Representatives of the Govts. of Andhra Pradesh, Karnataka, Kerala, Tamilnadu, U.T's of Lakshadweep, Pondicherry & Andaman & Nicobar Islands.

**SOUTHERN REGIONAL COMMITTEE
NATIONAL COUNCIL FOR TEACHER EDUCATION
BANGALORE**

DECISION OF 266th MEETING OF SRC-NCTE

1	Confirmation of Minutes of SRC in its 265 th Meeting held on 24-26 th March, 2014.	Confirmed
2	Action Taken Report (ATR) on the Minutes of SRC in its 264 th Meeting held on 01 st - 03 rd March, 2014.	Noted

Consideration of Replies to Notices (Vol-1)

3.	APS08991 B.Ed S V I College of Education, Tiruchirappalli District, Tamilnadu. TN	<p>S.V.I College of Education, Ward No. 39, E.Podur, Tiruchirappalli District – 620012, Tamilnadu.</p> <p>Sangamirdham Social Trust, Tiruchirappalli District, Tamilnadu had submitted an application for B.Ed course on 19.09.2007 to the Southern Regional Committee of NCTE for grant of recognition to S.V.I College of Education, Ward No.39, E. Podur, Tiruchirappalli District-620012, Tamilnadu with an annual intake of 100 students. The institution was granted conditional recognition for starting B.Ed course on 28.03.2008.</p> <p>The SRC NCTE received a letter from the institution on 20.02.2013 along with D.D. of Rs. 50,000/- No.770084 dated 15.02.2013 issued by Indian Bank stating "We are functioning B.Ed course in the name of SVI College of Education(APS08991) Now, because of administration season we are <i>changing the "S.V.I. College of Education" name into "Nalanda College of Education"</i>.</p> <p><i>And also enclosed a copy of stating as follows: Resolution No.36</i></p> <p><i>Today, as per the direction given by Mrs. I. Alli, M.A., M.Ed, Chairperson of Sangamirdham Social Trust was conducted a special meeting with all other trustees at 67, Madurai Main Road, Crawford, Trichy-12 at 5.00 pm and the following decisions are taken.</i></p> <p><i>This trust running B.Ed college in the name of S.V.I. College of Education (APS08991). Now, because of Administrative reasons the trust has changed the college name from S.V.I. College of Education into Nalanda College of Education.</i></p> <p><i>All the decisions & signing authorities regarding to change the name of the institute to State Government, Central Government, NCTE, Tamilnadu Teacher Education University and all Private & Government Sectors are given to Mrs. I. Alli, M.A. M.Ed, Chairperson of Sangamirdham Social Trust".</i></p> <p>Again the institution submitted a letter on 28.02.2013 along with documents and D.D. of Rs.50000/-, No. 770083 dated 15.02.2013 issued by the Indian Bank stating that <i>"We are functioning B.Ed course in the Temporary building address at ward No. 39, E. Podur, Tiruchirappalli District- 620012. in the name of SVI College of Education,</i></p>
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as per the order dtd.28.03.2008. Now we are shifting the premises as per NCTE norms from temporary premises to the permanent premises, which are located nearly 13 kms from temporary premises including land and building at the following mentioned address;

*SVI College of Education
Trichy-Madhurai NH -45 B,
Sethurapatti Bus stop
Fathima Nagar Post,
Trichy – 12,
Tamilnadu*

If any required documents are not submitted, we will submit those documents at the time of inspection. We kindly request you to inspect our institution and issue the order for shifting premises as early as possible.”.

The SRC in its 244th meeting held on 09th-11th May, 2013 considered the written reply of the institution on the above matter and also the relevant documents of the institution and decided to withdraw recognition for the following reasons:-

The institution was given recognition on 28.03.2008 in a temporary premises with a specific condition that the institution should move to a permanent premise within a period of three years i.e., on or before 28.03.2008. The institution as per their letter dt.28.02.2013 has shifted to permanent premises without the prior permission of NCTE.

As per 8 (11) of NCTE regulations 2009, prior approval is necessary for change of premises. The regulations states as under:

“In case of change of premises, prior approval of the Regional Committee concerned shall be necessary, which could be accorded after due inspection of the institution at the new site. Application for change of premises, in triplicate, in the specified format along with other relevant documents shall be submitted by the Institution to the Regional Office for prior approval of change of premises”.

Based on the above points the committee decided to withdraw the recognition of the B.Ed course run by the S.V.I. College of Education, Ward No. 39, E. Podur, Tiruchirappalli District – 620012, Tamilnadu, from the academic year 2013-14, in order to enable the ongoing batch of students in B.Ed, course, if any, to complete their course.

Further, the institution’s request for change of name of the institution vide their letter dt.20.02.2013, in the circumstances need for permission to change of name does not arise.

Accordingly, withdrawal order was issued to the institution on 01.06.2013.

The institution moved to Hon’ble High Court of Judicature at Madras in W.P. no. 16386 of 2013 and M.P. Nos. 1 and 2 of 2013 dtd. 16.08.2013 reads as under:-

	<p>“..... after the completion of construction, the petitioner-college has submitted an application seeking prior approval of permission to shift under Regulation No.8 by enclosing a Draft for Rs. 40,000/- towards the inspection fee. The said application was submitted on 15.02.2013 in the prescribed form along with a covering letter on the same day. Instead of making inspection, the respondent has chosen to pass the impugned order withdrawing recognition as per regulation 8(11) of NCTE Regulations, 2009. As the application submitted seeking prior approval for shifting, which was submitted on 15.02.2013 in the prescribed form with necessary inspection fee, the order passed by the first respondent (Regional Director, NCTE, Bangalore) dated 1.6.2013 cannot be sustained, as the petitioner college is a running college with recognition and affiliation upto 2012-13 and before beginning of the year 2013-14, the petitioner has applied prior approval.</p> <p><u>Since the said factual aspects are not in dispute, the impugned order is set aside and the writ petition is allowed, with a direction to the first respondent to make an inspection of new premises within a period of two weeks, and pass fresh orders regarding the shifting request, within a period of four weeks. No costs. Connected miscellaneous petition closed’.</u></p>	
	<p>In the meantime, SRC, NCTE is in receipt of letter dtd. 06.09.2013 from Tamilnadu Teachers Education University on 10.09.2013 and has stated that</p> <p><i>‘As per the decision of the Syndicate of this university, the affiliation granted to SVI College of Education, Ward No. 39, E-Pudur, Tiruchirappalli District is withdrawing from the academic year 2013-2014. Consequently, the said college shall not be functioning in any manner as a college of Education and shall not admit any student from the academic year 2013-2014’.</i></p> <p>The matter was considered by SRC in 252nd meeting held on 13th-14th September 2013 and the committee has decided to cause inspection. Inspection of the institution was fixed between 30.09.2013 to 01.10.2013 and 03.10.2013 to 05.10.2013. The same was intimated to the institution on 23.09.2013.</p> <p>V.T report submitted on 03.10.2013 was placed before SRC in its 254th Meeting.</p> <p>The Southern Regional Committee in its 254th Meeting held on 25 – 27 October 2014, considered the VT report, VCD and all the relevant documentary evidences and it was decided to serve Notice Under NCTE Act for the following:</p> <p style="text-align: center;">The Institution should submit approved staff list as per NCTE norms.</p> <p>Accordingly, a Notice was issued to the institution on 22.01.2014. The institution had submitted its reply on 03.02.2014.</p> <p>Accordingly, a Notice was issued to the institution on 22.01.2014. The institution had submitted its reply on 03.02.2014.</p> <p>The institution has submitted approved staff list dtd.20.12.2013 duly approved by The Registrar of the Tamilnadu Teachers Education University.</p> <p>The Committee considered the letter from the institution dated 15.02.2013 for shifting to new premises, also letter dated 20.12.2013, and other related documents along with the original file of the institution for shifting to new/permanent premises and decided to permit shifting to new premises.</p>	

Consideration of Court Cases (Vol-1)

<p>4.</p>	<p>..... Supreme Court Order regarding processing of applications HQ</p>	<p>Shri B.P.Pandey, Under Secretary/legal, NCTE Head Quarters in its email letter dated 16.04.2014 has forwarded an Office Memorandum vide dated 16.04.2014 which is received in the office of SRC on 21.04.2014 has directed to refer the order dated 10.09.2013 passed by the Hon'ble Supreme CoPurt of India Inter-alia closing the proceedings in the SLP Civil No.4247- 4248 of 2009 (JVC matter) as under:</p> <p><i>“We direct the concerned authorities including the NCTE to notify the new regulations latest by 30.11.2013. We also reiterate the direction given earlier and make it clear that all the recommendations made by the implementation Committee shall be binding on the Government of India, the Governments of all the states and the administration of union Territories as also NCTE and University grants Commission and all of them shall implement the same without any objection and without modifying the same. With the above direction, the proceedings of these petitions are closed and the special leave petitions are disposed of. Those who are desirous of establishing teacher education colleges/ institutions shall be free to make application in accordance with the new regulations. Their applications shall be decided by the competent authority keeping in view the relevant statutory provisions. All the pending applications shall also be decided in accordance with the new regulations. The Government of India, NCTE and the implementation Committee shall be free to file interlocutory applications as and when any direction is required from the Court in the matter of implementation of the recommendations made by the Verma Commission and the Committee constituted vide order dated 14/16.5.2013 SLP(C) Nos.21657 – 21658 of 2009. The applications for withdrawal of the special leave petitions are allowed and the special leave petitions are dismissed as withdrawn”</i></p> <p>In the above JVC matter the NCTE filed an application bearing IA No.56 57/2014 in SLPC No.4247-48/2009(JVC matter) on 08.01.2014 with the following prayers.</p> <p>Allow the instant application and extend the time till June 2014 to revise the norms and standards of various teacher education programs and notify the new Regulations and /or</p> <p>Permit the pending applications to be processed by Regional Committees of NCTE in accordance with existing Regulations of NCTE and /or</p> <p>Pass such other or further order/orders as this Hon'ble court may deem fit and proper in the facts and circumstance of the case as well as in the interest of Justice”</p> <p>That the aforesaid Application bearing IA No.56-57/2014 was taken up for final hearing by the Hon'ble Supreme Court on 07.03.2014 when the same was disposed of with the following order:</p> <p><i>“Having heard counsels for the parties, we grant the prayer of the petitioner insofar as the extension of time till June 2014 is concerned to revise the norms and standards of various teachers' education programmes and notify the new Regulations. No order is passed on the other prayer sought in the application The applications are disposed of”</i></p> <p>Sh. Amitesh Kumar. Legal Counsel of NCTE vide email dated 24.03.2014 inter alia already advised all the Regional Committee(s) and NCTE (HQ) not to process any pending application in the light of aforesaid order dated 07.03.2014 read with order dated 10.09.2013. Wherever there is an order passed by the Court directing processing of application, an appropriate application may be moved in such cases bringing the aforesaid two orders to the notice of Hon'ble Court.</p>
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5.	<p>APS05312 D.T.Ed Sri Venkateshw ara Teacher Training Institute, Thiruvallur, Tamilnadu TN</p>	<p>Sri Venkateshwara Teacher Training Institute, Indira Gandhi Street, Chittoor Road, K.G. Kandigal, Thiruttani, Thiruvallur, Pin – 631205, Tamilnadu</p> <p>Sri Venkateshwara Teacher Training Institute, Indira Gandhi Street, Chittoor Road, K.G. Kandigal, Thiruttani, Thiruvallur, Pin – 631205, Tamilnadu had submitted an application for seeking grant of recognition for D.T.Ed course on 02.01.2006.</p> <p>The application was processed and recognition to the institution for D.T.Ed course was granted on 17.11.2006 with an annual intake of 50 students. As per the recognition order the institution was required to shift to its own premises within three years from date of recognition.</p> <p>The institution vide its letter dated 23.08.2010 submitted Rs. 40000/- in favour of Member Secretary, NCTE for getting permission to shift the institute to the newly constructed building. The committee considered the matter in its 196th meeting held on 15th-16th September 2010 and decided to cause inspection for shifting of premises.</p> <p>The inspection was carried out on 19.11.2010. The SRC in its 199th meeting held on 22nd-23rd December 2010 considered the VT Report, VCD and all the relevant documentary evidences and decided to serve Show Cause Notice under NCTE Act.. Accordingly, a show cause notice was issued to the institution on 02.02.2011. The institution submitted its reply on 03.03.2011.</p> <p>The institution has replied vide letter dt.. 03.03.2011 for the deficiencies pointed in the show cause notice and committee considered the replies and noted the following;</p> <p>The building plan is not submitted by the institution with approval of competent Govt. authority. Duly filled in questionnaire is not submitted. Affidavit on Rs. 100/- by the competent authority in the prescribed format is not</p>

	<p>submitted. Building completion certificate from the Govt. competent authority is not submitted. The management has not submitted the fixed deposits in joint name towards Endowment fund & Reserve fund from a Nationalised Bank for Rs. 5 lacs and 3 lacs respectively is to be submitted. Language Learning Lab is not available. Educational Technology Lab is not shifted from the old building. No documentary proof is submitted for having shifted the Educational Technology Lab.</p> <p>The SRC in its 202nd meeting held on 14th-15th March 2011 considered the reply to the Show Cause Notice Dt. 03.03.2011 and as the reply was not satisfactory, the committee decided to withdraw the recognition of the D.T.Ed course run by Sri Venkateshwara Teacher Institute, Thiruvallur, Tamilnadu, from the academic year 2012-13, in order to enable the ongoing batch of students in D.T.Ed, course, if any, to complete their course. Accordingly, order withdrawing recognition was issued to the institution on 18.04.2011.</p> <p>A court order has been received on 12.06.2012 and the judgment dt.27.04.2012 reads as under:</p> <p><i>“... In such circumstances, this court finds it appropriate to set aside the impugned order of the first respondent dt.18.04.011, and to remit the matter back to the first respondent (SRC,NCTE), to consider the explanation submitted by the petitioner, to the show cause Notice, dt.2.2.2011, and <u>to pass appropriate orders thereon, on merits and in accordance with law, after giving an opportunity of personal hearing to the authorized representative of the petitioner institute.</u> The said process shall be completed by the first respondent, within a period of <u>four weeks</u> from the date of receipt of a copy of this order. Accordingly, the writ petition stands ordered. No costs. Connected M.P.No.1 of 2012 is enclosed.”</i></p> <p>Accordingly, the matter was placed before SRC in its 224th meeting held on 14th-17th June 2012 and the committee decided to call for submission of additional written explanation if any from the management and further on receipt of the application, the petitioner will be given an opportunity for personal hearing; before taking a decision. Accordingly, a letter was sent to the institution on 25.06.2012.</p> <p>In response to the letter, the institution submitted written representation vide letter dt.07.07.2012. The institution has submitted a point wise reply on the grounds on which the recognition was withdrawn by the SRC in its 202nd meeting held on 14th-15th March 2011.</p> <p>The SRC in its 231st meeting held on 22nd-23rd August, 2012 considered order of Hon'ble High court of Tamilnadu dt.27.04.2012 and all the relevant documentary evidences and decided to serve Show Cause Notice under section 14 (1) of NCTE Act. Accordingly, a Show Cause Notice was issued to the institution on 13.09.2012. The institution submitted its written representation on 05.10.2012.</p> <p>The SRC in its 234th meeting held on 17th-18th October, 2012 considered the written representation of the institution vide letter dt. 05/10/2012 and other relevant documents, along with the original file of the institution and decided to permit shifting to the new premises subject to submission of approved staff list within 60 days from the receipt of this letter. Accordingly, shifting order was issued to the institution on 04.12.2012.</p> <p>The institution vide its letter dtd. 07.01.2013 has stated that ‘ we submit the</p>
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approved staff list for favour of information and as required by the NCTE-SRC, Bangalore-72.'

Sl. No.	Name of the Post	Name of the approved staff
	Principal Telugu Lecturer	G.Narasimhulu Mandadi Shri. Narasimhulu
	English Lecturer Mathematics Lecturer Science Lecturer	V. Sampooram K.Hema Reddy N.Koteeswara Rao
	Social Science Lecturer	C. Madhava Raju

The Southern Regional Committee in its 244th Meeting held during 17-18 October 2012 considered the written reply of the institution on the above matter and also the relevant documents of the institution and decided to withdraw recognition under NCTE ACT for the following reasons:-

As per the direction of the committee in 234th meeting, the institution was permitted to shift to the new premises subject to the condition that approved staff list to be submitted within 60 days of the receipt of the letter dt.04.12.2012. But the institution has not submitted duly approved staff list from the affiliating body for the course being run till date. Before shifting to the new premises, the institution should already have approved staff list when the institution was running at the old premises.

Keeping in view, Supreme Court vide their order in Civil Appeal No. 1125-1128/2011 in SLP No. 17165-68/2009 filed by NCTE Vs others, which reads as under:

"An institution is not entitled to recognition unless it fulfills the conditions specified in various clauses of the Regulations. The Council is directed to ensure that in future no institution is granted recognition unless it fulfils the conditions laid down in the Act and the Regulations and the time schedule fixed for processing the application by the Regional Committee and communication of the decision on the issue of recognition it strictly adhered to".

Based on the above points the committee decided to withdraw the recognition of the D.T.Ed course run by the Sri Venkateshwara Teacher Training Institute, Indira Gandhi Street, Chittoor Road, K.G. Kandigal, Thiruttani, Thiruvallur,-631205, Tamilnadu, from the academic year 2013-14, in order to enable the ongoing batch of students in D.T.Ed, course, if any, to complete their course.

As per the decision of SRC, a withdrawal order was issued to the institution vide F.No. APS05312/D.T.Ed/TN/2013-14/52053 dated 01.06.2013

The institution has approached the Hon'ble High Court of Judicature at Madras in W.P.No. 18655 of 2013.

On 17.07.2013, a letter was received from Mr.K..Ramakrishna Reddy, advocate enclosing a copy of the affidavit filed by the petitioner .i.e Sri Venkateshwara Teacher Training Institute, Indira Gandhi Street, Chittoor Road, K.G. Kandigal, Thiruttani, Thiruvallur, Pin – 631205, Tamilnadu and a copy of the counter affidavit

A letter was addressed to the advocate Sri.K.Ramakrishna Reddy on 26.07.2013 enclosing the duly signed counter affidavit in W.P.No. 18655 of 2013 .

On 02.09.2013, a court order dated 05.08.2013 in W.P.No. 18655 of 2013 was received by this office which read as under ;

'The teachers employed by the petitioner should be qualified teachers. The petitioner is involved in training future teachers. Therefore, these candidates should be given teaching by qualified faculty members .The condition regarding approval of staff list produced by the petitioner dated 31 May 2013 was not the approved staff list, it cannot be said that NCTE erred in withdrawing the recognition. Therefore, I do not see any merits in the contention raised by the petitioner.

In the result, the writ petition is dismissed. No costs, consequently, M.P.No. 1/2013 is also dismissed.'

On 01.10.2013, a copy of the Court order in W.A.No. 1702 of 2013 and M.P.No.1 of 2013 dated 23.08.2013 is received by this office . The Court has made the following observations ;

'Though statutory appeal is available to the appellant/writ petition as against the impugned order passed by the 1st respondent, it has not chosen to avail the said remedy and instead filed the writ petition.

This court , on an independent application of mind and careful consideration of the materials placed before us, is of the considered view that there is no error apparent or infirmity in the impugned order passed by the learning judge and finding no merits in this writ appeal, this writ appeal is dismissed at the admission stage itself. No costs. Consequently, connected miscellaneous petition is closed.

On 18.02.2014, the institution has submitted a written representation stating us under ;

'With reference to the above, we pray to submit that we have admitted students in 1st year for the year 2013-14 under management quota as per the quota accepted by the management and SCERT, Chennai – 06.

In the meantime, we have received withdrawal letter dated 01.06.2013 without any prior notice to the above institution.

The ongoing students are attending the classes regularly who are admitted under management quota for the year 2013-14.

The same has been represented to the Director, SCERT .,Chennai-06 on 09.12.2013.The Director of SCERT assured to save the life of ongoing students if permission is given by NCTE-SRC ,Bangalore – 72 for the 1st year ongoing students.

In view of the above, we beg NCTE-SRC to give life to the on going students if permission is given by SRC,NCTE. Bangalore – 72 for the 1st year ongoing students.

In the above circumstances, we request to kindly permit the ongoing 1st year students for the year 2013-14 admitted before withdrawal letter under management quota , may please ne considered sympathetically.'

The institution has submitted another written representation on 17.02.2014 which is as under;

'Regarding staff list furnished we wish to submit that Mrs.G.P.Premaleela , approved science lecturer , has applied for long medical leave from 30.11.2011 under medical grounds and hence in her vacant place Mr.N.Koteeshwara Rao was posted from 01.12.2011 temporarily and his approval proposals were submitted to SCERT,Chennai on 05.12.2011 itself. The appointment of Mr.N.Koteeshwara Rao was also recommended by the Principal, DIET, Thirur to SCERT, Chennai in written, after the verification of all his original certificates.

In the mean time , while giving list of staff mistakenly Mr.N.koteeshwara Rao's name has been given instead of Mr.G.P.Premaleela who is an approved staff gone on medical leave. Subsequently G.P.Premaleela joined on duty on 30.01.2013 after her medical leave..

The institution has submitted the following details of staff ;

Sl. No.	Name of the Post	Name of the approved staff
	Principal	G.Narasimhulu Mandadi
	Telugu Lecturer	D.Venkatesan
	English Lecturer	V. Sampooram
	Mathematics Lecturer	K.Hema Reddy
	Science Lecturer	G.P.Premaleela
	Social Science Lecturer	C. Madhava Raju

The institution has submitted a copy of the letter addressed to the Principal ,D.I.ET on 25.03.2013 .The institution has enclosed a copy of the student list whose admissions have been made in the year 2013-14.

The institution has submitted a written representation on 26.02.2014 which is as under ;

'We submit that the representation has been submitted to the Director, SCERT, Chennai – 6 on 20.02.2014 requesting to permit the ongoing students to undergo teaching practice.

However, Director, SCERT, Chennai informed us to get permission letter from NCTE –SRC, so that we will help the students to appear in the Govt. Exams for the year 2013-14 , ongoing students.

In the above circumstances, we request the Regional Director, NCTE-SRC to help the ongoing students of 1 year for the year 2013-14 admitted before 01.06.2013

Note :

1. Withdrawal order was issued to the institution vide F.No. APS05312/D.T.Ed/TN/2013 14 / 52053 dated 01.06.2013.Recognition of the institution was withdrawn from the year 2013-14.

		<p>recognition. 3. The institution has made admissions for the year 2013-14 , prior to the issue of withdrawal order. 4.The institution has approached the Hon'ble High Court in W.P.No.18665 of 2013. 5. NCTE has filed writ appeal in the Hon'ble High Court of Judicature at Madras in W.A.No.1702 of 2013. The court orders are as mentioned above 6. The institution has submitted approved staff list comprising of one principal and 5 Lecturers.</p> <p>The Committee considered the matter, letter from the institution dated 18.02.2014 & 26.02.2014 seeking permission for the ongoing 1st year students of D.T.Ed course who were admitted under management quota before withdrawal letter issued to the institution, decided to allow the request of the institution for continuation of the students in the 1st year of D.T.Ed course who were admitted before issue of withdrawal order of NCTE.</p>				
6.	<p>APS01885 B.Ed Kalpatharu College of Education, B.H. Road, Tiptur - 572202, Tumkur District, KA</p>	<p>Kalpatharu College of Education, B.H. Road, Tiptur-572202, Tumkur District., Karnataka.</p> <p>Kalpatharu College of Education, B.H. Road, Tiptur-572202, Tumkur District., Karnataka was granted recognition on 29.11.2004 with an annual intake of 100 students for B.Ed. course from the academic session 2004-05.</p> <p>This office was in receipt of a letter No. TY:VCPS:2011-12.98 dated 21.05.2011 received from the Vice -Chancellor of Tumkur University, Tumkur enclosing a list of 19 institutions for the Committee observations by conducting inspections.</p> <p>The SRC in its 206th meeting held on 9th -10th June 2011, noted the inspection report of the Vice-Chancellor, Tumkur University, dated 21.05.2011 and the deficiencies in the 19 institutions in Tumkur District and decided to issue Show Cause Notice under Section 17 of NCTE Act. Accordingly, Notice was issued to the institution on 07.07.2011 for the following reason:-</p> <p>The College is literally locked on the day of visit, reason not known. <i>In the meanwhile, Tumkur University has conducted re-visit to the institution during 15th ,19th and 27th of July, 2011 and this was informed vide their letter received by this office on 17.10.2011 .The University team has made following observations:-</i></p> <table border="1" data-bbox="421 1406 1410 1850"> <thead> <tr> <th data-bbox="421 1406 890 1473">Observations during First Visit</th> <th data-bbox="890 1406 1410 1473">Action taken by the College</th> </tr> </thead> <tbody> <tr> <td data-bbox="421 1473 890 1850">The College is literally locked on the day of visit, reason not known.</td> <td data-bbox="890 1473 1410 1850"> <ol style="list-style-type: none"> 1. No Multipurpose hall 2. No independent science lab 3. Shortage of one staff 4. Consolidated salary paid to staff 5. S.R. & Acquaintance Registers has to be updated. 6. Computer lab has to be updated. </td> </tr> </tbody> </table> <p><i>A visit was proposed to the institution during 18th to 22nd November, 2011. The Principal of the institution, on 18.11.2011 requested for postponing the inspection date to 28th November,2011 onwards as the examinations are scheduled during the proposed visit schedule. On 27.12.2011, a complaint was received from the Students, Kalpatharu Shikshana Mahavidyalaya, Tumkur alleging that the Principal, Dr. Obalesha Ghatti is working</i></p>	Observations during First Visit	Action taken by the College	The College is literally locked on the day of visit, reason not known.	<ol style="list-style-type: none"> 1. No Multipurpose hall 2. No independent science lab 3. Shortage of one staff 4. Consolidated salary paid to staff 5. S.R. & Acquaintance Registers has to be updated. 6. Computer lab has to be updated.
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based on the mark cards of Obaleshappa.R. The complainant stated that the Principal has misled the institution, University and NCTE by producing the mark cards of different person.

Again, based on the request of the institution, inspection of the College was scheduled during 23rd to 28th January, 2012. Inspection of the institution was conducted on 25.01.2012 and the Visiting team report was received by this office on 27.01.2012.

The SRC in its 221st meeting held on 19th – 20th April 2012 considered the VT report, VCD and all other relevant documentary evidences and it was decided to serve Show cause Notice under Section 17 of NCTE Act and a show cause notice was issued to the institution on 21.05.2012.

The Secretary, Kalpataru Vidya Samsthe vide his letter dated 06.06.2012 received by this office on 07.06.2012 had submitted that 30 days more time is required to submit all documents as required by this office.

The institution submitted a Demand Draft No.428067 dated 08.06.2012 drawn in favour of Regional Director, NCTE , Bangalore towards Inspection charges of the institution.

The SRC in its 224th Meeting held on 14th -17th June 2012, considered the request of the institution vide letter dated 06.06.2012, requesting 30 days more time to submit all documents as required by this office.

In the mean time, four letters dated 16.07.2012, 01.08.2012 ,10.08.2012 , 24.09.2012 and 31/10/2012 have been received from the Principal, Mr. Obleshappa enclosing copies of marks cards and experience certificates stating that the management has dismissed him and appointed another Principal in his place even though he is qualified as per norms and to consider his eligibility.

The institution submitted a written representation on 09.08.2012

The reply of the institution to the show cause notice dt. 09.08.2012 was duly considered by the SRC in its 239th Meeting held on 26th – 27th February 2013 and observed that the reply was unconvincing and not satisfactory, and deficiencies still persisted as under:-

Certified land documents are not submitted .

Total site area is not mentioned in the building plan. In the blue print, labs , library and administration office, Principal room, Staff room etc are not mentioned.

Original FDRs are not submitted.

No explanation regarding offering of Central School in the same premises is submitted. This is not permissible as per NCTE regulations 2009.

Approved staff list is not submitted.

Land Usage Certificate is not notarized.

Encumbrance Certificate has been submitted for the period from 01/04/2008 to 31/05/2012 whereas land is registered on 20/07/1962.

In point No.9 of the show cause notice, the institution was asked to clarify the built up area of 12340 sq. ft as per VT report. But the institution replied that “ the total built up area of the new building is 23,670 sq. ft”. However, it is not clear whether the institution is stating about the same building which was inspected by the VT members.

No documentary proof has been submitted regarding extension of size of Multi Purpose Hall.

No documentary proof has been submitted regarding implementation of other labs/physical education .

The institution has now added 500 books more making it 3000 books in the library which is also inadequate as the institution has been running since last 8 years.No of titles in the library is not clear.

Shri.C.M.Kapanegowda is also not eligible for the post of Principal as he is not having Ph.D in Education.

Lecturer in Fine Arts is not eligible as he is not having M.A.degree.

Based on the above points the Southern Regional Committee in its 239th Meeting held on 26th – 27th February, 2013 decided to withdraw the recognition of the B.Ed course run by the Kalpatharu Vidya Samsthe's Kalpatharu College of Education, Tiptur, Tumkur District, Karnataka from the academic year 2013-14, in order to enable the ongoing batch of students in B.Ed, course, if any, to complete their course.

Accordingly, a withdrawal order was issued to the institution vide order No.F. SRO /NCTE /KA /APSO 1885/B.Ed/2012-13/50344 dated 03.04.2013.

The institution has filed an appeal under Section 18 of NCTE Act, before the Appellate Authority, NCTE, New Delhi against the withdrawal order of SRC.

Accordingly, the file was sent to NCTE, Hqrs on 02.08.2013.

Further, the institution has approached the _Hon'ble High Court of Karnataka in W.P. No. 49492 -49496 and 49812-49813 of 2013 and 50291-50297 of 2013 .

The Court Order dated 10.12.2013 from the Hon'ble High Court of Karnataka in W.P. No. 49492 -49496 and 49812-49813 of 2013 and 50291-50297 of 2013 is as under ;

“ These petitions coming on orders, on service of notice on respondent No. 3 , the learned senior advocate Shri. Subramanya Jois appearing for the Counsel for the petitioners states that notice to respondent No. 3, may be dispensed with in the light of the circumstances that this court has already taken a view in similar circumstances in other batch of writ petitions, that these petitions may also be disposed of in the light of the same.

2. On the facts of the present case , it is noticed that the petitioners are said to be running colleges of education, which have been duly recognized by the National Council of Teacher Education (NCTE) , a statutory body of Government of India and are affiliated to the Tumkur University. It transpires that by virtue of the orders passed withdrawing recognition for the academic year 2013-14, which was not preceded by any notice or an opportunity of hearing, though there was a reply to the notice issued by the second respondent, the second respondent however, without affording an opportunity of hearing, has proceeded to pass several impugned orders in respect of the respective petitioners. It is that which is sought to be questioned by this common petition filed by the several institutions.

3. Having regard to the fact that there are no statement of objections filed to the present petitions and that other respondents, though served, remaining unrepresented , the fact that there was no opportunity of hearing and that the objections filed by the respondents in so far as the show – cause –notice issued notice does not appear to have been considered.

The petition deserves to be summarily allowed and are accordingly allowed. The impugned annexures are quashed. The respondents, however, are at liberty to consider the objections filed to the original notice after re-issuing notice to the petitioners and afford an opportunity of hearing and to proceed further in accordance with law.”

the petitioner institution viz., Kalpatharu College of Education, Tumkur has preferred appeal and simultaneously has approached Hon'ble High Court of Karnataka vide

W.P.No. 49492-49496/2013 & 49812-49813 & 50297/2013 against SRC, NCTE Order No.F.SRO/NCTE/KA/APS01885/B.Ed./2012-13/50344 dated 3.4.2013. In the instant case, as per the copy of the writ petition which is received by this office on 25.11.2013 & 28.11.2013, it was observed that the institution had preferred an appeal on 27.8.2013.

Through the letter of HQ No.F.64-217/2013/NCTE/Legal A78669 dated 6.12.2013 received by this office on 11.12.2013, it was informed to the RD, SRC, NCTE that "the Appeal Committee had decided to inspect Kalpatharu College of Education under Section 13 of the NCTE Act, 1993. The inspections have already been conducted and the VTRs will be placed in the ensuing meeting of the Appeal Committee scheduled to be held on 9-11.12.2013 and it was requested to defend the case in the Hon'ble High Court of Karnataka at Bangalore including on behalf of HQ".

Prior to this, a letter dated 23.10.2013 was received by this office on 28.10.2013 from M/s. Haranahalli & Patil, Advocates and Legal Consultants addressed to the Regional Director, SRC, NCTE with a carbon copy marked to the Member Secretary as well as the Under Secretary, Legal regarding returning of pending files entrusted by the SRC, NCTE. The advocate has requested to collect all the files entrusted by this office and make necessary arrangements to engage some other Counsel. Through the email dated 12.11.2013, original records of the pending court cases were handed over to this office on 12.11.2013.

A letter was received from Head Quarters seeking facts/comments from the Regional Director on the allegations made by M/s. Haranahalli & Patil Associates in the letter dated 23.10.2013.

A detailed explanation was submitted to the Member Secretary, NCTE vide this office letter No.F.SRO/HQ/CC/ADV./AH/KA/2013/55024 dated November 21, 2013. An e-mail was also sent to the Under Secretary, HQ on 29.11.2013 requesting the appointment of Legal Counsel for defending the cases in the Hon'ble HC of Karnataka at Bangalore.

On 11.12.2013, a letter dated 9.12.2013 was received from Mr. B.P. Pandey, Under Secretary stating that "The Regional Directors have to recommend the names of Advocates for various Courts under their jurisdiction."

On 20.12.2013, this office has sent a letter to HQ recommending the appointment of Mr.P.S.Dinesh Kumar, Advocate for consideration of appointment of Legal counsel for defending the cases of in the Hon'ble High Court of Karnataka at Bangalore.

On 1.1.2014, Sri. P.S. Dinesh Kumar was appointed as Legal Counsel for NCTE in the Hon'ble HC of Karnataka at Bangalore vide HQ letter No.F.66-1/2013/NCTE/Legal dated 30.12.2013. Sri. P.S. Dinesh Kumar was provided with a list of pending court cases as on 28.10.2013 which were earlier handled by M/s.Haranahalli and Patil, advocates.

Therefore, it is to be noted that the order dated 10.12.2013 was made during the period when there was no legal counsel to represent the cases of NCTE in the Hon'ble HC of Karnataka at Bangalore.

The above court order was placed before SRC in its 257th Meeting held on 20th – 22nd December 2013 and the committee decided as under ;

'A number of show cause notices have been given all these cases. Therefore, the Lawyer to be asked to file an appeal immediately in all the cases and obtain 'stay'. The matter to be pursued with the Lawyer.'

Accordingly, a letter was sent to Mr.Dinesh Kumar ,advocate on 08.01.2014.

On 09.01.2014, an E-Mail was received from Mr.Dinesh Kumar ,advocate stating as under :

'I have gone through the order dated 10.12.2013.In my opinion, in view of the observations contained in Paragraph 3 of the order, it is not a fit case to file an appeal. The direction of the Hon'ble Court is to consider the objections filed to the original notice after re-issuing notice to the petitioner and afford an opportunity of hearing.

It is therefore desirable to comply with the order instead of challenging the same in appeal.'

The above opinion of the advocate was placed before SRC in its 259th Meeting held on 17th to 19th January 2014 .The Committee has considered the matter and decided that

'earlier decision taken in 257th meeting held on 20th -22nd Dec, 2013, to file an appeal through our Lawyer is revised. Even the Lawyer's advice to file a petition for 'review' is put on hold.

Further, it is decided by the committee to issue notice in all the 7 cases(viz. APS01885 , AOS0463, AOS00464, APS03424, AOS00302, APS03481 & APS01767) for a personal hearing in 260th meeting.

Further course of action will be decided after the personal hearing."

As per the decision of SRC, a notice for personal hearing was issued to the institutions on 22.01.2014.

Accordingly, the representatives of six of the seven institutions, Viz,

- i) APS01885,B.Ed,Kalpathuru Vidhya Samsthe, Tiptur,KA
- ii) AOS00463,B.Ed. Sree Siddaganga Education Society, Tumkur,KA.
- iii) AOS00464,B.Ed. Sri Siddhartha Education Society, Maralur,KA
- iv) APS03424,B.Ed. Indira Education Society, Tumkur.KA
- v) AOSO0302.B.Ed. K.S.E.F. College of Education, Tumkur,KA.
- vi) APS03481, B.Ed. Sri. T.V.V. College of Education, Tumkur.KA.

have appeared and given personal a hearing.

One College by name Vidyavahini Samsthe, (APS01767.B.Ed).Tumkur, KA, has not appeared for personal hearing inspite of being informed through e-mail, speed post & telephonic call.

The representative of the institution (Kalpathuru Vidhya Samsthe, Tiptur,KA)appeared before the Committee on 30th January, I,e during the 260th Meeting of SRC held on 20th and 30th January,2014 and presented the case.

As an introductory note the Chairperson, SRC has told to the representatives of the institutions that 'that we (the Regional Committees) do not have the practice of personal hearing as per Regulations. However, in compliance to the directions of the Honourable High Court of Karnataka, we have called you for personal hearing. You may say what all you want to say. It is entirely the discretion of the institution. But please submit in writing today after this hearing point wise what all submissions you wanted to make before SRC during the personal hearing session such that,

later, there would not be scope either to the institution to say that SRC did not hear on these points or to the SRC that the institution has not submitted these points. You may also enclose what all documents you want to enclose to your written representation. Make a photocopy of your representation and take acknowledgement of SRO.'

The oral presentations made by these institutions are recorded which are as under ;

Kalpataru Vidya Samsta – Tiptur

Represented by:

Prof.Kempe Gowda, Principal &
Sri Viswanadha Rao, Treasurer

The Principal of the institution has made the presentation on behalf of the institute. He has said that

After withdrawal of recognition they have filed an appeal and the NCTE Head Quarters has heard them on the deficiencies pointed out.

The institution has produced the land documents, the BCC of the new building constructed which has a plinth area of 23600 Sq.ft., the latest staff list, and the library details showing the number of books as 4469.

Based on this presentation the NCTE Head Quarters has ordered a VT and the VT team has inspected the institution on 25.11.2013 and the report of the Head Quarters is awaited.

The institution therefore says it fulfills all the norms required for B.Ed course.

After the presentation, the institution has requested for time till 03.02.2014 for submitting written representation. The Committee permitted and asked SRO to give signed photocopy of representation as acknowledgement for putting up in the file.

The committee decided as under ;

' Party appeared .Was given a personal hearing. Thereafter, they were advises to give a written submission of their presentation. Signed photocopy was returned as acknowledgement. Put up on file'

The institution submitted the written representation on 03.02.2014 along with the following documents

- a) Photocopy of the notarized sale deed dated 20.07.1962 in favour of President , Kalpathuru Educational Institution, Tiptur, Tumkur District is submitted. English version of the same.
- b) Notarized photocopy of Land Ownership Certificate issued by Tahsildhar, Tiptur Taluk in favour of Kalpaturu Vidya Samsthe ® , Tiptur..
- c) A copy of the legal opinion from Mr.K.S.Ramaswamy Iyengar, Advocate regarding title of land in sy.No.152 .
- d) A copy of the extract of the resolution passed at the Office bearers meeting of Kalpaturu Vidya Samsthe.
- e) A photocopy of the building plan in the name of Kalpatharu Colleg of Education is
- f) Photocopy of the Building Completion Certificate dated 18.06.2012.
- g) Photocopies of the old and new Fixed deposit receipts .
- h) Photographs of the building, labs, classrooms ,playground etc are submitted.
- i) Photocopy of the approved staff list.

- j) Notarized photocopies of the non encumbrance certificate for the period 01.04.1962 to 31.03.2006 and 01.04.2006 to 17.03.2013.
k) Bills towards the purchase of lab apparatus and books for library.
l) Orders of appointment of the Principal ,Mr.Kapine Gowda
m) Order of Dismissal of the Dr.Obaleshappa from the post of Principal.
n) A copy of M.A.E.A.T.2/2012 filed by Dr.Obaleshappa in the Court of First Additional District Judge.

The SRC in its 261st Meeting considered the written representation and directed SRO to process and put up comparative statement of documents submitted earlier and not submitted at the personal hearing.

The SRC in compliance to the Hon'ble High Court directions dated 10.12.2013; in its 257th meeting decided to give personal hearing. Accordingly, the said college was given a personal hearing in its 260th meeting held on 29-31st Jan, 2014 and advised to give a written representation.

The institution submitted its written representation along with the documents on 03.02.2014.

The SRC in its 264th meeting held during 1-3 March, 2014, on perusal of the documents submitted by the institution, decided and advised SRO to ask the institution to produce the following documents:

Approved staff list, in the prescribed format, according to NCTE norms & standards.

Notarised land usage certificate from the Revenue divisional office stating that the agriculture land converted to non-agriculture for the educational purpose is not submitted. Proceedings of Revenue Divisional Officer not submitted for conversion of land from agricultural to educational purposes.

Original FDRs in joint account.

In respect of other 6 petitioners, viz., 1. Sree Siddaganga Education Society, Tumkur, 2. Sri Siddhartha Education Society, Maralur, 3. Indira Education Society, Tumkur, 4. K.S.E.F. College of Education, Tumkur 5. Sri. T.V.V. College of Education, Tumkur, the SRC in its 264th meeting has decided to reject their application and reissue earlier decision.

On 3rd April, 2014, a Memorandum is received from the Under Secretary, NCTE, New Delhi directing the Regional Director to file a Review Petition in the matter immediately (within a period of 7 days) requesting the Hon'ble High Court to restrict this kind of order (Court order dated 10.12.2013) to these institutions only and this may not be treated as precedent.

Hence, as per the directions of NCTE(HQ) a letter is addressed to the advocate Sri.P.S. Dinesh Kumar requesting to file a Review Petition on the court order dated 10.12.2013 as per the direction of Head Quarters.

In the meantime, on 1.4.2014, this office has received another order dated 20.3.2014 from the Hon'ble High Court of Karnataka at Bangalore in W.P.No.9261-9269/2014 (copy enclosed) which is as under:-

"By interim order dated 21.2.2014, the Respondents 2 and 3 were directed to cause allotment of the required number of candidates for admission to the B.Ed.

course at the respective colleges run by the petitioners, for the academic year 2013-14, pending disposal of these petitions. The Respondents 2 and 3 however did not comply.

On the footing that the recognition as withdrawn in respect of the petitioners Institutions, Respondents 2 and 3, pleaded their inability to recommend the students, in the absence of any such recognition.

It was thereafter asserted by the learned Senior Advocate Shri Subramanya Jois appearing for the petitioners, that there has been due compliance with all the requirements and the recognition could not be withheld and affidavits were filed in support of their statements to that effect, undertaking to comply with all the deficiencies shortly.

However, the learned counsel Shri P.S. Dinesh Kumar appearing for the National Council for Teacher Education – Respondent No.4, has pointed out that though affidavits indicating that there has been compliance with the deficiencies has been filed, it is not totally correct. In support of it he has prepared a tabular statement indicating the shortcomings even with regard to the affidavit filed in support of the statements claiming that the petitioners – Institutions are eligible for recognition, apart from pointing out that there are other deficiencies which are not addressed in the affidavit nor which have formed part of the Tabular statement, and would vehemently contend that no recognition could be granted on a conditional basis on an undertaking given by the petitioners that they would duly comply with the deficiencies.

The learned Senior counsel's insistence of compliance with the deficiencies which are not of a serious nature would result in depriving the petitioners from imparting education and would jeopardize the students who are already admitted in the Management quota and hence, it would become economically viable to run the institution without the necessary student strength which the Respondents 2 and 3 are not inclined to recommend, in view of the objections raised by the NCTE. In this circumstance, the question whether the deficiencies are of a minor nature or otherwise, would have to be viewed with reference to the Rules and if the Rules do not permit recognition being granted in the face of such irregularities, the learned counsel Shri Dinesh Kumar cannot be found fault with in standing firm on the footing that no conditional permission could be granted to the petitioners.

Accordingly, the interim order granted earlier would not be tenable in so far as the inability on the part of Respondents 2 and 3 in not being in a position to allot the requisite number of students. Issue rule. Post for hearing in the usual course."

In the meantime, on seeing the website, the President, Kalpatharu Vidya Samsthe has submitted representations on 14.3.2014 stating that "as per the decision the following documents are submitted to SRC, NCTE:-

Approved Staff list with acknowledgement of Tumkur University, Tumkur for having submitted in the prescribed format to be approved along with Photostat copy of the said format.

Land Use Certificate

Original FDRs in Joint account.

Again on 11.4.2014, the Secretary, Kalpatharu Vidya Samsthe, Tiptur has stated that "with reference to the statement in affidavit reference W.P.No.9261-69/2014 and in continuation of our letter no.KVS letter No.194/2013-14 dated 22.3.2014, I would like your kind notice that the post of Principal of Kalpatharu

		<p>College of Education, Dr. Shashidharappa Gowdra , has been approved by the Registrar, Tumkur University, Tumkur. With regard to this we have enclosed following documents for your kind notice: Attested photocopy of the approval letter(by name) in NCTE format issued by Tumkur University, Tumkur Attested photocopy of the approved staff list. Copy statement in Affidavit W.P.No.9261-69/2014.</p> <p>We believe that all deficiencies have been attended and corrected and now no deficiency remains. Hence I request your goodself to be kind enough to restore the recognition of Kalpataru College of Education, Tiptur and oblige.”</p> <p>The above court order dated 20.3.2014 and also the representations submitted by the President and Secretary, Kalpataru College of Education,Tiptur, Tumkur Dt. Along with the part file of the institution is placed before SRC for its consideration and decision.</p> <p>The Committee considered the matter, and decided that the Hon’ble High Court has dismissed their case and as per the Court direction, the Committee had given them personal hearing and given an opportunity to remove deficiencies, but they have failed to do so. The deficiencies are still persists as under:</p> <ul style="list-style-type: none"> • FDRs – full amount is not covered; and, it is in the name of the Principal and the institution. • Staff list is not according to norms prescribed by NCTE. • LUC, the certificate, given by the Tahsildar refers to title and not land use. <p>Under the above grounds and with reference to the totality of information collected & based on a collective application of mind, the committee decided as per NCTE Regulations 2009, to reject the application of the institution.</p>
7.	<p>APS00029 D.Ed Little Flower College of Education for Women, Ananthapur District AP</p>	<p>Little Flower College of Education for Women, Ananthapur Post Office, Ananthapur District - 515 001, Andhra Pradesh</p> <p>An application was submitted by Little Flower College of Education for Women, Ananthapur Post Office, Ananthapur District - 515 001, Andhra Pradesh for grant of recognition to B.Ed course in the office of SRC-NCTE, Bangalore on 14.11.2000</p> <p>The application was processed as per the provisions contained in Rules and Regulation, Norms and Standards in vogue at that point of time and the recognition was granted to the institution vide order dated 14.05.2003 with the condition to shift to own premises within 3 years of the order.</p> <p>Shifting proposal was submitted by the institution on 17.07.2009. Shifting inspection was conducted on 17.09.2010.</p> <p>The Visiting Team report was placed before SRC in its 197th meeting held on 13th and 14th October, 2010.</p> <p>The Committee considered the VT Report and all the relevant documentary evidences and it was decided to serve show cause notice Under Section 17 of NCTE Act.</p> <p>As per the decision of SRC show cause notice was issued on 03.12.2010 for the following:</p>

	<p>The Teacher Education Programme is being run in the same building, in which Primary and Secondary School classes are run. Part of the land (50%) is in the name of the individual (Correspondent) and part of it, is in the name of the Little Flower, Montessori Primary & Secondary school, which is against the NCTE Norms. The land should be in the name of the Society/institution offering Teacher Education Programme. The Journals in the library are not sufficient for the usage of the students. Original FDR's were not shown to V.T. Members</p> <p>Institution submitted its written representation on 10.01.2011</p> <p>The committee after scrutinizing the reply of the institution for the deficiencies pointed out in its show cause notice dt. 03.12.2010, found that the institution has not submitted any valid documents for the removal of deficiencies served in the show cause notice and further:-</p> <p>The institution has in writing has admitted that they are running the existing courses i.e., B.Ed and D.Ed along with Primary and Secondary School classes in the same building, which is not permitted as per NCTE norms. Part of the land (50%) is in the name of the individual (Correspondent) and part of it is in the name of the Little Flower, Montessori Primary & Secondary school, which is against the NCTE Norms. The land should be in name of the society/institution offering teacher education programme as per NCTE norms. Copy of FDR for Rs. 3 lakhs in joint is not submitted. The Journals in the Library are not sufficient.</p> <p>Based on the above points, the committee decided to withdraw the recognition of the B.Ed course run by Little Flower College of Education for Women, Ananthapur, Andhra Pradesh from the academic year 2011-12, in order to enable the ongoing batch of students in B.Ed course if any, to complete their course.</p> <p>But it was made clear that the institution is debarred from making any further admission subsequent to the date of issue of the withdrawal order.</p> <p>The affiliating body / Examining board / body was informed accordingly.</p> <p>Further it was decided to return Endowment fund and Reserve fund deposited with SRC NCTE, Bangalore, if any.</p> <p>As per direction of SRC, withdrawal order was issued to the institution on 18.03.2011. The institution had approached to Appellate authority wherein the Appellate authority has confirmed the order.</p> <p>The Apex court in the judgement in Civil Appeal No. 1125-1128/2011 in the matter of Bhanwar Kanwar Singh Shiksha Mahavidyalaya and others before Hon'ble Supreme Court of India as under:-</p> <p><i>“An institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. The Counsel is directed to ensure that in future no institution is granted recognition unless it fulfils the conditions processing the application by the Regional committee and Communication of the decision of the issue of recognition it strictly adhered to”.</i></p> <p>Hon'ble Delhi High Court has also passed an order in Writ Petition No. 128/2011 in the matter of Shree Sitheshwar Education Trust Wherein the Hon'ble High Court has passed an order as under:-</p> <p>“The Counsel for the petitioner has with reference to the inspection report of 12th March, 2009, sought to argue that the order are erroneous. However, the petitioner having chosen to allow the order to attain finality and being content with agitating the matter only after raising fresh construction, cannot long gaps of time be heard to make fresh such</p>
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arguments”.

Two court orders were received in the office of SRC on 15.09.2011. The Hon'ble High Court in WP No. 26719 of 2011 in 21938 of 2011 dt. 16.08.2011 and WP No. 26698 of 2011 in 21921 of 2011 dt. 16.08.2011. Both the orders directed as under:-

“The attention of this Court is drawn to the proceedings of the District Educational Officer, Ananthapur in Rc.No.5804/A4/2011 dated 20.07.2011, whereby the 1st petitioner has been permitted to shift the schools from the existing premises to another building bearing Door No. 10-214. A perusal of the Gift Settlement Deed dated 20.12.2006 shows that the subject property has been gifted in the name of the institution i.e. Little Flower Montessori Primary and Secondary School, Adimurthy Nagar, Ananthapur by one M/s Suragowni Anjineyulu and Sri Suragowni Ravindra Gowd. Therefore, the principal objections relating to the petitioner running the schools in the same premises, the right over the total extent of the land prima facie appears to have been complied with. It is true that the petitioner shifted the schools under the orders dated 20.07.2011, which is subsequent to the impugned orders dated 06.07.2011. In my view, since the proceedings dated 20.07.2011 of the District Educational Officer, Ananthapur were passed under the A.P. Education Act, which is statutory in nature, I am of the view that the same may be taken as relevant fact. Further, the petitioner – institution is a running institution and if it is not permitted to continue, the students will suffer.

In the circumstances, there shall be an interim suspension.

Note: The Hon'ble High Court order has to be seen in the context of the Supreme Court order dt. 31.01.2011 & Delhi High court Order dt. 11.01.2011 mentioned in earlier paras.

The committee considered the matter and decided to get the Interim Suspension order of the High Court vacated through our Advocate at Hyderabad.

As per the decision of SRC, a letter was sent to Sri. Madava Rao, Standing Counsel, SRC, NCTE on 15.12.2011.

The Institution had submitted proposal to SCERT for renewal of affiliation along with copy of stay order of Hon'ble High Court against the withdrawal order of SRC, in this regard the Director, SCERT in letter dated 30.09.2013 requested the present status of the College.

The Committee in its 254th Meeting held on 25 – 27 October, 2013 considered the matter and advised SRO to examine the case thoroughly and to put up.

Also, the Southern Regional Office to ascertain quickly from the Lawyer regarding the latest position of the case and to put up.

As per the decision of SRC, a letter was issued to Shri. K. Ramakanth Reddy, Standing Counsel on 29.10.2013 followed by reminder on 19.12.2013.

The said Institution quoted the order in WPMP No. 26719 in qp 21938 of 2011 for consideration for continuation of recognition for D.Ed course. Whereas the order of NCTE challenged in the petition pertains to B.Ed. As per direction of competent authority, a letter was sent by email as well as post to Shri K.Ramakanth Reddy, Advocate on 24.01.2014 with requesting to clarify whether the Hon'ble High Court order in WP No. 21938 of 2011 is pertaining to B.Ed course or D.Ed course and to inform the latest factual position of the case.

The Hon'ble High court of Andhra Pradesh has submitted a court order received by SRC on 22.01.2014 of W.P.No.790 of 2014 dated 10.01.2014. Court order as follows:-

“it is submitted that the Commissioner & Director for School Education, A.P., Hyderabad, has issued a letter dated 07.09.2013 in Rc.No.100/B1/TE/SCERT/2013-1 pointing out certain discrepancies to be rectified by the petitioners-College.

Earlier, petitioners filed WP.No.21938 of 2011 and obtained stay orders in W.P.M.P. No.26719 of 2011 and obtained renewal of recognition for the year 2013-2014.

Now, alleging that the college is not placed in the web counseling of DIET CET 2013-14, this writ petition has been filed.

With reference to specific discrepancies pointed out by the Commissioner and Director for School Education, A.P., Hyderabad, in the above referred proceedings dated 07.09.2013, there is nothing on record to show that the petitioners-College has complied with the same.

In the above circumstances, subject to compliance of the discrepancies find out by the Commissioner & Director for School Education, A.P., Hyderabad, in proceedings dated 07.09.2013, within a period of one week from today, the college may be placed in the web counseling of DIET CET 2013-14 and the College may be permitted to make spot admissions. However, it is made clear that this shall be done only after clearance from the Commissioner & Director for School Education, A.P., Hyderabad.

Post on 07.02.2014.”

The Hon'ble High court of Andhra Pradesh has submitted a show cause notice received by SRC on 23.01.2014 in W.P.No.790 of 2014 dated 10.01.2014. The Hon'ble High court was ordered as follows:- “.....Notice before admission. Post on 07.02.2014.”

Repeated letter and fax were received from the Director, SCERT requesting the status in respect of Little Flower College of Education for Women, Ananthapur District, Andhra Pradesh and the status of the Institution sent to the Director of SCERT, Andhra Pradesh on 24.01.2014.

A letter has been received from Shri Ramakanth Reddy, Advocate on 30.01.2014 clarified that;

The interim orders of the Hon'ble Court passed in WPMP.No.26719 of 2011 in W.P.21938 of 2011 dated 16.08.2011 should be taken as relevant for B.Ed., course only, and

The latest factual position is that the writ petition is pending and the interim orders of the Hon'ble Court passed in W.P.M.P No.26719 of 2011 in W.P.21938 of 2011 dated 16.08.2011 pertains to B.Ed., course only.

(Note: W.P.No.790 of 2014, it is related to DIET, CET)

The Committee in its 261st Meeting held on 09th – 10th February, 2014 considered the Hon'ble High Court, Hyderabad order dated 10/01/2014 and also letter dated 26/01/2014 from our Advocate, and decided that:

The Court order is only about the B.Ed course.

Recognition for D.Ed was already withdrawn; only, it was not communicated to SCERT, Hyderabad. SRO to communicate the same to SCERT, Hyderabad, now.

As per the decision of SRC, the status of the application and the clarification of the course were informed to the Director, SCERT, Andhra Pradesh again on 20.02.2014.

Now, a court order dated 23.01.2014 in WPMP No. 1553 of 2014 in WPMP No. 864 of 2014 in WP No. 790 of 2014 filed by Little Flower Montessori Primary & Secondary School Society and Little Flower College of Education was received on 25.02.2014 and the same order was forwarded from Principal Secretary to Government (PE) was received on 07.03.2014.

The court order is directing as follows:

“Learned counsel for the petitioners has taken me through the letters written by the petitioners’ Institution to the 2nd respondent dated 14.10.2013 and 17.01.2014 stating that the Institution has ratified the discrepancies and submitted necessary certificates given by the concerned authority i.e. entire campus with labs, library, classrooms, structural soundness certificate, building and rooms photos and video and the official website and the same have been handed over to the authorities on 18.10.2013 personally.

Accordingly to the learned Government pleader for School Education, the authorities have to verify the same. Since the petitioners have intimated the 2nd respondent by letters dated 14.10.2013 and 17.01.2014, there is no justification in seeking further time, particularly in view of the counseling on 17th, 24th and 25th of January, 2014.

In the above circumstances, the respondents are directed to place the petitioners’ College in the web counseling of DIET CET 2013 – 2014 on 24th ad 25th of this month.”

Comparative statement for both B.Ed and D.Ed course is placed in file.

The matter is placed before SRC for consideration and decision.

Little Flower Elementary Teacher Education Institution for Girls, Ananthpur Andhra Pradesh.

An application was submitted by Little Flower Elementary Teacher Education for Girls, Ananthpur Andhra Pradesh for grant of recognition to D.Ed course in the office of SRC-NCTE, Bangalore on 03.02.2004

The application was processed as per the provisions contained in Rules and Regulation, Norms and Standards vogue at that point of time and the recognition was granted to the institution vide order dt 26.08.2005 with stipulated conditions.

Shifting proposal was submitted by the institution on 17.07.2009. Shifting inspection was conducted on 17.09.2009.

The SRC in its 197th meeting held on 13th and 14th October, 2010, and the committee considered the VT Report and all the relevant documentary evidences and it was decided to serve Show cause Notice Under Section 17 of NCTE Act.

As per the decision of SRC, notice was issued on 03.12.2010. The institution has not submitted its written representation/documents.

The SRC in its 201st meeting held on 22nd-23rd February 2011 and considered the non-response of the institution to the Show cause notice dated 03.12.2010 and it has decided to withdraw recognition for D.Ed course (APS02773) with effect from 2012-13, in order to enable the ongoing batch of students in D.Ed course, if any, to complete their course.

But it is made clear that the institution is debarred from making any further admission subsequent to the date of issue of this order.

The Affiliating body / Examining board / body be informed accordingly.

Accordingly, Withdrawal of recognition order was issued to the institution on 18.03.2011.

Aggrieved by the withdrawal of recognition order of SRC, the institution preferred an appeal to NCTE-Hqrs and the appellate authority in its order No. F.No. 89-144/2011Appeal/4th meeting-2011 dated 06.07.2011 stated that *“...after perusal of documents, memorandum of appeal, affidavit, VT report and after considering oral arguments advanced during hearing, the council reached the conclusion that there was no ground to accept the appeal and hence it should be rejected. Accordingly, the appeal was rejected and SRC’s order dated 18.03.2011 was confirmed. The council hereby confirms the order appealed against”.*

A letter has been received from Govt. of Andhra Pradesh, School Education (PE) Department vide letter G.O. Rt. NO. 521 dated 01.07.2011. As per perusal of the above letter Private D.Ed College of Andhra Pradesh was submitted representation to the Hon’ble

Minister stating that they have admitted extra students in D.Ed 1st year after completion of 3rd phase DIETCET-2010 counselling during the academic year 2010-2011. But the 4th phase counselling, the convener DIETCET-2010 have allotted students to the vacant seats of their college under category-A seats and requested to the Govt to accord permission for the extra seats for the year 2010-2011 as a special case.

After examination of the matter by the State Govt in view the interest of the students who were admitted in excess by the institutions and are at no fault of them, hence the Govt ratified the action of the Managements of (28) Private D.Ed colleges in filling of excess seats filled by them for the academic year 2010-2011 as a special case with a strict warning to the managements of such institution not to repeat such unauthorized /irregular admission.

The State Govt requested to take necessary action against the Management as per the rules in force. The present institution has got admission for 15 extra seats as per the above letters of the State Government.

The SRC in its 209th meeting held on 31st July 2011 has decided to issue show cause notice to the above twenty nine institutions with regard to their admitting more than the permitted intake in their D.Ed course, which is against the NCTE norms. And also a letter be addressed to Govt. of Andhra Pradesh, as the affiliating body that in latter should not have permitted/condoned the unauthorized/irregular excess admissions. The NCTE is not in a position to approve of such unauthorized/irregular excess admissions. The institutions are liable to be derecognized for such serious commissions/omissions.

No action has to be taken for the above said State Govt. letter, the SRC in its 201st meeting taken decision i.e. Withdrawal of recognition. Accordingly, a withdrawal order was issued to the institution on 18.03.2011.

The institution filed a court case in the Hon'ble High Court of Andhra Pradesh, W. P. No. 21938 of 2011 W.P.M.P. No.26719 of 2011 and the Hon'ble High Court of Andhra Pradesh in its order has stated as follows:-

"...The attention of this Court is drawn to the proceedings of the District Educational Officer, Ananthapur in Rc.No.5804/A4/2011 dated 20.07.2011, whereby the 1st petitioner has been permitted to shift the schools from the existing premises to another building bearing Door No. 10-214. A perusal of the Gift Settlement Deed dated 20.12.2006 shows that the subject property has been gifted in the name of the institution i.e. Little Flower Montessori Primary and Secondary School, Adimurthy Nagar, Ananthapur by one M/s Suragowni Anjineyulu and Sri Suragowni Ravindra Gowd. Therefore, the principal objections relating to the petitioner running the schools in the same premises, the right over the total extent of the land primea facie appears to have been complied with. It is true that the petitioner shifted the schools under the orders dated 20.07.2011, which is subsequent to the impugned orders dated 06.07.2011. In my view, since the proceedings dated 20.07.2011 of the District Educational Officer, Ananthapur were passed under the A.P. Education Act, which is statutory in nature, I am of the view that the same may be taken as relevant fact. Further, the petitioner – institution is a running institution and if it is not permitted to continue, the students will suffer.

In the circumstances, there shall be an interim suspension."

The SRC in its 211th meeting held on 21st-23rd September 2011 and the committee considered the Court order and all other relevant documents and has decided to cause re-inspection under Section 17 of NCTE Act at the premises to verify the shifting of the School and adequacy of the infrastructure and instructional facilities. The institution is directed to submit inspection fee of Rs. 40,000/- for each course.

Accordingly, re-inspection of the institution letter was sent on 14.11.2011 and a letter for submission of inspection fee of Rs.40,000/- was sent to institution on 15.11.2011

In the meanwhile inspection of the institution was conducted on 20.11.2011. The VT report received was placed before SRC in its 214th meeting held on 28th November 2011 and the

	<p>committee considered the matter and has decided to get the Interim Suspension order of the High Court vacated through our Advocate at Hyderabad.</p> <p>Accordingly, a letter was sent to an Advocate on 14.12.2011.</p> <p>In the meantime, the institution has submitted its written representation on 13.12.2011 along with D.D. of Rs.40000/- and submitted some documents.</p> <p>The SRC in its 218th meeting held on 28th February 2012 consider the matter and decided that in view of condonation ordered by the State Government. SRC may warn the erring institution and require them to give an undertaking that there will be no recurrence of such a lapse.</p> <p>Note: One strongly order passed by Hon'ble Supreme Court of India in SLP NO. 14020/2009 filed by Adarsh Shiksha Mahavidalaya & others Vs Subhash Rahangdale & other. In the said judgment dt. 06.01.2012 Hon'ble Supreme Court has issued various directions for NCTE/Affiliating body/Institutions and to the state Govt. The operative part of the judgment as under:</p> <p><i>"If any institution admits any student in violation of the Norms and Standards laid by the NCTE, then the Regional Committee shall initiate action for withdrawal of the recognition of such institution and pass appropriate order after complying with the rules of natural justice"</i></p> <p>As per direction of SRC, a letter was issued to the concerned institution on 21.08.2012. it is observed from the file, the institution has not submitted reply so far</p> <p>A letter has been received from Director, SCERT, Hyderabad on 17.10.2013 requesting <i>".....to inform the latest stage of the court case and confirm about the status position of recognition in respect of Little Flower College of Education for Women, Adhimurthy Nagar, Ananthapur District immediately, so as to enable this office to submit a report to the Government of Andhra Pradesh"</i></p> <p>The SRC in its 254th meeting held on 25th-27th October 2013, considered the matter, decided and advised SRO to examine the case thoroughly and to put up.</p> <p>Also, the Southern Regional Office to ascertain quickly from the Lawyer regarding the latest position of the case and to be put up in the 255th SRC meeting.</p> <p>Accordingly, a letter was sent to Shri.K.Ramakanth Reddy, Advocate on 29.10.2013. Again, a reminder letter to Advocate was sent on 19.12.2013</p> <p>The Hon'ble High court of Andhra Pradesh has submitted a court order received by SRC on 22.01.2014 of W.P.No.790 of 2014 dated 10.01.2014. Court order as follows:-</p> <p><i>"it is submitted that the Commissioner & Director for School Education, A.P., Hyderabad, has issued a letter dated 07.09.2013 in Rc.No.100/B1/TE/SCERT/2013-1 pointing out certain discrepancies to be rectified by the petitioners-College.</i></p> <p><i>Earlier, petitioners filed WP.No.21938 of 2011 and obtained stay orders in W.P.M.P. No.26719 of 2011 and obtained renewal of recognition for the year 2013-2014.</i></p> <p><i>Now, alleging that the college is not placed in the web counseling of DIET CET 2013-14, this writ petition has been filed.</i></p> <p><i>With reference to specific discrepancies pointed out by the Commissioner and Director for School Education, A.P., Hyderabad, in the above referred proceedings dated 07.09.2013, there is nothing on record to show that the petitioners-College has complied with the same.</i></p> <p><i>In the above circumstances, subject to compliance of the discrepancies find out by the Commissioner & Director for School Education, A.P., Hyderabad, in proceedings dated</i></p>
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07.09.2013, within a period of one week from today, the college may be placed in the web counseling of DIET CET 2013-14 and the College may be permitted to make spot admissions. However, it is made clear that this shall be done only after clearance from the Commissioner & Director for School Education, A.P., Hyderabad.

Post on 07.02.2014.”

The Hon'ble High court of Andhra Pradesh has submitted a show cause notice received by SRC on 23.01.2014 in W.P.No.790 of 2014 dated 10.01.2014. The Hon'ble High court was ordered as follows:- “.....Notice before admission. Post on 07.02.2014.”

A fax letter was received from the Director of SCERT on 23.01.2014 requesting the status in respect of Little Flower College of Education for Women, Ananthapur District, Andhra Pradesh and the status of the Institution sent to the Director of SCERT, Andhra Pradesh on 24.01.2014.

As per direction of competent authority, a letter was sent by email as well as post to Shri K.Ramakanth Reddy, Advocate on 24.01.2014 with requesting to clarify whether the Hon'ble High Court order in WP No. 21938 of 2011 is pertaining to B.Ed course or D.Ed course and to inform the latest factual position of the case.

A letter has been received from Shri Ramakanth Reddy, Advocate on 30.01.2014 clarified that;

The interim orders of the Hon'ble Court passed in WPMP.No.26719 of 2011 in W.P.21938 of 2011 dated 16.08.2011 should be taken as relevant for B.Ed., course only, and

The latest factual position is that the writ petition is pending and the interim orders of the Hon'ble Court passed in W.P.M.P No.26719 of 2011 in W.P.21938 of 2011 dated 16.08.2011 pertains to B.Ed., course only.

(Note: W.P.No.790 of 2014, it is related to DIET, CET)

The Committee in its 261st Meeting held on 09th – 10th February, 2014 considered the Hon'ble High Court, Hyderabad order dated 10/01/2014 and also letter dated 26/01/2014 from our Advocate, and decided that:

The Court order is only about the B.Ed course.

Recognition for D.Ed was already withdrawn; only, it was not communicated to SCERT, Hyderabad. SRO to communicate the same to SCERT, Hyderabad, now.

As per the decision of SRC, the status of the application and the clarification of the course were informed to the Director, SCERT, Andhra Pradesh again on 20.02.2014.

Now, a court order dated 23.01.2014 in WPMP No. 1553 of 2014 in WPMP No. 864 of 2014 in WP No. 790 of 2014 filed by Little Flower Montessori Primary & Secondary School Society and Little Flower College of Education was received on 25.02.2014 and the same order was forwarded from Principal Secretary to Government (PE) was received on 07.03.2014.

The court order is directing as follows:

“Learned counsel for the petitioners has taken me through the letters written by the petitioners' Institution to the 2nd respondent dated 14.10.2013 and 17.01.2014 stating that the Institution has ratified the discrepancies and submitted necessary certificates given by the concerned authority i.e. entire campus with labs, library, classrooms, structural soundness certificate, building and rooms photos and video and the official website and the same have been handed over to the authorities on 18.10.2013 personally.

		<p>Accordingly to the learned Government pleader for School Education, the authorities have to verify the same. Since the petitioners have intimated the 2nd respondent by letters dated 14.10.2013 and 17.01.2014, there is no justification in seeking further time, particularly in view of the counseling on 17th, 24th and 25th of January, 2014.</p> <p>In the above circumstances, the respondents are directed to place the petitioners' College in the web counseling of DIET CET 2013 – 2014 on 24th ad 25th of this month.”</p> <p>The Committee considered the matter, Court order dated 23.01.2014, decided and advised Southern Regional Office to write to our Lawyer to file a review petition since the Court order ‘stayed’ our decision only for B.Ed and not for D.Ed.</p>
8.	<p>APS02213 B.Ed Prasanna College of Education, Dakshina Kannada District KA</p>	<p>Prasanna College of Education, Ujire, Belthangadi Taluk, Dakshina Kannada District – 574240, Karnataka</p> <p>Prasanna College of Education, Ujire, Belthangadi Taluk, Dakshina Kannada District – 574240, Karnataka was granted recognition for secondary (B.Ed) Course of one year vide order F.SRO/NCTE/B.Ed/2004-2005/8964 dated 01/12/2004 with an annual intake of 100 students with a condition to shift its own premises/ building within three years from the date of recognition (in case the course is started in rented premises).</p> <p>A letter is received from the Research Officer, NCTE,HQ vide No.F.64-82/2012/NCTE/Legal/A52573 dated 08/06/2012 is received by this office on 13/06/2012 regarding defending the case in W.P.No.1914/2012 filed by Smt.Ranjini Kundar T.K. Vs. State of Karnataka and others before the Hon'ble High Court of Karnataka. The petitioner is aggrieved by the action of university for not declaring the result of the petitioner admitted in the college, viz., Prasanna College of Education for the session 2009-10. The matter was listed for hearing on 15.05.2012.</p> <p>A letter was sent to the Mr. Ashok Haranahalli (advocate) on 18/06/2012.</p> <p>In the mean while, a letter is received on 31/12/2012 from Sri.S.L.Manjappa, Principal of Prasanna College of Education submitting his resignation on 13/12/2012.</p> <p>From the file, it is observed that Prasanna College of Education Ujire, Belthangadi Taluk, Dakshina Kannada District – 574240, Karnataka was granted recognition on 1/12/2004 with a condition to shift to its own premises within 3 years and so for the institution has not submitted any request for shifting of premises even after a lapse of 8 years.</p> <p>The SRC in its 241st meeting held on 29th – 31st March 2013 and 1st April 2013 considered the matter and all the relevant documentary evidences and it was decided to serve Show Cause Notice under NCTE act and Notice was issued to the institution on 16/05/2013 for the following deficiency:-</p> <ul style="list-style-type: none"> • The institution was given recognition on 01/12/2004 in a temporary premises with a specific condition that the institution should move to a permanent premise within a period of three years i.e., on or before 01/12/2007. Even after a lapse of time period of 8 years 4 months, the management has not shifted its own building/move to its own building. <p>The institution submitted reply vide letter dated 10.06.2013 as under:-</p>

It is true that our trust has availed recognition from NCTE for secondary (B.Ed) course of one year vide order dated F.SRO/NCTE/B.Ed/2004-2005/8964 dated 01/12/2004. The recognition was granted subject to a condition within 3 years i.e., on or before 01/12/2007. After granting of recognition we have started the B.Ed course in a rented premises and to fulfill the conditions incorporated in the recognition we have proceeded to construct the permanent building in the property belongs to the trust at Laila Village of Belthanhady Taluk. During the course of construction and the building reaches it's final stage when yet to ready for shifting of the institution, the tiles laid to the floors of the building began to heave up and caused injury to a laborer As the building is constructed for running B.Ed college and where number of students are gathering, we have decided not to shift the college to the said premises. In order to give protection to the students and to avoid unpleasant eventualities, we have decided to continue the college on the rental premises by paying heavy rent even though we have taken sufficient strain to transfer the college to the full pledged building.

In addition to that on verification we found that the have up tiles of the said building is due to the supply of substandard tiles by the company. So we have initiated legal steps against the company either to substitute the tiles or to pay the compensation. The company will supply the genuine tiles. So the trust has wait for some time. Finally the trust has filed a complaint before the District Consumer Forum of D.K. Mangalore against one M/S Murudeshwara Ceramics Ltd in complaint No. 43/2010. The said proceedings continued for more than 3 years after the final order in the said proceeding, the trust once again by investing huge amounts removed all the tiles and furnished fresh tiles of some other company. Now with all these above problems we have get ready with full pledged building of our own for which we have decided to shift.

After availing recognition one Sri. S.L.Manjappa was acting as a Principal up to December 2012 who is in charge of the institution in respect of all the administrative affairs. The trust informed to the Principal to communicate the above incidents to Regional Office of NCTE and also seek some time for shifting of the institution to our own building. So we the members of the trust have presumed that the Principal has initiated suitable action for enlargement of time for shifting of the institution. On receipt of the Show Cause Notice we came to know that the Principal has failed to initiate steps for extension of time for shifting of the institution.

Our institution is having strength of more than 80 every year and having sound teaching faculty which is known fact to you. Prior to the Show Cause Notice we have decided to shift the institution to our full pledge building situated in S.No. 160/1 of Laila Village of Belathangady Taluk. The delay in shifting is for the genuine reasons which have occurred in the course of construction and due to unavailable circumstance. There is no intentional latches on our part delay if any is deserve to be condoned by extending king indulgence on the facts details supra.

The aspects of filing of a case by one Mr.Ranjini Kunder T.K. is not due to any fault by our institution but it was filed against the University for Non declaring of the result due to some reasons. In the issue we have not committed any fault and we have erred any of the provisions.

Now we are already to shift the college to the new building with your kind permission and request with you please arrange for inspection of the new building and consequently permit us to occupy the premises for running institution. A crossed demand draft Rs.50, 000/- being the inspection fee of NCTE is attached herewith.

		<p>We have received your Show Cause Notice on 20th day of May 2013. On that day the Principal of the institution is on leave for 3 consecutive days. Under the above circumstances as a chairman in order to the institution humbly request with you please permit us to shift the institution to our own building by condoning delay if any putting an end to the Show Cause Notice in the public interest as well as in the interest of institution”.</p> <p>The SRC in its 253rd meeting held during 30th September, 2013 and 1st October, 2013 Committee considered the written reply of the institution on the above matter and also the relevant documents of the institution and decided to withdraw recognition for the following reasons:-</p> <p>Approved blue print of the building plan issued by competent civil authority is not submitted. The building plan submitted is approved by consulting engineer & contractor, which is not permissible as per NCTE regulations. Earmarked area for the course is not mentioned.</p> <p>The institution has submitted staff list of the running institution, which is not approved by the affiliating University.</p> <p>Based on the above points the committee decides to withdraw the recognition of the B.Ed course run by the Prasanna College of Education, Ujire, Belthangadi Tauk, Dakshina Kannada District-574240, Karnataka from the academic year 2014-15, in order to enable the ongoing batch of students in B.Ed, course, if any, to complete their course.</p> <p>It was made clear that the institution is debarred from making any further admission subsequent to the date of issue of this order. The Affiliating body / Examining board / body be informed accordingly. Further it was decided to return Endowment funds and Reserve fund deposited with SRC NCTE, Bangalore, if any, after ensuring payments to all dues of faculty and staff.</p> <p>As per the decision of SRC, withdrawal order was issued to the institution on 6.12.2013.</p> <p>On 23.1.2014, the institution has obtained an interim order of stay for the order of withdrawal of SRC dated 6.12.2013 vide W.P.No.3148/2014. The advocate, Sri. P.S. Dinesh Kumar is requested to vacate the interim stay granted to the institution and defend the case in the interest of NCTE.</p> <p>The Committee considered the matter, interim order of stay brought by the said institution vide W.P.No. 3148 of 2014 and decided that our lawyer to be reminded to expeditiously pursue the case.</p>
9.	<p>APS09591 B.Ed Haragopal College of Education, Srikakulam District, AP</p>	<p>Haragopal College of Education, Srikakulam District, Andhra Pradesh</p> <p>Haragopal Educational Society had submitted an application on 30/08/2008 for grant of recognition to start Haragopal Collage of Education, Polaki Village & Mandal, Srikakulam District-532429, Andhra Pradesh. The application was processed and the deficiency letters were issued and on fulfillment of all the deficiencies a letter of consent was issued to the institution on 1.12.2008.</p> <p>Meantime, Principal Secretary to Govt., Education (SE-Trg.) Dept., Government of Andhra Pradesh vide letter No.22525/Trg./A1/2008 dated 7.1.2009 requesting SRC-NCTE to accord further recognitions/permissions to the new colleges viz., Priate B.Ed. Colleges/Private D.Ed. Colleges/ Private Physical Education Colleges/Private Language Pandit Training Colleges in the State of Andhra Pradesh.</p>

Also a letter from the NCTE, HQ vide letter No.49-27/NCTE(N&S)/92198 dated 17.3.2009 considered the Govt. of Andhra Pradesh letter dated 7.1.2009 and it has been decided that no further recognition/permission to any institution in the State of Andhra Pradesh be considered by SRC for the academic session 2009-10 for B.Ed., D.Ed. and Physical Education courses Due to the above policy decisions, the application of Haragopal College of Education for B.Ed. course was kept pending.

Meanwhile, the institution has submitted written representation along with a Court order on 15.4.2009 of W.P.No.7462 of 2009. The Hon'ble Court has issued an order as follows:-

“There shall be an interim direction to the respondents to conduct inspection of the petitioner's College i.e., Haragopal College of Education at Polaki, Narasannapeta Mandal, Srikakulam Dt., for the purpose of granting recognition to the said College as per law”.

The matter was placed before SRC and SRC decided to conduct inspection as per Court orders the committee decided to cause the inspection of the institution in obedience of the Court order in its W.P.No. 7462 of 2009 dated 15/04/2009. the inspection was conducted on 09/05/2009. the VT report along with documents were placed before 175th Meeting and the SRC refused recognition of the institution.

SRC in its 169th meeting held on 12-13 January 2009 considered the letter dated 07/01/2009 of State Government of Andhra Pradesh wherein Principal Secretary of Education has requested NCTE **“not to accord further recognition/permission to the new colleges/private B.Ed D.Ed Physical Education, language Pandit in the State of Andhra Pradesh as above colleges are exceeding in numbers than required”**.

The SRC decided to give effect to the decision of State Government of Andhra Pradesh as such with immediate effect.

Further, the letter dated 17/03/2009 was received from NCTE-Hqrs informing that the recommendations of the Govt. of Andhra Pradesh not to grant recognition/permission in respect of other courses like B.Ed & D.Ed and Physical Education courses have further been considered in NCTE and it has been decided that no further recognition / permission to any institution in the State of Andhra Pradesh be considered by SRC for the academic session 2009-10 for B.Ed & D.Ed and Physical Education courses also”.

It was noted that SRC in its 172nd meeting held on 25th-26th March, 2009. and decided to accept the recommendation of the State Government of Andhra Pradesh not to grant recognition to any of the Teacher Training institutions in the state of Andhra Pradesh for the year 2009-10.

Accordingly refusal order was served to the institution on 05/06/2009.

Aggrieved by the refusal order of SRC, the institution preferred an appeal before the Appellate authority. The appellate authority remanded back the case to SRC, NCTE for necessary action. SRC decided to conduct re-inspection on 11/09/2009. the inspection report was placed before SRC in its 183rd meeting of SRC which was held on 22nd September, 2009 wherein the Regional Committee decided to serve notice and notice was served on 29/10/2009 with following reasons:-

As per the VT report, the Management is conducting Vishwa Bharathi Public School in the building proposed for B.Ed course. as per para 8 (7) of NCTE

regulations no. institution shall be granted recognition under these regulations unless it is in possession of required land on the date of application. "As per records the institution has not submitted the exclusive and land building documents for the proposed course.

The built up area is roofed with asbestos sheets which is against para 8 (10) of NCTE regulations, 2007.

The furniture is not suitable for the proposed programme and also the furniture belongs to the School children shown to the VT members.

Building area available in the building is not suitable (Hall and classrooms) for B.Ed programme.

The size of Multipurpose Hall is 851 Sq.ft. as against 1500 Sq.ft. required as per Regulation of NCTE.

The equipment for Educational Technology Lab. Is not provided by the Management for proposed course.

As per VT report, the land document was registered on 30/08/2008, whereas the Management submitted building completion certificate on 03/10/2008. The Management has to give clarification how the building was constructed within two months.

Infrastructural and instructional facilities are inadequate and not as per NCTE norms of B.Ed course.

In reply to show cause notice the institution has submitted written representation dated 18/11/2009.

The reply to the notice was considered by the committee and it has been decided to refuse recognition for B.Ed course.

Accordingly, rejection letter was issued to the institution on 05/01/2010.

The institution has submitted series of letters dt.21/11/2011, 20/12/2011, 16/02/2012 and 26/02/2012 requesting to cause inspection and to issue permission / recognition to start B.Ed course.

Aggrieved by the refusal letter of SRC the institution preferred an appeal to NCTE-Hqrs and the appellate authority in its order no. F.No.89-239/2012 Appeal/6th Meeting-2012 A55126 dated 17/07/2012 state that *"the Council concluded that the reasons adduced by the appellant for condonation of 2 year, 2 month and 9 days were not acceptable and hence it decided not to condone the delay and admit the appeal"*.

The SRC in its 230th meeting held on 16th to 17th July, 2012 has noted the Appellate authority order dt. 17/07/2012.

The institution moved to court, the Hon'ble High Court order dt. 04/09/2012 in W.P. No. 27491 of 2012 stated that *"...the writ petition is disposed of without adjudicating the same on merits on the short ground that the academic year for which the petitioner has made its No. 2 to entertain a fresh application from the petitioner for the academic year 2012-13 and take a decision there on without reference to and regard for the rejection of the petitioner's earlier application.*

Subject to the above direction, the disposed of as a sequel to disposal of the writ petition, W.P.M.P. No. 35014 of 2012 shall stand disposed of as infructuous".

The SRC in its 239th meeting held on 26th to 27th February, 2013 considered the Hon'ble High Court order dt. 04/09/2012 and decided to close the case. Further, the

Committee also decided as per court order to entertain when the second application for the session 2012-13 is received, put up to consider its validity because of the 'On-line' restrictions.

The institution has submitted manual copy of application on 1.8.2013 with all the essential documents for consideration with the request to issue recognition for B.Ed course for the academic year 2013-2014.

NCTE-Hqrs., in its letter dated 4th September, 2013 stating that "the representation received from the petitioner institution along with a copy of manual application for conduct of B.Ed course in context with the Hon'ble High Court amended order dated 25.7.2013. After perusal of the court direction dated 25.7.2013, it is seen that the Hon'ble Court permitted the petitioner institution to file a fresh application for grant of permission for starting B.Ed college for the academic year 2013-2014 and directed NCTE to consider the application without reference to the rejection of the petitioner's earlier application.

It is seen that there is no provisions for making application manually for grant of recognition as per extant Regulations and moreover for the academic session 2013-2014, the NCTE is not in a position to even consider the application in the light of judgment dated 13.12.2012 of Hon'ble Court of India".

It is also requested to defend the case in the interest of the NCTE and immediately file a review petition for modification of the order dated 25.7.2013.

Accordingly, a letter to the advocate was sent on 18.9.2013 with the request to file a review petition.

Reply from the advocate not received so far.

Meantime, Contempt notice in CC. No. 2254 of 2013 received from the Hon'ble High Court of Andhra Pradesh on 29.01.2014. The Hon'ble High Court has directed as follows:

"... directed to show cause either appearing in person or through Advocate duly instructed on 03.02.2014 to which date the case stands posted for hearing of the same, failing wherein the said case will be heard and determined ex-parte".

The SRC in its 260th meeting held on 29th-31st January 2014, considered the Hon'ble High Court Andhra Pradesh order dated 29/01/2014, decided and advised Southern Regional Office to ascertain the status of Review Petition asked to file vide this office letter dated 18/09/2013 and to file Review Petition, if not filed. Also, to defend the contempt of Court case in the light of Review Petition.

Accordingly, a letter was issued to the Advocate on 06.02.2014.

In the meantime, the institution has submitted its written representation on 11.02.2014 along with court order in Contempt Case No.2254 of 2013 dated 06.02.2014 as follows:-

"This contempt case is filed alleging willful disobedience of order dated 04.09.2012 in W.P.No.27491 of 2012.

At the hearing, it has come out that as the petitioner did not make the application online on or before 03.03.2013, the cutoff date as fixed by the Supreme Court for the academic year 2013-14, the petitioner's request for permission for

establishment of B.Ed College could not be considered.

Learned counsel for the petitioner, while not disputing the fact that proper application was not made before the cutoff date, however, submitted that his client may be permitted to make a fresh application according to the prescribed procedure for the academic year 2014-15 and that the respondent may consider the same.

Inasmuch as there is still nearly one month time left for the respondent to consider the petitioner's application, in the facts and circumstances of the case, the petitioner is permitted to make such an application within four days. If such application is made, the respondent shall positively consider the same in accordance with the prescribed procedure.

Subject to the above observation and direction, the contempt case is closed."

The institution has submitted triplicate copies of manual applications on 10.02.2014(as per contempt court order dated 06.02.2014)

The SRC in its 264th Meeting held on 01st – 03rd March, 2014 Meeting held on 01st – 03rd March, 2014 considered the reply of the Institution dated 10/11.02.2014 and it has decided as follows:

The Institution could not have applied in July 13 for 14-15 because it was limited to Govt. Institutions. The present application can not be considered for 14-15 because it is impossible to complete the process in 48 hrs. Let us, therefore, treat this as a 'pipeline' case with reference to their old application and process for 2015-16. Inform the party accordingly.

Simultaneously, file an affidavit explaining our position to the Court.

A letter to the Institution, intimating the decision of 264th SRC Meeting was sent on 06.03.2014.

The status of the application along with brief was sent to the Advocate, Shri. Ramakanth Reddy and also to NCTE Hqrs on 06.03.2014.

On 11.03.2014 a written representation submitted by the Institution was forwarded to the Advocate, Shri. Ramakanth Reddy.

Duly signed counter affidavit sent to the advocate on 12.03.2014.

On 10.04.2014, the office has received Contempt Petition in CC No. 274 of 2014 filed by Haragopal Educational Society, Vishakhapatnam District, Andhra Pradesh in the Hon'ble High Court of Andhra Pradesh. The Hon'ble High Court has directed (Regional Director) to appear in person on 28.04.2014 at 10:30 am. Additional counter affidavit has been sent on 21.04.2014.

As per the directions of the Committee in its 264th Meeting held on 01st – 03rd March, 2014 Meeting, the application is processed.

The Committee considered the matter, noted that the said case of the institution is a case of pending application and not of an existing institution. That being so, in view of the Supreme Court orders, (dated 07.03.2014 read with order dated 10.09.2013) this cannot be processed until the new regulations are notified and keep it pending.

10.	<p>APS08831 B.Ed S;V.S. College of Education, Tumkur District KA</p>	<p>S.V.S College of Education, No. 410, Opp. Banashankari Street Temple, Kunigal Road, Tumkur District-572101, Karnataka</p> <p>S.V.S College of Education, No. 410, Opp. Banashankari Street Temple, Kunigal Road, Tumkur District-572101, Karnataka had submitted an application for starting B.Ed course on 31.12.2007. The institution was granted recognition on 02.01.2008 with an annual intake of 100 students.</p> <p>This office was in receipt of letter No.TY:VCPS:2011-12:98 dated 21.05.2011 from the Vice-Chancellor, Tumkur University, Tumkur by enclosing a list of 19 institutions with the Committee observations by conducting inspections.</p> <p>The SRC in its 206th meeting held on 9th -10th June, 2011 considered the VT report, reply of the institution vide its letter dated 21.05.2011 and the deficiencies in the 19 institutions in Tumkur District and decided to issue show cause notice under Section 17 of NCTE Act which was issued to the institution on 11.07.2011. The institution had replied vide letter dated 11.8.2011.</p> <p>The SRC in its 211th meeting held on 21st -23rd September, 2011 considered the letter dated 21.05.2011 from Vice-Chancellor, Tumkur University pointing out deficiencies in the 19 Tumkur University colleges and also reply of the above institution dated 11.08.2011 and other documents submitted by the institution and decided to cause composite inspection for all the courses at premises Under Section 17 of NCTE Act, to verify whether the institution is maintaining instructional and infrastructural facilities as per NCTE norms. The institution was directed to submit certain documents within 30 days of the receipt of the notice, with Demand Draft of Rs.40,000/- inspection fee towards the all the courses being run, in favour of "The Member Secretary, NCTE" payable at Bangalore.</p> <p>Further, inspection of the institution was scheduled between 28th October, 2011 to 2nd November, 2011 and the same was informed to the institution on 19.10.2011.</p> <p>In the meanwhile, Tumkur University vides their letter received on 17.10.2011 had conducted visits to the institution during 15th – 19th and 27th of July, 2011 and has made the following observations:-</p> <p>Action taken by the College</p> <table border="1" data-bbox="405 1379 1410 1899"> <thead> <tr> <th data-bbox="405 1379 855 1413">Observations during First Visit</th> <th data-bbox="855 1379 1410 1413">Action taken by the College</th> </tr> </thead> <tbody> <tr> <td data-bbox="405 1413 855 1899"> <p>No. Multipurpose hall No science laboratory, No Audio-visual equipments Library books are not according to NCTE norms. Consolidated salary for staff members S.R. not maintained.</p> </td> <td data-bbox="855 1413 1410 1899"> <p>multipurpose hall provided Science equipments are available-the college should provide Sc. Lab, exclusively for B.E d. TV, OHP, VCR, Audio system provided library books are available-no separate library for B.Ed. Consolidated salary for staff members paid by cash S.R. opened but entries not updated</p> </td> </tr> </tbody> </table> <p>As scheduled, the visiting team comprising of Dr. K.P. Suresh, Director, school of Pedagogical Sciences, Kannur University, Kannur, Kerala and Mr. Bhaskar Rao, Lecturer, PRR College of Education, Eluru, W.G., Dt. Andhra Pradesh visited the</p>	Observations during First Visit	Action taken by the College	<p>No. Multipurpose hall No science laboratory, No Audio-visual equipments Library books are not according to NCTE norms. Consolidated salary for staff members S.R. not maintained.</p>	<p>multipurpose hall provided Science equipments are available-the college should provide Sc. Lab, exclusively for B.E d. TV, OHP, VCR, Audio system provided library books are available-no separate library for B.Ed. Consolidated salary for staff members paid by cash S.R. opened but entries not updated</p>
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institution on 28.10.2011 and noted that the institution was not ready for inspection and that the institution had requested for postponement vide their letter dated 26.10.2011 addressed to the Regional Director, SRC, NCTE.

In the meanwhile, the President of the institution vide letter dated 26.10.2011, received by this office on 27.10.2011 had requested to postpone the date of inspection since he is not in a position to attend the inspection team as he met with an accident on 24.10.2011 and his left leg at knee is fractured when he met accident with auto and at the time of operation a rod was fixed and again the Doctor has advised for an operation when sugar is completely normalized. A Medical Certificate from the Doctor dated 24.10.2011 is enclosed as proof.

The SRC in its 216th meeting held on 11th – 12th January 2012 has considered the matter and institutions letter dt. 27.10.2011 & all relevant documents and decided to cause inspection under Section 17 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 & in anticipation of Rs. 40000/- towards inspection fee. Accordingly, an inspection was scheduled to the institution between 6th February, 2012 to 13th February, 2012 and the institution was informed about the schedule of inspection vide this office letter dated 24.01.2012. Visiting team comprising of Dr. R. Binoy, Govt. College of Teacher Education, Thycaud, Trivandrum, Kerala and Dr.G. Subramaniam, Sri. Ramakrishna Mission, Coimbatore, Tamilnadu was deputed to visit the institution as per schedule during 6th to 13th February, 2012.

But, since inspection report was not received by the VT members, letters were addressed to the VT members on 13.6.2012. The VT members vide their letters received by this office on 18.6.2012 and 6.7.2012 informed that they had made an attempt to visit the institution, but the Management of the College gave a reply that "We are not ready for inspection and already sent a request to NCTE, SRC in this regard." It was also informed that they are not willing to undergo the inspection in the specified time and have informed to SRC.

It is noted from the file, that the institution on 25.1.2012 had requested for conduct of inspection during second and third week of March, since the entire process of shifting will be completed.

The SRC in its 228th meeting held on 24th – 25th July, 2012 considered the reply of the institution dt.25-01-2012 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. Accordingly, as per the decision of SRC, an inspection on the institution carried on 10.03.2012.

The institution had submitted a D.D. No. 118031 dated 25/01/2012 of State Bank of Mysore of Rs. 40,000/- towards Inspection fee. Now another D.D.No.119236 dated 14/07/2012 of State Bank of Mysore for Rs.10,000/- is submitted towards Inspection Fee along with the V.T. Report. The D.D is already expired and hence a letter is addressed to the institution on 29/11/2012 to submit a revalidated D.D of Rs.10,000/-

The SRC in its 237th meeting held on 5th -6th January 2013 considered the VT report, VCD and all the relevant documentary evidences and it was decided to serve Show cause Notice under NCTE Act, for the following:-

Original Certified land documents are not submitted.

Original Notarized affidavit is not submitted.

As per the copy of the Building plan, the proposed course is not mentioned in the Building plan. Site area of 1842.70 sq. mtrs. is less as per NCTE norms.

Original blue print of the building plan is not submitted.

M.P. hall of 1232 sq.ft. is not as per NCTE norms. As per NCTE norms M.P. Hall of area of 2000 sq.ft. is required for offering B.Ed. course.

Original/Notarized building completion certificate is not submitted. Type of roofing is also not mentioned.

Date of inspection is left blank in Building Completion Certificate.

Copy of LUC is submitted. Original Notarized LUC is not submitted.

Copy of Non-Encumbrance Certificate is Submitted. Original/Notarized Non-Encumbrance certificate is not submitted.

Original FDRs in joint account is not Submitted for Rs.5 lakhs and Rs. 3 lakhs.

Staff list approved by Tumkur University is not submitted.

Lecturer(s) in Foundation Course is not identified.

Lecturer(s) in Fine Arts/Physical Education is not appointed.

Original staff profile along with Annexure I II & III is not submitted.

Accordingly, a show cause notice was issued to the institution on 08.03.2013. The Institution submitted reply vide letter dated 01.04.2013

The Southern Regional Committee in its 245th Meeting held on 19th – 21st May 2013 considered the written reply of the institution on the above matter and also the relevant documents of the institution and decided to withdraw recognition for the following reasons:-

The institution has submitted 30 years Lease- cum- Ownership documents. As per the Original Certified land Document dated 17/11/2004 submitted, the lease is for 30 years in the name of President K.H. Paramashivaiah, S.V.S. institute of Management, Health & Scientific Studies, at Sy.no. 66/1,1b,3b Having 126X150+170/2, ft and Sy. No. 7/2a,2b,2b2 having 135+95/2X116 for Construction of Hostel for TCH students.

Hence, the Land is not in the name of the institution/Trust, but it is in the name of President K.H. Paramashivaiah, S.V.S. institute of Management, Health & Scientific studies. As per NCTE regulations, 2009 the land and building should be in the name of the institution.

The land is leased by Tumkur Urban Development Authority for construction of Hostel for TCH Students. But in the Building plan submitted which is in individual name and meant for the construction of College of Education (B.Ed course).

The institution has submitted Notarized copy issue of building completion certificate by Joint Director, Tumkur urban Development Authority. Building Completion Certificate is in individual name which is not permissible as per NCTE regulations 2009, Building Completion Certificate is in Individual name.

The institution has not submitted original FDR's.

Staff list approved by the Tumkur University is not submitted. Copy of the affiliation for 2012-2013 is submitted.

Based on the above points the committee decided to withdraw the recognition of the B.Ed course run by the S.V.S College of Education, No.410, Banashankari Street Temple, Kunigal Road, Tumkur District-572101, Karnataka from the academic year 2013-14, in order to enable the ongoing batch of students in B.Ed, course, if any, to complete their course.

But it was made clear that the institution is debarred from making any further admission subsequent to the date of issue of this order .The Affiliating body / Examining board / body were informed accordingly. Further, it was decided to return Endowment funds and Reserve fund deposited with SRC NCTE, Bangalore, if any.

As per the decision of SRC, the recognition of the institution was withdrawn vide F.No.APS08831/B.Ed/KA/2013-14/52655 dated 10.07.2013

The institution filed an appeal under Section 18 of NCTE Act, before the Appellate Authority, NCTE, New Delhi against the withdrawal order of SRC.

Note: In the mean time, the institution has approached the Hon'ble High Court of Karnataka in W.P.No. 51989/2013 .A Court notice dated 02.12.2013 was received by this office on 09.12.2013 to appear in this court in person or through an advocate duly instructed or through some one authorized by law to act in this case, at 10.30 a.m. in the forenoon within 5 days of the service of this notice.

The NCTE Hqrs vide their letter No.F.64-217/2013/NCTE/Legal/A79592 dated 20.12.2013 authorized NCTE to defend the case on behalf of NCTE.

On, 28.02.2014, an interim order in W.P. No.. 9261-9269/2014, was received by this office. The writ petition is filed by 9 B.Ed colleges affiliated to Tumkur University in the Hon'ble High Court of Karnataka at Bangalore, SVS College of Education, Tumkur being one among them. SRC,NCTE is the fourth respondent.

The interim order is as under :

'Respondents 2 (special officer, centralized admission cell) and 3 (Registrar, Tumkur University) are directed to cause allotment of the required number of candidates for admission to the B.Ed course at the respective colleges run by the petitioners, for the academic year 2013-14, pending disposal of these petitions. Emergent notice regarding rule., now.'

A letter was sent to the Mr. Dinesh Kumar, advocate on 06.03.2014 to defend the case in the interest of NCTE.

The appellate authority vide order F.No.89-659/2013-Appeal/2nd Meeting – 2014 dated 25.02.2014 has remanded back the case of SVS College of Education, Tumkur, Karnataka for necessary action .The Council has made the following observations ;

'In the appeal and during personal presentation it was submitted that "(i) the Tumkur Urban Development Authority allots sites for Civic Amenities on lease basis only to societies or Trusts and not individuals. Tumkur Urban Development Authority, is functioning under the Urban Development Authority, Karnataka State Gov!. As per NCTE norms lease from Govt. bodies is permissible; (ii) Shri K.H. Paramashivaiah is the President of the Trust and he is only a representative on behalf of the Trust; (iii) the building plan is for the proposed B.Ed.college; (iv) in the lease deed the President has signed as a representative of the Trust; (v) a rectification deed has been executed (on 12-09-2013) deleting the name of the President of the Trust; (vi) even though at the time of allotment they requested Tumkur Development Authority to sanction the Civic Amenity for purpose of construction of TCH (D. Ed.) Hostel, later the management decided to construct B.Ed. college building and for this purpose they have obtained permission of the Authority on 06-11-2009; (vii) the building completion certificate issued by the Joint Director, Tumkur Development Authority is not in the name of an individual but President of the Trust; (viii) they have submitted notarized copies of the FOR's in reply to the Show Cause Notice but they are having originals for showing during presentation; and (Ix)Tumkur University nowadays gives only affiliation. A copy of the affiliation order for the academic year2012-13 was sent to SRC in reply to show cause notice. However, they have submitted the staff list to Tumkur University on 03-05-2013 and reminded them on 12-08-2013. The appellant with his letter dated30-01-2014 forwarded copy of a three page list of teaching staff, which bears the signatures of the Deputy Registrar, Tumkur University only on the last two pages. There is no forwarding letter from the University .The appellant has also forwarded a copy of this list to SRC on 11-12-2013".

The Council noting that the submissions of the appellant and the document submitted in support thereof are acceptable, concluded that the matter deserved to be remanded to the SRC with a direction to re-examine the case and take a fresh decision.

		<p><i>After perusal of the memorandum of appeal, affidavit , the documents available on records and considering the oral arguments advanced during the hearing, the Council concluded that the appeal deserves to be <u>remanded to SRC</u> with a direction to re-examine the case and take a fresh decision.'</i></p> <p>A letter received by the Mr. Dinesh Kumar, advocate on 17.03.2014 to defend the case in the interest of NCTE.</p> <p>The Committee considered the Appellate authority order dated 25.02.2014, decided and advised Southern Regional Office to examine the said case and put up in the next meeting.</p>
11.	<p>APS07938 B.Ed LNR College of Education, Mahabubnagar, AP</p>	<p>LNR College of Education, H.No. 5-45, Paipad Village and Post, Waddepally Mandal, Alampur, Mahabubnagar - 509126, Andhra Pradesh.</p> <p>Motati Nagi Reddy Memorial Educational Society, 45, Paipad Village and Post, Waddepally Mandal, Alampur, Mahabubnagar- 509 126, Andhra Pradesh has submitted in the Southern Regional Committee of NCTE for grant of recognition to LNR College of Education, H.No. 5-45, Paipad village and Post, Waddepally Mandal, Alampur, Mahabubnagar- 509 126, Andhra Pradesh for B.Ed Course on 13.01.2006.</p> <p>Application of the Institution was processed and deficiency letter dt.17.02.07 was sent to the Institution communicating therewith the deficiencies and directing therewith for removal of the same within 90 days from the date of issue of deficiency letter. The institution had not replied to the deficiency letter even expiry of stipulated period of 90 days. The matter of all such institutions was considered by the SRC in its 135th meeting held on 7th and 9th June 2007 after careful consideration of all the aspects vis-avis regulatory provisions, the SRC decided to close the file and communicate the applicant institution to this effect.</p> <p>Accordingly, a letter dt.12.07.07 was sent to the Institution intimating about the directions of SRC that the application submitted for grant of teacher education course has been treated incomplete, therefore the same is closed and that no further correspondence whatsoever will be entertained in this regard. However, to seek recognition for any teacher education course including the one which this application was submitted, they were advised to make fresh application in the prescribed format.</p> <p>LNR College of Education, Mahabubnagar- 509 126, Andhra Pradesh has filed a court case in Writ petition No. 3765 of 2011 in the Hon'ble High Court of Judicature, Andhra Pradesh at Hyderabad verses – The Government of Andhra Pradesh, SRC and NCTE-SRC as first and second respondents respectively against the above SRC order dt.12.07.2007. The Hon' ble High Court has passed an order as under: "The petitioner is aggrieved by the action of the respondents is not conducting the inspection and not granting recognition for establishment of the College of Education at Paipad Village, Wadepally Mandal, Mahaboobnagar District. It is the case of the petitioners that they filed an application for setting up B.Ed College at Paipad village on 29.12.2006. However the same was returned on the ground that numerous deficiencies were found in the said college. The petitioner, after removing the said deficiencies, filed a fresh application on 28.12.2007. The grievance of the petitioner is that the said application is not being considered by the respondents till date. The petitioner has also submitted a representation on 18.11.2010 before the 2nd Respondent, but the same has not been considered as yet. After hearing the</p>

learned Counsel for the parties, this writ petition is disposed of with a direction to the 2nd respondent to consider the representation dt. 18.11.201 because the petitioner has filed its earlier application on 29.12.2006 i.e prior to coming into force of the policy decision 07.01.2009. The respondents are directed to consider the application of the petitioner, expeditiously, preferably, within eight weeks from the date of receipt of a certified copy of this order. No order as to costs”.

The Court order along with file was placed before SRC in its 206th Meeting of SRC held on 09th - 10th June, 2011.

The Institution has stated to have filed a representation dt. 18.11.10 wherein it is mentioned that fresh application is resubmitted on 28.12.2007 clearing deficiencies communicated on 17.02.2007. This resubmission of fresh application is well after closure of the case vide letter dt.12.07.07 for non compliance of deficiencies with stipulated time as per NCTE regulations

The Committee considered the matter and decided to process the application on submission of copy of original application dt. 28.12.2007 and related supporting original documents as per the regulations.

As per decision of SRC a letter was issued to the institution to resubmit the application on 06.07.2011.

The institution has submitted a letter enclosing application along with documents on 13.07.2011 earlier submitted application vide dated 28.12.2007.

The SRC in its 210th meeting considered the matter and it was decided to serve Show cause Notice for the following:

The sale deed of the land was registered on 10/05/2007, whereas the application submitted by the institution for consideration of recognition to B.Ed course was on 13/01/2006. As per the NCTE norms and Regulations, land should be available in the name of the institution/trust before the date of application.

Building completion certificate from competent Govt Engineer is not submitted.
Up to date Encumbrance certificate not submitted.

Accordingly, a show cause notice issued to the institution on 02.11.2011. The institution has submitted its reply on 17.11.2011.

The SRC in its 215th meeting held on 12-13th December, 2011 considered the reply of the institution dt, 17.11.2011 and all the relevant documents by the institution and decided to cause inspection at the premises, on payment of Rs. 40,000/- towards inspection fee, to examine whether the institution fulfills all the requirement as per the norms, to the condition that the deficiencies, if any, were duly rectified by the institution, as per the norms.

Note: As per record, the institution has not submitted inspection fee of Rs.40,000/-

As per the direction SRC inspection of the institution was carried out on 03.02.2012.

The SRC in its **219th Meeting held on 15th – 16th March, 2012** considered the VT report, VCD and all the relevant documentary evidences and it was decided to serve Show cause Notice under Section 14(1) of NCTE Act, for the following:

As per VT report, total built up area is only 5870 sq.ft. Which is grossly inadequate as per NCTE norms. 16000 sq.ft. of built up area is required for the proposed

	<p>course.</p> <p>As per VT report, the size of multipurpose hall is 1280.92 sq.ft. which is less than NCTE norms. As per NCTE norms, 2000 sq.ft. is required.</p> <p>In the approved building plan the survey number and site area is not mentioned.</p> <p>From VCD, it appears that a school is being run in the same building/premises.</p> <p>As per VCD, full view of the building is not shown, the construction of the building is still in progress, and the total built up area appears to be less than 16000 sq.ft.</p> <p>Furniture provided in the class room/Hall / labs/ Principal room and staff room are inadequate. Needs to be strengthened.</p> <p>Science lab, Psychology lab & ET lab needs to be strengthened.</p> <p>As per decision of SRC show cause notice issued on 11.04.2012, the institution has replied on 30.04.2012.</p> <p>The SRC in its 222nd meeting held on 9th-10th May 2012, considered the reply of the institution and all the relevant documentary evidences and it was decided to serve Final Show cause Notice under section 14 (1) of NCTE Act, for the following:</p> <p>As per VTR, the size of the multipurpose hall is only 1280.92 sq.ft. Which less than the requirement of 2000 sq.ft as per NCTE norms.</p> <p>The institution submitted its written representation on 13.06.2012(with reference to the minutes of 222nd meeting of SRC NCTE website).</p> <p>The institution was placed before Southern Regional Committee in its meeting 225th meeting held on 25th-27th June 2012, decided to issue letter of intent prior to recognition for the academic year 2012-13.</p> <p>Accordingly, letter of intent was issued to applicant institution on 02.07.2012. The institution has submitted reply on 06.07.2012.</p> <p>The SRC in its 228th meeting held on 24th – 25th July 2012 considered the reply of the institution and all the relevant documentary evidences and it was decided to serve Notice Under section 14 (1) of NCTE Act for the following:</p> <p>The institution has not appointed Lecturer in Art Education and Physical Education as per NCTE norms 2009.</p> <p>Accordingly, LETTER OF INTENT notice was issued to the institution on 13.08.2012. The institution has submitted its written representation on 06.09.2012 after the stipulated time of 21 days i.e., 3 days late.</p> <p>The institution has submitted a letter dated 17.07.2012 stating “that the situation prevailing in Andhra region is for D.El.Ed course and admission of students for B.Ed course is not favorable and students are opting for D.El.Ed courses, considering the prevailing situation I would like to withdraw the LOI issued to the B.Ed course and I request your good office to kindly give me permission to opt for D.El.Ed course in place of B.Ed course for which already LOI issued. Since formal recognition is not yet issued for B.Ed course, the application for D.El.Ed course (SRCAPP1598) is applied in the session of 2012-13 and is in process. In this present situation, I request your good office to kindly issue LOI for D.El.Ed course in place of B.Ed (SRCAPP1598) course, which will help me to run D.El.Ed course in conducive atmosphere”.</p>
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The SRC in its 233rd meeting held on 26th-28th September 2012, considered the affidavit and the Committee decided to withdraw of LETTER OF INTENT issued to the institution for B.Ed course (APS07938) is permitted to withdraw.

Accordingly, withdrawal of rejection order was issued to the institution on 30.10.2012.

The institution moved to Hon'ble High Court of Judicature at Andhra Pradesh dtd. 27.11.2012 in W.P. No. 34518 of 2012 which reads as under:-

"..... On the application of the Motati Nagi Reddy Memorial Educational Society for grant of recognition under NCTE Act, 1993, the NCTE has already issued Letter of intent on 02.07.2012. Therefore, the impugned resolution was passed rejecting the application of Motati Nagi Reddy Memorial Educational Society, on the ground that the earlier application of the society was allowed to be withdrawn.

On instruction, it is submitted by the learned counsel appearing for the National Council for Teacher Education that the respondent i.e., NCTE would reconsider the matter and the Southern Regional Committee is likely to meet on 16.12.2012 and 17.12.2012.

Inasmuch as the Letter of Intent is already issued to the institution, a perusal of which indicate that the institution have already satisfied the criteria which is required for establishing a B.Ed College, prima facie, it appears that the impugned proceedings is not sustainable.

Accordingly, there shall be a direction to the respondent to reconsider the application of the institution in the next committee meeting, which is stated to be held on 16.12.2012 and 17.12.2012. In case, if any meeting is convened earlier to those dates, the same shall be placed in such meeting and appropriate decision shall be taken".

The SRC in its 236th meeting held on 16th-17th December 2012, considered the matter and decided that the LOI for B.Ed was closed with reference to the applicant's affidavit of July 2012 withdrawing his application for B.Ed. The SRC decision earlier taken was correct. The Closure has been communicated to the party. Noting more needs to be done at this stage. The B.Ed case cannot be reopened now.

The applicant wants only his D.Ed application to be pursued. This also has already been done. Formal Recognition for D.Ed has also issued. Nothing more needs to be done at this stage.

It is unfortunate that, notwithstanding his own affidavit for withdrawal of his application of B.Ed, the applicant should have agitated this issue in the court in this inappropriate manner. If he approaches the court again in this matter, the court should be appraised of these facts and requested to consider action against him for misleading the court.

Further, the committee advised SRO to read both the cases carefully and put up a clearer note for consideration in the meeting on 18.12.2012.

It is observed from the application file (APS07938 B.Ed course) as per the institution affidavit dated 17.07.2012 requested to withdraw LETTER OF INTENT for B.Ed course i.e. APS07938 and issue LETTER OF INTENT for D.El.Ed course. Already

	<p>Formal Recognition order was issued to the institution for D.El.Ed course on 05.09.2012.</p> <p>As per the request of the institution and as per the decision of SRC in its 233rd Meeting held on 27th-28th September, 2012 the committee considered the affidavit of the institution dated 17/07/2012 and decided to withdraw of Letter of Intent. (APS07938-B.Ed).</p> <p>Accordingly, withdraw of Letter of Intent was issued to the institution on 30/10/2012.</p> <p>The action taken by SRC in its 236th meeting is stands correct.</p> <p>The institution moved to Court in W.P.No.34518 of 2012, the direction of the Hon'ble Court is not correct. The institution is misleading the Court.</p> <p>As per the NCTE Regulation 2009 para 8 sub para 3 stating as follows:- "An institution can apply for one basic unit only of an additional course or for an additional unit of the existing recognized course after completion of three academic sessions of the respective course."</p> <p>The D.Ed course was recognized on 05.09.2012. Hence the institution is not completed the three academic sessions.</p> <p>The Committee considered the matter and decided that, the institution has already been given recognition for D.El.Ed course on 05-09-2012 in place of B.Ed course (APS07938) in view of, institution request for withdrawal of LOI issued to B.Ed course.</p> <p>When the application of B.Ed course of the said institution was under process, the institution has submitted a letter dated 17.07.2012 stating "that the situation prevailing in Andhra region is for D.El.Ed course and admission of students for B.Ed course is not favorable and students are opting for the D.El.Ed courses, considering the prevailing situation I would like to withdraw the LOI issued to the B.Ed course for which already LOI issued. Since formal recognition is not yet issued for B.Ed course, the application for D.El.Ed course (SRCAPP1598) is applied in the session of 2012-13 and is in process. In this present situation, I request your good office to kindly issue LOI for D.El.Ed course in place of B.Ed (SRCAPP1598) course, which will help me to run D.El.Ed course in conductive atmosphere".</p> <p>Accordingly, based on affidavit submitted by the institution for withdrawal of LOI issued to the institution for B.Ed course, the SRC considered the written representation of the institution vide letter dt. 17-07-2012 for withdrawal of LOI issued to the institution's B.Ed course (APS07938) was permitted to withdraw.</p> <p>Further, with reference to the totality of information collected & based on a collective application of mind, the Committee decided as per clause of NCTE Regulations 2009, to refuse and reject the application of the institution for recognition of B.Ed course (APS07938).</p> <p>Accordingly, rejection order was issued to the institution on 30.10.2012.</p> <p>The institution moved to Hon'ble High Court of Judicature at Andhra Pradesh dtd. 27.11.2012 in W.P. No. 34518 of 2012 which reads as under:-</p> <p>"..... On the application of the Motati Nagi Reddy Memorial Educational Society for grant of recognition under NCTE Act, 1993, the NCTE has already issued Letter</p>
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of intent on 02.07.2012. Therefore, the impugned resolution was passed rejecting the application of Motati Nagi Reddy Memorial Educational Society, on the ground that the earlier application of the society was allowed to be withdrawn.

On instruction, it is submitted by the learned counsel appearing for the National Council for Teacher Education that the respondent i.e., NCTE would reconsider the matter and the Southern Regional Committee is likely to meet on 16.12.2012 and 17.12.2012.

Inasmuch as the Letter of Intent is already issued to the institution, a perusal of which indicate that the institution have already satisfied the criteria which is required for establishing a B.Ed College, prima facie, it appears that the impugned proceedings is not sustainable.

Accordingly, there shall be a direction to the respondent to reconsider the application of the institution in the next committee meeting, which is stated to be held on 16.12.2012 and 17.12.2012. In case, if any meeting is convened earlier to those dates, the same shall be placed in such meeting and appropriate decision shall be taken”.

The committee considered the matter and decided that the LOI for B.Ed was closed with reference to the applicant’s affidavit of July 2012 withdrawing his application for B.Ed. The SRC decision earlier taken was correct. The Closure has been communicated to the party. Nothing more needs to be done at this state. The B.Ed case cannot be reopened now.

The applicant wants only his D.Ed application to be pursued. This also has already been done. Formal Recognition for D.Ed has also issued. Nothing more needs to be done at this stage.

It is unfortunate that, notwithstanding his own affidavit for withdrawal of his application of B.Ed, the applicant should have agitated this issue in the court in this inappropriate manner. If he approaches the court again in this matter, the court should be appraised of these facts and requested to consider action against him for misleading the court.

Now, the question of consideration of B.Ed application for recognition does not arise, as per NCTE regulations 2009, para 8 sub para 3 states as follows: “An institution can apply for one basic unit only of an additional course or for an additional unit of the existing recognized course after completion of three academic sessions of the respective course for which the institution shall submit application before the cut off date prescribed for submission of applications in the year succeeding the completion of three academic sessions”.

Further, the committee decided that, the question of considering recognition for B.Ed again will arise only in Sept 2015. No action is necessary now.

A.Court order in W.P.No. 8591 of 2013 dated 02.03.2014 has been received by SRC on 17.03.2014 stating as follows:

“This writ petition is admitted nearly one year back on 21.03.2013. No counter affidavit has been filed by the respondent-National Council for Teacher Education.

It appears, a letter of intent was issued to the 2nd petitioner - College of Education on 02.07.2012 for recognition to B.Ed course of one year duration with an annual

		<p>intake of 100 students for the academic year 2012-13 and subsequently, a show cause notice was issued by the respondents on 13.08.2012 calling for the explanation as to why the recognition be not refused as the institution has not appointed Lecturer in Art Education and Physical Education as per the NCTE norms 2009. The petitioner in its reply dated 06.09.2012 has pointed out that Lecturer in Art Education and Physical Education as per the NCTE norms 2009, have already been appointed and those teachers have also joined and information in that regard was made available. Now, the only objection pointed out for not allowing the 1st petitioner - society to run a Diploma in education course is that three years time gap has not elapsed in accordance with Regulations 8 (3) of the Regulation 2009 between two courses. The NCTE itself has noticed that the management has submitted two applications one for B.Ed course on 13.01.2006 and another for D.Ed Course on 03.10.2011. i.e., after more than five years period. Therefore, in the peculiar facts prevailing in this case, in view of the difference of five years of the application submitted for two different courses, the application of the first petitioner-society for grant of recognition for D.Ed course may be considered duly taking into account that the petitioner-society has fulfilled all the requirements and orders in accordance with law may be passed, as expeditiously as possible, preferably within a period of 30 days from the date of receipt of this order and communicate the same to the petitioner.</p> <p>Writ petition stands disposed of with the above order, Miscellaneous applications if any shall stand closed. No costs”.</p> <p>The Committee considered the matter, noted that the said case of the institution is a case of pending application and not of an existing institution. That being so, in view of the Supreme Court orders, (dated 07.03.2014 read with order dated 10.09.2013) this cannot be processed until the new regulations are notified and Keep it pending.</p>
12.	<p>SRCAPP49 9 D.Ed SSR D.Ed College, Srikakulam District AP</p>	<p>SSR D.Ed College, Plot and Khasara No. 8, Ward No. 5, Near RTC Complex, District Court Post Office, Srikakulam Taluk and City, Srikakulam District - 532001, Andhra Pradesh.</p> <p>Sri Sai Rural Educational Society, Plot No. 8, Chiranjeevi Nagar Road, Near RTC Complex, District Court Post Office, Srikakulam Taluk and City, Srikakulam District - 532001, Andhra Pradesh had applied for grant of recognition to SSR D.Ed College, Plot and Khasara No. 8, Ward No. 5, Near RTC Complex, District Court Post Office, Srikakulam Taluk and City, Srikakulam District - 532001, Andhra Pradesh for D.El.Ed course of two years duration under Section 14(l) of the NCTE Act, 1993 to the Southern Regional Committee, NCTE online on 30.08.2011 and physical application has been received in the office of SRC on 07.10.2011.</p> <p>The SRC considered the matter in its 213th Meeting held on 06th - 07th November, 2011 and after careful perusal of the original file of the institution and other related documents, NCTE Act 1993, Regulations and guidelines from time to time laid on the table the Regional committee decided to reject the application on the following grounds:-</p> <p>Not submitted within time frame as per Regulation 2009.</p> <p>Accordingly the application of SSR D.Ed College, Plot and Khasara No. 8, Ward No. 5, Near RTC Complex, District Court Post Office, Srikakulam Taluk and City, Srikakulam District - 532001, Andhra Pradesh for permission to D.El.Ed course was rejected on 03.02.012.</p> <p>The institution preferred an appeal to NCTE, Hqrs and the Appellate Authority vide order no. F.No. 89-130/2012 Appeal/5th Meeting- 2012 has stated as</p>

follows:

*“after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during the hearing, the Council concluded that there was adequate ground to **remand the case** to the SRC for further processing of the application on merit as per Regulations.*

The Council remands back the case of SSR D.Ed College, Srikakulam, Andhra Pradesh to the SRC, NCTE, for necessary action as indicated above”.

The SRC in its 226th meeting held on 09th-10th May 2012, considered the Appellate authority order dt. 18.06.2012 and decided to process the file of the institution on merit as per Regulations.

The SRC in its 233rd meeting held on 26th to 28th September, 2012 considered the Appellate authority order and all the relevant documentary evidences and it was decided to serve Show cause Notice under section 14 (1) of NCTE Act, for the following:

Proceedings of Revenue Divisional Officer not submitted for conversion of land from agricultural to educational purposes.

In the building plan submitted, land area is not mentioned.

Original building completion certificate from competent Govt. engineer in proper format is not submitted.

Up-to-date encumbrance certificate issued by sub-registrar is not submitted.

Affidavt reflects Sy.No. 506/1, whereas the land documents bears different Sy.Nos..

Details of other existing teacher educational programmes run by the institution in the same building/premises is not given.

The institution has submitted its written representation on 30.08.2012 and 24.09.2012.

The SRC 233rd Meeting of held on 26th – 28th September 2012, considered the reply of the institution vide letter dt. 24.09.2012 and all the relevant documentary evidences and it was decided to serve Final Show cause Notice under section 14 (1) of NCTE Act, for the following:

Approved blue print of the building plan issued by competent civil authority is not submitted. In the building plan college name and course is not mentioned.

Accordingly Show Cause Notice was issued to the institution on 30.10.2012.

The institution has submitted its written representation received in the office of SRC on 08.11.2012

The SRC in its 235th meeting held on 21st to 22nd November, 2012 has considered the reply of the institution dt.08-11-2012 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.

Accordingly, the inspection of the institution was fixed between 10th to 13th December, 2012, the same was intimated to the institution on 4.10.2012. The inspection of the institution was conducted on 11.12.2012. The Committee considered the matter and noted that the institution has submitted two applications.

As per NCTE Regulation 2009, 8 (2) (3) states that :-

1. An institution shall be considered for grant of recognition of only one course for the basic unit as prescribed in the norms and standards for the particular teacher education programme.

2. An institution can apply for one basic unit only of an additional course or for an additional unit of the existing recognised course after completion of three academic sessions of the respective course.

Based on the above, the SRC in its 237th meeting held on 5th to 6th January, 2012 has decided that the said institution is not eligible for consideration the application for D.El.Ed course applied on-line on 30.08.2011, as the institution has not completed 3 academic sessions of the respective course and the application of the institution is refused and reject. Accordingly, rejection order was issued on 9.3.2013.

Aggrieved by the rejection order of SRC, the institution preferred an appeal to NCTE-Hqrs., and the appellate authority in its order dated 15.10.2013 and the Council concluded that the SRC was justified in refusing and therefore the appeal deserved to be rejected and the order of SRC confirmed.

The SRC in its 255th Meeting held on 13th – 15th November, 2013 considered the appellate authority order and noted the matter.

The Institution preferred an appeal to Hon'ble High Court of Andhra Pradesh in WP No. 4716 of 2014.

The Institution has submitted a letter on 12.03.2014 stating that the NCTE rejected application on basis of the institution not having three years gap from starting a B.Ed College.

As an aggrieved party approached Hon'ble High Court of Andhra Pradesh in WP No. 4614 of 2014 praying to issue a favorable order for starting D.Ed course as the time gap of three years is completed by the year 2013-14.

In the Institution further stated that al the formalities as per the law Regulations and guidelines of NCTE, New Delhi and SRC NCTE Bangalore. We provided a new accommodation, sufficient furniture laboratory equipment and also identified the Principal, Teaching and Non Teaching Staff. The two inspection Committees 1. An inspection Committee appointed by Government of Andhra Pradesh 2. An inspection Committee appointed by the SRC, Bangalore were inspected our proposed new D.Ed College and it is learned the inspection Committees were satisfied all the conditions as per the rules Regulations laid down by the NCTE.

The institution requesting NCTE to accord permission and grant LOI to the Society from the academic session 2014-15.

The photocopy of the Court order in WP No. 4716/2014 is reads as follows:

“This writ petition is instituted seeking a writ of mandamus for declaring the Proceedings dated 15th October 2013 of the 1st respondent, National Council for Teacher Education (N.C.T.E.), as bad in law.

It appears that the 1st petitioner Society had applied for grant of recognition to the 2nd petitioner College for conducting Diploma in Elementary Education Course (D.El.Ed.) of Two-Year duration, to the Southern Regional Committee of the N.C.T.E. (for short ‘the Committee’), through On-Line mode on 30-08-2011, the application in physical format has been received by the Committee on 07-10-2011. That application has, ultimately, been taken up for consideration by the Committee at its 237th Meeting held on 5/6-01-2013 and the same was rejected, essentially, on the

		<p><i>ground that an Institution can apply for one basic Unit only of an additional course or for an additional Unit of the existing recognized Course after completion of Three-Year academic session of the respective Course. Therefore, the Committee came to the conclusion that the 1stpetitioner Society is not eligible to apply for starting D.El.Ed. Course on 30-08-2011, inasmuch as, it was granted recognition on 20-07-2011 for starting a B.Ed. Course.</i></p> <p><i>There does not appear to be anything wrong in the reason assigned by the Committee for rejection of the claim of the 1st petitioner Society. Assessment of adequacy of infrastructural and instructional facilities is the primary concern of the N.C.T.E., and hence, as a part of that exercise, a three year time gap between two different Courses or additional intake of the same Course is being maintained as per Regulation 8 (2) (3) of N.C.T.E. Regulations, 2009. However, Sri S.V. Muni Reddy, learned counsel for the petitioners, would submit that the three year period would come to a close by the end of July 2014 and hence, the 1st petitioner Society has now become eligible to apply for an additional Course to be commenced by it.</i></p> <p><i>I am not required to pronounce any opinion on the said contention. It is for the 1st petitioner Society, if it considers that it is eligible to apply for starting Diploma in Elementary Education Course (D.El.Ed.) and as and when any such application, strictly inconformity with the Regulations, is submitted to the Committee, I have no doubt in my mind that the same will be considered in accordance with law and dealt with by the Committee.</i></p> <p><i>With this, the writ petition stands disposed of at the admission stage, but however, without costs.</i></p> <p><i>Consequently, the miscellaneous petitions, if any, stand disposed of.”</i></p> <p><u>Remarks of SRO:</u></p> <p>The copy of Court Order is a online print out and it is not having signature of issuing authority. Certified copy of Court Order has not received.</p> <p>The Committee considered the matter, noted that the said case of the institution is a case of pending application and not of an existing institution. That being so, in view of the Supreme Court orders, (dated 07.03.2014 read with order dated 10.09.2013) this cannot be processed until the new regulations are notified and keep it pending.</p>
13.	<p>APS06361 M.Ed Government College of Teacher Education, Thalassery, Kannur KL</p>	<p>Government College of Teacher Education, Thalassery, Kannur, Kerala</p> <p>Government College of Teacher Education, Thalassery, Kannur, Kerala had submitted an application to SRC-NCTE seeking grant of recognition for M.Ed. course on 29.12.2005.</p> <p>The application was processed and inspection of the institution was carried out on 30.05.2007.</p> <p>The SRC in its 135th Meeting held on 7th and 8th January, 2007, decided to grant conditional recognition .As per the decision of SRC ,conditional recognition letter was sent to the institution on 22.6.2007.</p> <p>In reference to NCTE Hqrs letter dated 16.06.2008, a letter was issued to the institution on 24.09.2008. to submit the following ;</p> <ol style="list-style-type: none"> 1. Conversion of Endowment Fund and Reserve Fund in Joint Account 2. Updation of Website including staff details.

The institution submitted its reply on 20.10.2008.

The reply of the institution was placed before 170th SRC Meeting held on 16th -17th February, 2009 and it was decided to ask the institution to submit the list of staff with documents. A letter was issued to the institution on 8.4.2009. The institution submitted reply on 28.4.2009 with a request for formal recognition for M.Ed. course

The SRC in its 174th meeting held on 15th May 2009, considered the request of Government College and regulations of NCTE, 2007, with regard to last date of grant of recognition and decided *to ask the institution to submit reply before 12th May, 2009* in order to take decision on the application as per NCTE regulations, 2007.

Since the institution has not submitted reply, the matter was once again placed before SRC in its 176th meeting held on 27th – 28th May 2009 and the committee decided to permit the institution for submission of *reply before 30th June, 2009*, failing which Conditional Recognition /Letter of Intent would be withdrawn, without any further notice.

A letter was received from the institution on 01.07.2009 requesting for an extension of time.

The matter was placed before SRC in its 178th Meeting held on 13th to 14th July,2009 and the committee *decided to permit the college to submit the reply to the letter of intent before 24th July 2009*.

As per the decision of SRC, a letter was issued to the institution on 16.07.2009.

Non Compliance of the institution for conditional recognition was placed again in 180th Meeting of SRC held on 29th July 2009 and the **committee decided to permit the college to submit reply on or before 17.08.2009**.

As per the decision of SRC, a letter was issued to the institution on 30.07.2009.

Non Compliance of the institution for conditional recognition was placed again before SRC in 181st Meeting of SRC held on 20th – 21st August,2009 and the Committee ***decided to give time to the College upto 28th August, 2009 in order to submit the reply***, failing which the Conditional Recognition/Letter of intent will be withdrawn.

As per the decision of SRC, a letter was issued to the institution on 25.08.2009

It was observed that even after a lapse of stipulated period, the institution did not submit reply to the Conditional Recognition letters issued to them to make them eligible for issue of Unconditional recognition order.

The SRC in its 182nd meeting held on 31st August, 2009 considered the above matter and decided to refuse the recognition thereby withdrawing the Letter of Intent/Conditional Recognition accorded to the institution.

Accordingly, Withdrawal of Letter of Intent/Conditional Recognition accorded to the institution was issued to the institution vide No. F.SRO/NCTE/2009-2010/15816 dated 23.09.2009.

	<p>The institution submitted a written representation on 09.02.2011 in Malayalam. A letter was issued to the institution on 06.02.2012 with a request to submit the same in English.</p> <p><i>On 17.02.2012, the institution submitted a written representation stating that all the conditions except appointment of teaching faculty have been fulfilled. The teaching faculty has not been appointed by the Government. After getting permission from the Government, Kannur University admitted 25 students in this institution for M.Ed course during the month of November 2011.</i></p> <p><i>The institution requested for issue of unconditional order as the results of the 1st Semester Examination would be withheld during the month of April 2012, if the institution is not recognized by NCTE.</i></p> <p>The institution submitted written representations on 19.03.2012, 13.04.2012 with a request for issue of Unconditional recognition order.</p> <p>A letter was sent to the institution on 02.05.2012 informing them that since the conditional recognition given to them is withdrawn, they can prefer an appeal to the Council within such period as may be prescribed.</p> <p>Thereafter, the institution has preferred an appeal to NCTE Hqrs</p> <p>In the mean time, a letter was received from the institution on 28.06.2012, requesting for correction in the on-line application i.e: 'Govt. Brennan College of Teacher Education, Thalassery'</p> <p>Accordingly, a letter was addressed to the Member Secretary, NCTE Hqrs on 06.07.2012</p> <p>The Appellate authority vide order No.89-255/2012 Appeal/8th Meeting-2012 dated 05.09.2012 has confirmed the orders of SRC. The Council noted that</p> <p>'The Council noted that (a) SRC vide their conditional letter dated 22.06.2007 asked the institution to appoint faculty and submit the details thereof and subsequently issued several reminders. When the institution did not furnish the reply SRC had rightly refused recognition to the institution vide their order dated 23.03.2009. (b) the appellant was aware of the refusal order and the appeal remedy mentioned therein, but he did not prefer any appeal within the stipulated period of 60 days as per appeal rules. The reason submitted by the appellant for the delay saying that there was delay in appointing the faculty by the Govt. and they were pursuing the matter with SRC is not acceptable. After refusal of recognition pursuing the matter with SRC was not acceptable. After refusal of recognition pursuing the matter with SRC was not the desired action ;(c) affiliating body – Kannur University vide their letter dated 21.10.2011 and 20.03.2011 informed the institution that the University has no objection to grant affiliation to the M.Ed course subject to approval of NCTE.</p> <p><i>In the light of NCTE's refusal order and University's letters, admitting the students in M.Ed course in contrary to the provision of NCTE Act and Regulations(d) the Council further perused the faculty list submitted by the appellant for M.Ed course and noted that it had appointed one professor and four guest lecturers.</i></p> <p><i>Hence, the faculty was not appointed as per NCTE norms. In view of the above, the Council concluded that there was no justification to accept the appeal. After perusal of documents, memorandum of appeal, affidavit, and after considering the oral</i></p>
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arguments advanced during the hearing, the Council concluded that there was no ground to accept the appeal. Accordingly, the appeal was rejected and SRC order dated 23.09.2009 is confirmed.'

The appellate authority order was placed before 233rd Meeting of SRC held on 26th – 28th September 2012 and the committee noted the matter.

In the meanwhile , the institution had filed a writ petition in C.W.P.No. 26239/2012 in the Hon'ble High Court of Kerala, at Ernakulam

A letter from the Hqrs dated 26.11.2012 was received by this office on 30.11.2012 , authorizing the advocate to defend the case on behalf of NCTE. Accordingly, a letter was addressed to Mr.V.M.Kurien, Advocate on 07.12.2012.

On 15.07.2013, a court notice has been received from the Hon'ble High Court of Kerala in C.W.P.No. 26239/2012 forwarded by the NCTE Hqrs .

In W.P.No.26239/2012, the Petitioners are (1) State of Kerala represented by the Principal,(B)Department, Govt.Secretariat, Thiruvananthapuram,(2) Government Brennen College of Education ,Thalassery represented by Principal

The respondents are (1) Union of India represented by Secretary ,Mimistry of Human Resource Development. NCTE ,New Delhi (2) RD,SRC,NCTE

ayed to grant the following reliefs :

Call for records of exhibits ,order of SRC dated 23/09/2009 and appellate authority order dated 05.09.2012 and issue a writ of certiorari or other appropriate writ order or direction quashing exhibit order of SRC dated 23.09.2009 and appellate authority order dated 05.09.2012.

Issue a writ in nature of mandamus or other appropriate writ order or direction directing the 2nd respondent to grant recognition to the 2nd petitioner college to conduct M.Ed course.

To grant such other reliefs as are just and proper in the nature of the above case and this Hon'ble Court deems fit.

The institution has made interim prayer that this Hon'ble Court may be pleased to exhibit order of SRC dated 23.09.2009 and appellate authority dated 05.09.2012 and further permit the 2nd petitioner to provisionally admit the students in exhibits list of selected M.Ed candidates allotted by Kannur University and to conduct classes for M.Ed course pending disposal of the writ petition.

In this regard, a letter was addressed to Mr.Kurian, advocate on 25.07.2013 .

On 24.12.2013, a letter from Dr. K.M. Abraham, Additional Secretary to the Govt. is received by this office with a request for conducting special inspection in the college to check the facilities for granting recognition to M.Ed course conducted in Govt. Brennen College of Teacher Education, Thalassery.

On 29.01.2014, a letter was received from the Under Secretary,Higher Education Department , Govt. of Kerala nomination Smt.Geetha,Principal ,Govt.Brennen College of Teacher Education, Thalassery to attend the 260th Meeting of SRC as a representative of Addl. Chief Secretary, Govt. of Kerala

Further, on 28.01.2014, the Principal Govt. Brennen College of Teacher

		<p>Education,Kerala has submitted a written representation with a request to include the matter of Recognition of M.Ed Programme of Govt. Brennen College of Teacher Education which is as under ;</p> <p><i>“SRC Bangalore refused recognition for conducting M.Ed course on the ground that the institution has not submitted the Annexure I,II and III and also the regular teaching faculty are not appointed for the proposed course</i></p> <p><i>The Government of Kerala took up the matter seriously and appointed regular faculty during December 2013.Currently, we have the required regular fulltime faculties for conducting the M.Ed course. We hereby submit the original Annexures I,II and III directly for your kind perusal and consideration. We humbly request you to take necessary steps to include this matter as one of the items in the agenda to be discussed in the meeting at SRC on 28th – 30th January,2014.”</i></p> <p>On 31.01.2014, another letter is received from Dr. K.M.Abraham,Additional Secretary to the Govt. with a request for conducting special inspection in the college to check the facilities for granting recognition to M.Ed course conducted in Govt.Brennen College of Teacher Education, Thalassery for conducting admission to the current academic year 2013-14 in order to protect the interest of the student community.</p> <p>The institution has submitted the following documents on 07.02.2014.</p> <p>The Committee considered the matter, decided and advised Southern Regional Office to write to the lawyer again to report the present position of the case; and, to move the Court for dismissing the petition.</p>
14.	<p>APS07460 D.Ed Mother Theresa D.Ed College, Andhra Pradesh AP</p>	<p>Mother Theresa D.Ed College, Suryapet, Nalgonda, Andhra Pradesh</p> <p>An application was submitted by Solmanraj Educational Society, Suryapet, Nalgonda for grant of recognition to D.Ed course in the office of SRC-NCTE, vide dated 27.09.2006.</p> <p>The file was processed and this office letter dated 21.11.2006 communicating therewith the deficiencies and directing therewith for removal of the same within 90 days from the date of issue of the deficiency letter as per the provisions contained in the NCTE Regulation dated 13.01.2006.</p> <p>On perusal of the application it was noted that the stipulated period of 90 days has been expired and the institution has not complied to the letters dated 21.05.2007, 31.07.2007 & 17.09.2007.</p> <p>Consequent upon the direction of the SRC the application submitted for grant of teacher education course has been treated incomplete.</p> <p>As per the decision of SRC, the application was closed on 01.02.2008.</p> <p>The institution has approached to Hon'ble High Court in W.P.No.20439/2010 without exhausting remedy of appeal to appellate authority under section 18 of NCTE Act.</p> <p>The Hon'ble High Court has passed an order as hereunder:</p> <p><i>“The petitioner intended to established a College of Education at Suryapet, Nalgonda District. The National Council for Teacher Education, first respondent herein, had to accord approval for this purpose. Application dated 27.09.2006 was made to it by the petitioner enclosing the required documents and remitting an amount of Rs.40000/- for the purpose of inspection of the proposed college. This writ petition is filed by the petitioner complaining</i></p>

	<p><i>that the first respondent had not taken any steps to inspect the proposed college.</i></p> <p><i>Heard the learned counsel for the petitioner and the learned counsel for the first respondent”.</i></p> <p>The State Government is said to have reviewed the situation as to the necessity of according permission to establish new colleges of education in the State in future and by its letter dated 07.01.2009 communicated its policy decision to the first respondent that the existing institutions were adequate. However, the right that is accrued to the petitioner on the basis of its application and the consideration thereof by the first respondent cannot be taken away on account of the change of policy. It is settled principle of law that whenever an application is made, it must be considered and processed in accordance with the provisions of law or the policy that existed as on the date of its presentation. Subsequent changes may apply to the applications that are made thereafter.</p> <p>Hence, the writ petition is disposed of directing the first respondent(SRC) to take necessary steps in the matter and pass appropriate orders. No order as to costs.”</p> <p>SRC considered the matter in its 197th meeting 13th – 14th October, 2010 and directed the Management/institution to resubmit the old application returned by SRC along with necessary documents as originally submitted relating to land, building, FDR, Application fee, Building Completion Certificate from competent Government Engineer/authority and other relevant aspects for processing and for necessary action.</p> <p>As per the decision of SRC a letter was issued to the institution on 19.10.2010 and a deficiency letter was issued on 18.11.2010. In reply to our letter dated 18.11.2010 institution has submitted its reply on 22.11.2010 & 27.12.2010. From the reply it is found that the institution purchased land only on 14/05/2008 and 20/05/2008 after submission of the initial application on 27.9.2006.</p> <p>The SRC in its 200th meeting held on 20-21 January, 2011 considered the written explanation to the notice and other documents submitted by the institution and decided to cause inspection.</p> <p>The land and building is on lease for 30 years as per Regulation 2006. However lease deed is of November, 2010.</p> <p><u>Note:</u> The institution has submitted two sale deed dated 20.05.2008 and 14.05.2008 now in favour of Maram Venkata Reddy and Damidi Prabhakar Reddy for S.No. 316 & 316/E, Bechirag village, Suryapet, Nalgonda S.No. 316 & 65 in the same village respectively. The sales deeds are not in the name of society or institution and they are of a date subsequent to the application date. In the initial application which was processed and closed the land document was a sale deed for sy. No. 215/A3, 215/A, 215/B2 and building plan was for S.No. 9 at Suryapet. The application was closed for non reply to DI. Along with resubmitted application a private lease deed of 10/11/2010 has been submitted for S.No. 316 & 316E, leased out by private party Maram Veakat Reddy to Solman Raju Educational Society which is not in accordance with regulation 2009. Even if the application is taken to be of 2006. The lease deed is a subsequent one of 4 years late. The institution's application is not closed due to any change in policy but for not replying to DL in time as per notes in the main files letter dt. 01.2.2008 refers.</p> <p>As per the decision of SRC, the inspection of the institution was carried out on 28.03.2011.</p> <p>The SRC in its 204th meeting held on 27th and 28th April, 2011 considered the VT Report, VCD and all the relevant documentary evidences and it was decided to serve Show cause Notice for the following:</p> <p>The VCD received is not functioning. A Certificate from the Government Affiliating body to the effect that no other programme is</p>
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	<p>being run by the institution in the same building / Campus, along with the existing Course B.Ed to be submitted.</p> <p>The institution has submitted two sale deed dated 20.05.2008 and 14.05.2008 now in favour of Maram Venkata Reddy and Damidi Prabhakar Reddy for S.No. 316 & 316/E, Bechirag village, Suryapet, Nalgonda S.No. 316 & 65 in the same village respectively. The sales deeds are not in the name of society or institution and they are of a date subsequent to the application date. In the initial application which was processed and closed the land document was a sale deed for sy. No. 215/A3, 215/A1,215/B2 and building plan was for S.No. 9 at Suryapet. The application was closed for non reply to DI.</p> <p>Along with resubmitted application a private lease deed of 10/11/2010 has been submitted for S.No. 316 & 316E, leased out by private party Maram Veakat Reddy to Solman Raju Educational Society which is not in accordance with regulation 2009. Even if the application is taken to be of 2006. The lease deed is a subsequent one of 4 years late. The institution's application is not closed due to any change in policy but for not replying to DL in time as per notes in the main files letter dt. 01.2.2008 refers.</p> <p>In view of the above, the Committee decided to issue a Show cause Notice to the institution as to why the recognition be not refused and thereby providing an opportunity to the institution to make a written representation within 30 days from the date of issue of the Notice along with necessary certificates/documents in order to take a final decision in the matter; failing which action will be taken including the refusal of recognition, based on the records available, with no further notice.</p> <p>The Chairman, SRC, NCTE has directed on 23.05.2011 to include records land documents in SCN which is already reflected in minutes note:- 1 and 2 and same be placed in SRC meeting for information and rectification.</p> <p>As directed SCN has been issued on 26.05.2011 for the following as the institution did not possess the land on the date of application to NCTE.</p> <p>The SRC in its 206th meeting held on 9th and 10th June, 2011 and the committee after going through the reply of institution dt.4.6.2011, come to the conclusion that the reply is not satisfactory and not convincing and hence, the recognition is refused.</p> <p>Accordingly, a rejection order was issued to the institution on 8.7.2011.</p> <p>Aggrieved by the rejection order of SRC, the institution preferred an appeal to NCTE-Hqrs., and the appellate authority in its order dated 4.11.2011 stating as follows; the Council reached and conclusion that there was no ground to accept the appeal and hence it should be rejected. Accordingly, the appeal is rejected and SRC's order dated 8.7.2011 is confirmed.</p> <p>The institution moved to the court and this office has received court notice in W.P.M.P No. 41833 of 2011 in W.P. No. 33651 of 2011 and whereas the petition will come up for hearing on the 18.1.2012, hence it is directed to appear in person or through advocate.</p> <p>Accordingly, brief of the case was sent to the advocate on 13.1.2012.</p> <p>As directed by the advocate, the original file was sent to the advocate on 11.1.2013.</p> <p>Meantime, a court order in W.P. No. 33651 of 2011 was forwarded by the petitioner institution on 24.4.2013 and 21.3.2013. The Hon'ble court order stating as follows; "<u>.....the writ petition is disposed of upholding the orders of rejection, but leaving it open to the petitioner to make a fresh application. If the petitioner intends to file application, it shall be exempted from paying application fee. The D.D.'s submitted by it towards fee for change of premises etc., shall hold good, if they are renewed.</u></p> <p><u>The miscellaneous petition filed in this writ petition shall also stand disposed of. There shall be no order as to costs</u>".</p>
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		<p>As per the court direction, the institution has not made fresh application, whereas the institution has submitted one copy of application, affidavit, by-law, Lease Deed on 21.3.2013.</p> <p>The court order along with original file of the institution was placed before SRC in its 248th meeting held on 13th to 15th July, 2013 and the Committee noted the matter.</p> <p>Again, the above said institution has submitted three sets of application for D.Ed course along with court direction in W.P. No. 33651 of 2011 dated 23.1.2013 on 5.8.2013 with the request to issue LOI</p> <p>NOTE: The Hon'ble court order stating that "<i>.....the petitioner re-submitted the application by changing the documents pertaining to the land. This time, it filed a lease deed for the entire premises and has virtually withdrawn the ownership documents from the application. The 2nd respondent took the view that the state of affairs that remained at the time of filing of the application need to be taken into account and if so done, there is clear non-compliance on the part of the petitioner. The purpose of the various documents was clearly mentioned. By the time, the order came to be passed, there is substantial change in the purpose of the Regulations. The respondents were under obligation to examine the application with reference to the Regulations that were in force as on the date of application. It is not in dispute that the petitioner ceased to be the owner of the land, which was shown in the original application and the lease deed was filed four years thereafter. If it is so advised, the petitioner can made a fresh application. However, it can be granted the benefit of exemption from remitting the application fee, since it has not only paid Rs. 40,000/- along with the original application, but also has paid an amount of Rs. 40,000/-, which is stipulated for change of the premises.</i></p> <p><i>Therefore, the writ petition is disposed of upholding the order of rejection, but leaving it open to the petitioner to make a fresh application. If the petitioner intends to file application, it shall be exempted from paying application fee. The DDs submitted by it towards fee for change of premises etc., shall hold good, if they are renewed.</i></p> <p><i>The miscellaneous petition filed in this writ petition shall also stand disposed of. There shall be no order as to costs".</i></p> <p>The SRC in its 253rd meeting held on 30th September & 1st October 2013 and the committee has noted the order dated 23/01/2013 of Hon'ble High Court of Andhra Pradesh wherein the Hon'ble High Court has disposed of upholding the orders of rejection by SRC NCTE Bangalore.</p> <p>Now, the institution has submitted its written representation on 25.02.2014 with request to reconsider the case.</p> <p>The SRC in its 264th Meeting held on 01st – 03rd March, 2014 considered the written representation and decided as follows: "Let us accept the application, because of the Court, order, and treat it as a 'fresh' case under current Regulations only. They need not be required to pay application fee again".</p> <p>As per the directions of SRC, the application is processed</p> <p>The Committee considered the matter, noted that the said case of the institution is a case of pending application and not of an existing institution. That being so, in view of the Supreme Court orders, (dated 07.03.2014 read with order dated 10.09.2013) this cannot be processed until the new regulations are notified and keep it pending.</p>
15.	AOS00301 B.Ed Sri Kaginele Mahasamsthana	<p>Sri Kaginele Mahasamsthana Kanaka Gurupeetha College of Education, Mysore, Karnataka.</p> <p>Sri Kaginele Mahasamsthana Kanaka Gurupeetha College of Education, Mysore, Karnataka was granted recognition by SRC for offering B.Ed course with</p>

<p>Kanaka Gurupeetha College of Education, Mysore KA</p>	<p>an intake of 100 students on 27.11.1996 for a period of two years.</p> <p>SKMKG College of Education, Mysore, Karnataka was granted provisional recognition for one year vide order No.F/SRO/NCTE/98-99/581 dated 09.06.1998.</p> <p>The institution was granted conditional recognition for one year(1999-2000) to Secondary Course vide order No.F/SRO/NCTE/1999-2000/8944 dated 14.06.1999.</p> <p>The College was granted recognition for B.Ed course of one year from the academic session 2000-2001 with an annual intake of 100 vide order no.F.KR/B.Ed/New/30/SRO/NCTE/2000-2001/1531 dated 09.08.2000.</p> <p>A complaint dated 20.08.2009 was received from Dr. P.R. Nair, Retd. Professor of Education, Mysore – 12, Karnataka stating that the Principal of the College is not eligible for the post and the University has rejected her appointment. It was also stated that a writ petition No.487831/04 is pending before the Karnataka High Court. The complainant has submitted the details of each person. The complainant has requested to investigate since the Salary to the employees are not being paid as per norms and also violating the reservation rules.</p> <p>SRC considered the matter in its 184th meeting held on 26th –27th October 2009 and decided to direct the complainant to submit affidavit and also call for remarks from the institution. Accordingly, a letter dt.22.12.2009 has been sent to the complainant and the letter has been received back undelivered. Further, a letter was also sent to the institution on 19.01.2010. The reply submitted on 08.02.2010 was considered by SRC in its 189th meeting held on 25-26 February 2010 and decided that no further action is required/necessary.</p> <p>Another, complaint dated 18.02.2010 has been received from Ms. Sobana.S. Lecturer, KMKG College of Education against the institution and has alleged that she has not been paid salary as per NCTE norms and neither implementing relevant law/rules though her appointment has been approved by the University.</p> <p>The complainant has stated that due to injury she was unable to move and had applied for leave on medical grounds and till date the institution had not paid salary for the vacation period also. The institution is harassing fully qualified staff by adopting unfair means. The Principal's appointment is in violation of NCTE norms and is an ineligible person for continuing as Principal of the college. The Principal had moved the court and the case pending and misleading the affiliation committee.</p> <p>Further, the complainant has requested SRC to look into the irregularities and grant justice with regard to salary. Hence, the matter was placed before SRC in its 190th meeting held on 29th –30th March 2010 and decided to call for remarks from the institution and an affidavit from the complainant. Accordingly, letters were issued on 07.05.2010. The SRC noted that the complainant has not submitted any affidavit till date.</p> <p>The institution had submitted a written representation on 30.06.2010 and had stated that the complainees are in the habit of writing letters to higher authorities like your establishment, University of Mysore, to the Vice-chancellor and mislead them, without providing any documental evidences. All this act is based purely on jealous and prejudice in mind for the deprivation of the aspired post.</p> <p>The above matter was placed before SRC in its 194th meeting held on 22nd –23rd July,2010. The SRC has noted the above matter.</p>
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On 25.4.2012, a letter is received from Dr. Sobana.S., Lecturer in Education, Sree Kaginele Mahasamsthana Kanakaguru Peetha College of Education, Mysore stating that "I had on 25.4.2012, in person, registered a complaint in the form of an affidavit, with your respectful self, with a request to take speedy action on the injustice meted out to me at my college. I am herewith enclosing a copy of the same so as to remind your respectful self to do the needy and oblige by doing this without any further delay, for which I will be ever grateful".

In the meanwhile, a letter was also received from NCTE, HQ on 28.5.2012 forwarding a copy of the complaint of Dr. Sobana.S. dated 25.4.2012 and requested SRC to take action against the aforesaid institution and furnish action taken report to NCTE, HQ within 30 days.

Hence, the above complaint matter was placed before 222nd meeting of SRC held on 9-10 May, 2012. The SRC considered the matter and decided to seek comments from the management regarding the complaint against the appointment of Principal in Sree Kaginele Mahasamsthana Kanakaguru Peetha College of Education Mysore, and also to send a copy of this to the University.

Accordingly, as per the decision of SRC, a letter was addressed to the Hon. Secretary, Sree Kaginele Mahasamsthana Kanakagurupeetha College of Education, Adichunchanagiri Road, Kuvempunagar, Mysore-23, Karnataka on 5.6.2012.

On 28.8.2012, again a letter is received from Dr. Sobana.S. to take action against the institution.

But, there was no reply from the institution..

The letter of Dr. Sobana was again placed before SRC in its 233rd meeting held on 26-28 Sept, 2012 wherein the Committee considered the matter and advised SRO to further examine the case of complaint received from the complainant for further needful action. Further decided to examine whether, any violation of rules/regulations/norms of NCTE is involved and should decide whether at all SRC has any jurisdiction in the matter.

The SRC in its 236th meeting held on 16th – 17th December considered the complaint of Dr. Sobana Lecturer of said institution and all the relevant documentary evidences and it was decided to serve Notice Under NCTE Act .

Accordingly, a Notice was issued on 05.02.2013. The institution has submitted a written representation on 28.02.2013

In the mean while a Complaint has been received on 25/02/2013 from Humayun Rasheed, No.148, 9th Cross, Shivaji Road, N.R. Mohalla, Mysore-570007 with a request to initiate immediate action against the management and to ensure rule of law prevails/maintain by the state government in colleges of Education regarding -

Violation of NCTE norms in Sri Kaginele Mahasamsthana Kanaka Gurupeetha College of Education and Karnataka Government.

Non payment of salary and Monetary benefits as per NCTE norms to employees.

An affidavit, narrating the non-payment of salary, provident fund contribution to fully eligible employees, non elevation of a senior and eligible person to the post of principal, appointment of ineligible persons to the principal post and others with

other engagements by the Management and Karnataka Government, approval for such appointment was enclosed.

The Committee considered the complaint received on 25/02/2013 against the said college and decided to send a reminder to Vice-Chancellor of Mysore University and a copy to DSERT for their comments and needful action.

Accordingly, letters were addressed to the Vice Chancellor, Mysore University and the Director, D.S.E.R.T on 01.06.2013.

Another reminder letter was sent to the Vice Chancellor, Mysore University on 21.12.2013

The University has replied to the letter on 06.01.2014 which is as under ;

'The Committee visited the Shri Kaginele Mahsamsthana Kanakaguru Peeta College of Education, Mysore on 11.10.2013;

The Committee brought to the notice, allegations submitted by NCTE by Dr.Sobhana and Shri. Humayun Rasheed

The allegations pertaining to (a) appointment of Principal violating NCTE norms (b) non payment of salary and monetary benefits as per NCTE norms.

The Committee verified the records/documents made available and queried the Principal.

The Committee made the following observations ;

- a) *As per the records provided, Smt. S. B. Uma Rajashekar, Principal does not possess the required qualification as per NCTE norms. Further, she has not been appointed through due process of selection nor the appointment has been approved by University of Mysore.*
- b) *With respect to non payment of salary and monetary benefits as per NCTE norms to Shri.Humayun Rasheed , the college has produced a copy of the High Court Judgment in which it is observed that the request of petitioners as per the NCTE norms can be considered from 17.12.2012.*

Dr.Shobhana has retired from service and the Principal has stated that her salary and other monetary benefits have been settled , but the documents furnished in this respect is not clear .As per the records provided, the last drawn salary of Dr. Sobhana was Rs. 10,852/-(Oct ,2012).The college was admitted to Grant-in-aid on 17.12.2012 and Dr.Sobhana's name is not found in the list of approved faculty.

In the meanwhile, Mr.Humayun Rasheed ,S/o. of late Muxharus Samad, 9th Cross, Shivaji Road, N. R. Mohalla, Mysore – 570007 has filed a writ petition at the Hon'ble High Court of Karnataka at Bangalore in W.P.No. 3137/2014 (S-RES), where in SRC , NCTE is the seventh respondent.

This office is in receipt of a notice dated 30.01.2014 from the Hon'ble High Court of Karnataka, in W.P.No.3137/2014 where in

'The Hon'ble High Court has directed to appear in Court in person or through an advocate duly instructed or someone authorized by law to act for you in this case, at 10.30 a.m in the forenoon within 5 days of the service of this notice to show cause

		<p>why rule nisi should not be issued.’</p> <p>The petitioner has prayed to stay the operation of the order Annexure-R dated 17.12.2012 Copy of the order from State of Karnataka represented by its Principal Secretary, recognizing the 4th respondent-Smt. Uma Rajashekar, as the principal of the institution in the interest of Justice and equity.</p> <p>A letter is addressed to the advocate Mr. Dinesh Kumar on 01.03.2014 to defend the case in the interest of SRC,NCTE .</p> <p>The Committee considered the complaint received on 25/02/2013 and the findings of the inquiry conducted by the Committee constituted by the Mysore University against the said college and also all the relevant documentary evidences and it was decided to serve Show cause Notice under NCTE Act for the following:</p> <ul style="list-style-type: none"> • As per the records provided, Smt. S.B. Uma Rajashekar, Principal does not possess the required qualification as per NCTE norms. Further, she has not been appointed through due process of selection nor the appointment has been approved by University of Mysore. • With respect to non payment of salary and monetary benefits as per NCTE norms to Shri. Humayun Rasheed, the college has produced a copy of the High Court Judgment in which it is observed that the request of petitioners as per the NCTE norms can be considered from 17.12.2012. • Dr. Shobhana has retired from service and the Principal has stated that her salary and other monetary benefits have been settled, but the documents furnished in this respect are not clear. As per the records provided, the last drawn salary of Dr. Sobhana was ₹. 10,852/- (Oct. 2012). The College was admitted to Grant-in-aid on 17.12.2012 and Dr. Sobhana’s name is not found in the list of approved faculty. <p>In view of the above, the Committee decided to issue a Show cause Notice to the institution as to why the recognition be not withdrawn and thereby providing an opportunity to the institution to make a <u>written representation</u> within 21 days from the date of receipt of the Notice along with necessary certificates/documents in order to take a final decision in the <u>matter; failing which action will be taken including the withdrawal of application, based on the records available with no further notice.</u></p>												
16.	APS07754/ APS04374/ APS05907/ APS05802/ APS07393/ APS07624/ APS06021/ APS04155 M.Ed/ D.T.Ed/ B.P.Ed/ M.Ed/ D.T.Ed/	<p>Institutions run by Mother Theresa Educational Charitable Trust , Pudukottai in <u>W.A.No.s</u> 2272 & 2273 of 2012 against W.P.Nos. 8582 and 8583 of 2010 in the Hon’ble High Court of Judicature at Madras. is as follows ;</p> <table border="1" data-bbox="403 1720 1493 2024"> <thead> <tr> <th>Sl. No.</th> <th>Code /Course</th> <th>Name of the institution</th> <th>Recognition granted on</th> <th>Recognition withdrawn on</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>APS04374/ D.T.Ed</td> <td>Mother Theresa Teacher Training Institute for</td> <td>22.11.2005 Recognition accorded was</td> <td>--</td> <td>The institution stands recognized as on date</td> </tr> </tbody> </table>	Sl. No.	Code /Course	Name of the institution	Recognition granted on	Recognition withdrawn on	Remarks	1	APS04374/ D.T.Ed	Mother Theresa Teacher Training Institute for	22.11.2005 Recognition accorded was	--	The institution stands recognized as on date
Sl. No.	Code /Course	Name of the institution	Recognition granted on	Recognition withdrawn on	Remarks									
1	APS04374/ D.T.Ed	Mother Theresa Teacher Training Institute for	22.11.2005 Recognition accorded was	--	The institution stands recognized as on date									

B.Ed-AI/ B.Ed/ B.Ed Institutions run by Mother Theresa Educational Charitable Trust, Pudukottai, TN			women, Mettusalai, Illipur, Pudukottai- 6122102	continued on 17.03.2010		
	2	APS05802/ M.Ed	Mother Theresa College of Education, Mettusalai, Illipur, Pudukottai- 6122102	08.11.2006 Continue recognition was granted on 09.02.2010 Enhancem ent of intake was permitted on 26.08.2010	--	The institution stands recognized as on date
	3	APS07393/ D.T.Ed	Teresa Teacher Training Institute (Co- Ed),Veerap patti Panchayat h,Illupur Post,Puduk kottai District - 622102	18.06.2007	--	The institution stands recognized as on date
	4	APS06021/ B.Ed	Mother Teresa College of Education for women, Mettusalai, Illupuram Post,Pudu kottai - 622102,Ta milnadu	01.09.2006	04.02.2010	Recognitio n withdrawn
	5	APS05907/ B.P.Ed	Mother Theresa College of Physical Education, Mettusalai, Illipur, Pudukottai - 6122102	21.10.2008	04.02.2010	Recognitio n withdrawn
	6	APS07624/ B.Ed-A.I	Mother Teresa College of	26.05.2008	04.02.2010	Recognitio n withdrawn

		Education, Mettusalai, Illipur, Pudukottai			
7	APS07745/ M.Ed	Mother Teresa College of Education for women, Mettusalai, Illipur, Pudukottai - 622102	27.09.2007	04.02.2010	Recognition withdrawn
8	APS04155/ B.Ed	Mother Theresa College of Education, Mettusalai, Illipur, Pudukottai-602102	06.07.2005	--	The institution stands recognized as on date

As per the directions of MHRD to re-inspect all the institutions granted recognition by SRC in its 116th Meeting , as per the recommendation of Sri. Sathyam Committee reports, the re-inspection of the institutions were carried out on 17.12.2008.

The VT report was placed before SRC in its 169th Meeting held during 12th – 13th January 2009 and SRC decided to issue show cause notice, accordingly, a show cause notice was issued to the institution on 06.03.2009. The institution submitted its reply on 29.04.2009, the same was considered by SRC in its 178th meeting held during 13th to 14th July 2009 and SRC decided to issue another show cause notice to the institution. Accordingly, a notice was issued to the institution on 31.07.2009. The institution submitted its written representation on 23.10.2009.

SRC in its 187th Meeting held on 29-30, December, 2009, considered the matter and observed that according to the documents furnished by the Institution's management, they have a total built up area of only 39,172.36 sq.ft which can accommodate as per NCTE norms, only, one D.Ed, one B.Ed and one M.Ed programme. The committee decided to permit continuance of the earliest sanctioned programmes D.Ed (APS04374), B.Ed(APS04155) and M.Ed (APS05802) and further decided to withdraw all other teacher education programmes namely M.Ed(APS07745), B.Ed(APS06021), B.P.Ed(APS05907) and B.Ed-A.I(APS07624) for which no built up space is available in the campus as vouchsafed by the Management itself.

As per the decision of SRC , withdrawal orders were issued for the institutions(APS06021, APS05907, APS07624, APS07745) on 04.02.2010

The institution filed writ petitions in the Hon'ble High Court of Judicature at Madras in W.P.No. 8583 and W.P.No. 8582 of 2010,

The Hon'ble High court vide order dated 26.04.2010 had granted an interim stay of the operation of the said withdrawal orders and restricted the same till 14.06.2010.

After one year and one month the petitioner moved miscellaneous petition, seeking extension of interim order .The petitioner had admittedly continued the courses even after expiry of the interim order.

On 29.09.2011, the Hon'ble Court made the following order;

This miscellaneous petition has been filed to extend the interim stay granted on 26.04.2010. Admittedly, the interim order expired on 16.06.2010. For more than one year, four months, the interim order is not in force when such is the position, this court is not in a position to extend the interim order. Further, considering the facts and circumstances of the case, this court directs the matter to be listed on 10.10.2011 for filing counter .consequently this M.P is dismissed.

Duly signed Counter affidavit was sent to the advocate on 16.11.2011.
The Honb'le High Court order dated 27.01.2012 in W.P. Nos 8582 & 8583 of 2010 and M.P.No.1 & 1 of 2010 is as under :

'The writ petition is allowed. The impugned order dated 04.02.2010 is quashed and the case is remitted back to the Regional Director(in charge) of NCTE ,Southern Regional Committee for reconsideration of the matter after taking into consideration, the reply submitted and the points raised in the reply to the show cause notice by passing a detailed speaking order. Consequently, connected miscellaneous petitions are closed.'

SRC,NCTE filed W.A.Nos.2272 and 2273 against the above mentioned order Writ appeals were admitted and stay of the learned judge's order was granted.

Photocopies of the recognition orders pertaining to APS07745-m.Ed,APS06021-B.Ed ,A PS05907-B.P.Ed,APS07393-D.T.Ed,APS05802-M.Ed,APS04374-D.Ed and APS0 7624-B.Ed-A.I and the original inspection report was sent to the advocate ,Ramakrishnareddy on 24.03.2014 as per the request of the advocate.

In response to the E-mail received from the advocate on 07.04.2014 seeking details of the seven courses offered by the trust, an email was sent on 08.04.2014 along with the supporting documents.

On 21.04.2014, a letter was received from Ramakrishnareddy stating that the court had directed the institution to file an affidavit , giving undertaking that no admissions will be made till fresh inspection of the institutions are made and fresh orders are passed and the matter is adjourned to 21.04.2014 for final orders. He had requested to inform the time required for causing fresh inspection and to pass fresh orders.

On 23.04.2014, an email letter is received from the Mr.Ramakrishnareddy, advocate stating as under :

Judgment has been delivered on 21.02.2014 in the writ appeals 2272 & 2273 dismissing the writ appeals and directing you to receive the inspection charges from the institutions by sending necessary demand directing the institutions to pay the inspection charges for each course for which recognition has been withdrawn (four courses).On receipt of the inspection charges please make arrangements to cause inspection and to pass fresh orders within six weeks from the date of receipt of the order .i.e from 21.04.2014.

		<p>The Hon'ble High Court order dated 21.10.2014 in W.A.Nos.2272 and 2273 of 2012 is as under;</p> <p><i>' On a through consideration and appreciation of the rival submissions and materials placed before it, is of the considered opinion that there is no error apparent or infirmity in the impugned common order allowing the writ petitions. However to ensure the availability of infrastructure to run the institutions, the second respondent can arrange for a fresh inspection of all the institutions which the first respondent management is running as on date and if such inspection is required, the first respondent shall pay the inspection fee, on demand, if any made.</i></p> <p><i>In the result <u>these writ appeals are dismissed</u>, confirming the common order dated 27.01.2012 made in W.P.Nos. 8582 and 8583 of 2010 and the second appellant/respondent in the writ petition is directed to comply with the orders passed in the writ petitions as expeditiously as possible and <u>not later than six weeks from the date of receipt of the copy of this order</u>. It is made clear that till the final orders are passed by the second respondent, the first respondent/writ petitioner shall not admit students in respect of the courses for which recognition was withdrawn. No costs.</i></p> <p>As per directions, a letter was sent to Mr. B.P.Pandey, Under Secretary(legal), NCTE with respect to W.A.Nos. 2272 & 2273 in respect of Mother Theresa College of Education for Women along with a copy of the court order and brief of the case for further necessary action for filing SLP in the Hon'ble Supreme Court of India on 25.04.2014.</p> <p>A letter dated 28.04.2014 has been received from the Mr .Ramakrishnareddy enclosing the original cause papers pertaining to the above matter for further course of action.</p> <p>The Committee considered the Hon'ble High Court order dated 21.04.2014 and all other relevant documents and decided as under:</p> <p>1. This is a case of existing institution, i) <u>to cause inspection for B.P.Ed (APS05907) course</u> and, 2). <u>As directed by the Hon. High Court of Madras ii). to cause composite inspection for all the other 7 courses</u> i.e. APS07745-M.Ed, APS04374-D.T.Ed, APS05802-M.Ed, APS07393-D.T.Ed, APS07624-B.Ed-AI, APS06021-B.Ed, APS04155-B.Ed <u>courses under NCTE Act, to examine whether the Institutions fulfils all the requirements as per the norms, for the existing programme.</u></p>
17.	SRCAPP13 92 D.Ed St. Mary's D.Ed College, Prakasam District, AP	<p>Joseph Sriharsha Mary Indraj Educational Society, Vanasthalipuram, Hyderabad, A.P</p> <p>Joseph Sriharsha & Mary Indraj Educational Society, Street No. 5, Plot No. 102, High Court Colony, Vanasthalipuram Post & Taluk, Hyderabad City, Rangareddi District- 500070, Andhra Pradesh had applied for grant of recognition to St. Marys D.Ed College, Plot/Khasar No. 728/1,2,3, Podili Village and Post, Podili City & Taluk, Prakasam District- 523240, Andhra Pradesh for D.EL.Ed Course of two years duration under Section 14(1) of the NCTE Act, 1993 to the Southern Regional Committee, NCTE online on 30.09.2011 and physical copy received on 03.10.2011.</p> <p>The application was scrutinized and a copy of application was sent to State Government for recommendation on 18.10.2011/ 14.12.2011. A deficiency letter was issued to the institution on 29.12.2011. The institution has replied to the deficiency letter on 02.03.2012.</p>

The SRC in its 221st meeting held on 19-20th April, 2012, considered the reply of the institution dt. 02.03.2102 and all the relevant documentary evidences and it was decided to serve Show cause Notice under Section 14(1) of NCTE Act.

Accordingly, show cause notice was issued to the institution on 15.05.2012. The institution has submitted its written representation dt. 05.06.2012.

The SRC in its 225th meeting held on 26th-27th June 2012, considered the reply of the institution and decided and advised SRO to scrutinize the application in detail and put up in the next SRC meeting.

As per the decision of SRC the application was scrutinized and placed before SRC in its 229th Meeting held on 30th-31st July, 2012 and the Committee duly considered the reply of Show Cause Notice and the reply is unconvincing and not satisfactory, deficiencies still persist as under:

Approved blue print of the building plan in the name of the proposed college issued by competent civil authority is not submitted.

Notarized land usage certificate from the Revenue divisional office stating that the agriculture land converted to non-agriculture for the educational purpose is not submitted. Proceedings of Revenue Divisional Officer not submitted for conversion of land from agricultural to educational purposes.

Proof of completion of 3 academic sessions towards B.Ed course which is already run by the institution from the affiliating body/State Govt/examining body is not submitted.

Under the above grounds and as per 8 (3) of Regulations 2009:

“An institution can apply for one basic unit only of an additional course or for an additional unit of the existing recognised course after completion of three academic sessions of the respective course, for which the institution shall submit application before the cut off date prescribed for submission of applications in the year succeeding the completion of three academic sessions. Maximum intake capacity of an institution taking into consideration of all courses, alongwith additional intake, in any case, shall not exceed 300”.

The Hon'ble Supreme Court's order dated 31.1.2011 in Civil Appeal No. 1125-1128/2011 in SLP No. 17165-68/2009 filed by NCTE Vs ors, which reads as under:

“An institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. The Council is directed to ensure that in future no institution is granted recognition unless it fulfils the conditions laid down in the Act and the Regulations and the time schedule fixed for processing the application by the Regional Committee and communication of the decision on the issue of recognition it strictly adhered to”.

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

Accordingly, rejection order was issued to the institution on 03/09/2012.

Aggrieved by the rejection order of SRC the institution preferred an appeal to NCTE-Hqrs and the appellate authority in its order No. F.No. 89-508/2012Appeal/12th Meeting-2012 A 61771 dated 03/01/2013 stated that “...the council concluded that there was adequate ground to accept the appeal and remand the case to SRC”.

The SRC in its 240th meeting held on 9th-11th March 2013, considered the Appellate authority order dt. 03/01/2013 and it has decided to further process the application of the said institution, for necessary action.

As per decision of SRC, the application was processed and placed before SRC in its 244th Meeting held on 09th-11th May, 2013 and the Committee has considered the Appellate authority order dt. 03.01.2013, reply of the institution to the show cause notice and the reply is unconvincing and not satisfactory, deficiencies still persist as under:

Certified copy of the land documents duly approved by the competent authority is not submitted.

Original approved blue print of the building plan in the name of the proposed college issued by competent civil authority is not submitted.

Proof of completion of 3 academic sessions towards B.Ed course which is already run by the institution from the affiliating body/State Govt/examining body is not submitted.

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

Accordingly, a rejection order was issued to the institution on 07.06.2013.

In the mean time, an email letter has been received by SRC from the Advocate, in W.P.No.16561 of 2013 filed by St. Marys D.Ed College, Prakasam District, Andhra Pradesh.

A letter sent to advocate along with brief of the case on 20.06.2013.

A letter has been received from Shri Ramakanth Reddy, Advocate through fax on 11.07.2013 stating that the SRC reiterated what was set aside by the appellate authority. Kindly place it before the SRC immediately as the matter is coming up for hearing on Monday the 15.07.2013.

The SRC in its 248th meeting held on 13th to 15th July, 2013 has considered the matter and decided to **“inform the Lawyer about the grounds on which rejected the application. Further the lawyer to be informed to defend our order in the court on 15.07.2013 specifically citing the NCTE Regulations and the Supreme Court Order about strict enforcement of norms/standards”**.

As per the decision of SRC, a letter was issued to the institution on 17.7.2013 along with brief of the case.

A duly signed counter affidavit was sent to the advocate on 18.7.2013.

A court notice has been received from the Hon'ble High Court of Andhra Pradesh on 28.10.2013 in W.P. No. 26127 of 2013 filed by the above said institution. “The

institution has prayed that this Hon'ble Court may please to direct the 2nd respondent to forthwith reconsider the application of the petitioners bearing number SRCAPP1392 in terms of the order dated 31.2013 passed by the 1 respondent and pass such other order or orders as are deemed fit and proper in the facts and circumstances of the case".

Accordingly, a letter to the advocate was sent along with brief of the case on 4.11.2013.

Shri. Ramakanth Reddy, advocate has forwarded counter affidavit for attestation. Accordingly, duly signed counter affidavit was sent to the advocate on 7.11.2013.

This office has received court order in W.P.No. 26127 of 2013 filed by the above said institution. The Hon'ble court has ordered as follows ".....*At the hearing, it has come out that the academic year 2012-13, for which the petitioners made application, has already expired and the new academic year 2013-14 is scheduled to commence in a month or two. The counter affidavit has referred to the judgment of the Apex Court in Maa Vaishno Devi Mahila Mahavidyalaya v. State of Uttar Pradesh & Others in support of the plea that no recognition for the year 2012-14 can be granted, as the cut off date, namely, 03.03.2013 for recognition has already been crossed. In my opinion, the said judgment applies to the cases where recognitions are to be granted in ordinary course of things. In the present case, on account of the highly unreasonable and arbitrary conduct of respondent no. 2, the petitioners have been deprived of one academic year. Had respondent no. 2 complied with the appellate order at the earliest the petitioners would have been granted recognition on or before the cut off date. The petitioners cannot be put to sufferance due to the reasons, which are solely attributable to respondent no 2. Therefore, in the facts and circumstances of the present case, it could be grave travesty of justice if the petitioners are not permitted to start the course during the academic year 2013-14. As there is still adequate time left for respondent no. 2 for completion of the formalities, this court is inclined to accept the plea of the petitioners for giving appropriate directions to respondent no. 2 to enable them to commence the course in the academic year 2013-14.*

In the result, the impugned order of respondent no. 2(SRC-NCTE) is quashed and the writ petition is accordingly allowed with costs of Rs. 10,000/- against respondent no. 2. Respondent no. 2 is directed to forthwith consider the application of petitioner no. 1 made for the academic year 2012-13 for grant of recognition for the academic year 2013-14 by ignoring the reasons on which its application was rejected. Respondent no. 2 shall depute an inspection team and, after completing all the formalities, it shall complete the process of granting recognition to the petitioners before the process of counseling is commenced for the academic year 2013-14.

As a sequel, WPMP no. 32284 of 2013 filed by the petitioners for interim relief shall stand disposed of as infructuous".

A letter has been received from NCTE-Hqrs., on 16.12.2013 directed as follows;

- a) The petitioner has not exhausted the alternative remedy of appeal available u/s 18 of NCTE Act, 1993 and approached directly to the Hon'ble Court.
- b) The institution cannot be granted recognition for the academic session 2013-14 at this juncture under any circumstances, as directed by the Hon'ble Court, in the light of the time schedule fixed by the Apex Court in the matter of Maa Vaishno Devi Mahavidyalaya and ors.
- c) The Hon'ble Court in the matter of Adarsh Shiksha Mahavidyalaya v. subbash Rahangdale, (2012) 2 SCC 425, in para 87 inter-alia held the

following:

“87(i) The Regional Committees established under section 20 of the 1993 Act are duly bound to ensure that no private institution offering or intending to offer a course of training in teacher education is granted recognition unless it satisfies the conditions specified in Section 14(3)(a) of the 1993 Act and Regulations 7 and 8 of the Regulations. Likewise, no recognized institution intending to start any new course or training in teacher education shall be granted permission unless it satisfied the conditions specified in Section 15(3)(a) of the Act and the relevant Regulations.”

It is also requested Regional Director, SRC to file a Letter Patent Appeal(LPA)/Writ Appeal against the above order immediately.

Accordingly, a letter was sent to the advocate on 17.12.2013.

The Committee considered the matter, letter dated 16/12/2013 from NCTE (H'qrs) New Delhi and decided to remind the Lawyer to file an appeal and obtain stay. The matter to be pursued with the lawyer.

As per the direction SRC, a letter along with brief of the case was sent to Advocate, Shri, K. Ramakanth Reddy on 22.01.2014 with the request to file an appeal and defend the case on interest of SRC, NCTE and NCTE Hqrs.

A letter has been received from K. Ramakanth Reddy, Advocate along with appeal affidavit and Condone delay petition for signature of Regional Director, SRC, NCTE and a letter along with appeal affidavit and condone delay petition duly signed was sent to the Advocate on 04.02.2014.

An e-mail letter has been received from the advocate on 16.04.2014 with the request to present status of the application of the college.

Accordingly, the brief of the case was sent to the advocate on 21.04.2014.

On 28.04.2014 a Court notice has been received from Hon'ble High Court of Andhra Pradesh in W.A.M.P. No. 1243 of 2014 in WASR 14034 of 2014 filed by Joseph Sriharsha Mary Indrajaya Educational Society. It is directed that the appeal will come on for hearing on the day of 24.04.2014. Hence, you are hereby directed to appear in person or by counsel. The notice has been ordered by Court on 03.04.2014.

Accordingly, a brief of the case was sent to the advocate on 1.05.2014.

On 1.5.2014 a Contempt notice in CC No. 601 of 2014 filed by Joseph Sriharsha Mary Indrajaya Educational Society in the Hon'ble High Court of Judicature of Andhra Pradesh at Hyderabad. The Honorable High Court has directed to appear in person before Hon'ble High Court of Andhra Pradesh at Hyderabad on 06.06.2014 at 10.30 a.m.

The Committee considered the matter, Hon'ble High Court of Andhra Pradesh order dated 03.04.2014, decided and advised Southern Regional Office to 1). ask our lawyer to file a review application citing the Supreme Court order (s) about new Regulations.

2). if the review application filed succeeds, the appeal can be withdrawn.

18.	<p>APS08517 B.Ed Arasu College of Education for Women, Karur, TN</p>	<p>Arasu College of Education for Women, Thiruvalluvar Nagar, Velayuthampalayam, Karur District -639002, Tamilnadu</p> <p>Arasu College of Education for Women, Thiruvalluvar Nagar, Velayuthampalayam, Karur-639002, Tamilnadu had submitted an application for B.Ed Course on 14.03.2007. The institution was granted recognition on 31.10.2007 with an annual intake of 100 students, with the condition to shift to own premises within 3 years.</p> <p>A complaint has been received from Shri. R. Elango, Tamilnadu on 13.07.2010. The complainant has made the complaint against two colleges i.e. Arasu College of Education for Women, Karur and Ponkalamman College of Education, Karur.</p> <p>The SRC in its 194th meeting held on 21st-22nd July 2010 considered and decided to call for remarks with necessary documentary evidence on the specifics of the complaint from both the institutions and to obtain an affidavit from the complainant.</p> <p>Accordingly, a letter was issued to the institution on 31.08.2010 and to the complainant on 01.09.2010 to submit the reply within 15 days. The reply from complainant was received on 13.09.2010. The complainant has submitted affidavit, copy of complaint, VT reports of Arasu College of Education and Ponkalamman College of Education alongwith CD. But reply from both the above institutions are not received yet.</p> <p>In the meantime, the Chairperson, NCTE vide his communication dated 16.07.2010 asked to look in to the matter immediately and instructed that if VT members found having submitted false report they should be blacklisted. A reply has been sent to CP, NCTE-Hqrs stating that the matter will be placed before SRC for appropriate action vide letter dated 03.08.2010.</p> <p>SRC considered the reply of the complainant regarding the veracity of complaint in its 196th meeting held on 15th-16th September, 2010 and the committee considered the matter and noted the specific/serious deficiencies pointed out by the complainant. Remarks of the institution be placed before the committee for further necessary action. Final Report on the outcome of action taken be sent to the NCTE –Hqrs.</p> <p>The institution has submitted its reply on 12.10.2010. The committee considered the matter in its 197th meeting held on 13th-14th October, 2010 and decided to cause inspection.</p> <p>Accordingly, inspection of the institution was fixed between 15th-19th November, 2010 and the same was intimated to the institution on 09.11.2010. Meanwhile, a letter was received from the institution on 23.11.2010 requesting for postponement of the inspection as the college building work was not complete and it may be completed within three months and requested to fix the inspection after three months and the same was also informed to the VT members.</p> <p>Accordingly, the inspection of the institution was re-fixed between 14th-17th February, 2011 the same was intimated to the institution on 17.01.2011. The institution vide its letter dated 18.02.2011 again requested to postpone the inspection for two months.</p> <p>Now, the institution vide its letter dtd. 24.12.2012 has submitted DD bearing no. 405903 dtd. 21.12.2012 for Rs. 50,000/- for shifting of premises to the following new address:- Arasu College of Education for Women, Panduthakaranpudur, Manmangalam (Pondicherry), Karur(Dt), Tamilandu, Pin Code: 639 006.</p> <p>The SRC in its 241st Meeting held on 29th – 30th March and 1st April 2013, considered the reply of the institution dt.24-12-2012 and all other relevant documents and decided to cause shifting inspection in the month of April-2013 under 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</p>
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	<p>norms. Accordingly, the inspection of the institution was fixed between 13-17th May 2013, the same was intimated to the institution on 06.05.2013. The inspection of the institution was conducted on 18.05.2013. Accordingly, the Southern Regional Committee in its 247th Meeting held on 20-22nd June, 2013 decided to Reject request for shifting withdraw recognition. In the meantime, a letter is received from the institution along with copy of Court order dated 02.07.2013 in MP(MD) No.2 of 2013 in WP(MD) No. 10454 of 2013 filed by Arasu College of Education Vs. SRC, NCTE States as:</p> <p>“This petition coming on for orders upon perusing the petition and the affidavit filed on support thereof and upon hearing the arguments of M/s B. SARAVANAN, Advocate for the petitioner, the Court made the following order: Interim Stay for period of four(4) weeks. The learned Counsel for the petitioner is also permitted to the private notice on the respondents by then. It is made clear that private notice is not taken immediately as ordered by this Court, indulgence for extension of Stay Will not be granted.</p> <p>In view of the above, our Advocate is being asked to get the stay vacated so that the decision of SRC taken in its 247th meeting could be communicated. The SRC in its 249th meeting held on 24th-26th July 2013, considered the matter, decided and advised Southern Regional Office to remind the Lawyer to get the stay vacated. Accordingly, a letter was sent to Sri.K.Ramakrishna Reddy, Advocate dated 14.08.2013 In the meantime, the institution and the court has submitted an interim order on 22.10.2013 in MP (MD) 2 of 2013, W.P.(M.D) No.10454 of 2013 dt. 10.10.2013 stated as follows:- “This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s.B.Saravanan, Advocate for the petitioner, the court made the following order:-</p> <p style="text-align: center;">INTERIM ORDER IS EXTENDED TILL 31.10.2013.</p> <p>The institution has submitted its written representation on 16.01.2014 along with court interim order in MP (MD) No.2 & 2/2013 in WP (MD) Nos.8351 & 10454/2013 dt. 06.01.2014 stating as follows:-</p> <p>“These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing arguments of M/s.B.Saravanan, Advocate for the petitioner in both miscellaneous petitions, the court made the following order:- INTERIM ORDER ALREADY GRANTED BY THIS COURT IN WP(MD) NOS. 8351 & 10454 OF 2013 IS EXTENDED TILL 06.03.2014.</p> <p>A letter was sent to Sri.A.Sivaji, Advocate on 04.02.2014 along with brief of the case. In the meantime, the Registrar, Tamilnadu Teachers Education University has submitted its written representation on 8.01.2014 regarding clarification the final orders of the Hon’ble Madurai Bench of Madras in MP(MD)No.2 of 2013 in WP(MD) No.10454 of 2013.</p> <p>The court has submitted court interim order on 17.03.2014 in MP(MD)No.2 of 2013 in WP(MD) No.10454 of 2013 dt. 06.03.2014 stating as follows:- (same court order was again submitted by the institution on 18.03.2014)</p> <p>“These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing arguments of M/s.B.Saravanan, Advocate for the petitioner in both miscellaneous petitions, the court made the following order:-</p> <p>Learned Counsel for the respondent seeks further time to file counter affidavit. Post after two weeks. Interim order already granted is extended till then.”</p> <p><u>Note:</u> Same Court order of both the cases i.e. W.P(MD) No.10454 of 2013 related to Arasu College of Education for Women, Thiruvalluvar Nagar, Velayuthampalayam, Karur District-639117, Tamilnadu and WP(MD) NOS. 8351 of 2013 is related to Ponkalamman College of</p>
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		Education, Thiruvalluvar Nagar Bye-Pass Road, Velayuthampalayam, Karur District, Pin-639117, Tamilnadu (APS08321/B.Ed)																																
		<p>The Committee considered the matter, Hon'ble High Court of Madurai Bench Interim order and advised Southern Regional Office to ask the Lawyer to report the present position of the case.</p> <p>And, also to ask the lawyer to move for early hearing and get the stay vacated.</p>																																
19.	APS07545 APS09434 APs09006 APS09762 APS09184 APS07706 APs07226 M.Ed Hon'ble High Court Order TN	<p>This office has received a court order in the High Court of Judicature of Madras of the above said W.P.Nos of 2013 of Seven Institutions for M.Ed courses is as follows:-</p> <table border="1"> <thead> <tr> <th>S I . N o .</th> <th>Institution Name</th> <th>Code/Course granted recognition on</th> <th>W.P.No.</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Adhiparasakthi College of Education, Vellore District</td> <td>APS07545/M.Ed 28.05.2008</td> <td>W.P.No.31286 of 2013</td> </tr> <tr> <td>2</td> <td>Stanley College of Education, Dharmapuri District</td> <td>APS09434/M.Ed 24.11.2008</td> <td>W.P.No.31261 of 2013</td> </tr> <tr> <td>3</td> <td>Annai College of Master Education, Dharmapuri District</td> <td>APS09006/M.Ed 22.09.2008</td> <td>W.P.No.32954 of 2013</td> </tr> <tr> <td>4</td> <td>St. John De Britto College of Education, Thanjavur District</td> <td>APS09762/M.Ed 30.07.2009</td> <td>W.P.No.32955 of 2013</td> </tr> <tr> <td>5</td> <td>K.S.K. College of Education, Thanjavur District</td> <td>APS09184/M.Ed 24.02.2009</td> <td>W.P.No.33080 of 2013</td> </tr> <tr> <td>6</td> <td>Grace College of education, Thiruvannamalai District</td> <td>APS07706/M.Ed 30.05.2008</td> <td>W.P.No.34223 of 2013</td> </tr> <tr> <td>7</td> <td>Shivparvathi Mandradiar College of Education, Tiruppur District</td> <td>APS07226/M.Ed 01.11.2007</td> <td>W.P.No.34436 of 2013</td> </tr> </tbody> </table> <p>The court order as follows:-</p> <p>"..... for all these reasons, the impugned orders are set aside and all the writ petitions are allowed. Needless to mention that the respondent-Tamil Nadu Teachers Education University is bound to approve the admission of students in the M.Ed., post graduate course in the petitioners institutions for the academic year 2013-14. Consequently, M.P.Nos. 1 of 2013 are closed. No costs."</p> <p>The Committee has noted the matter.</p>	S I . N o .	Institution Name	Code/Course granted recognition on	W.P.No.	1	Adhiparasakthi College of Education, Vellore District	APS07545/M.Ed 28.05.2008	W.P.No.31286 of 2013	2	Stanley College of Education, Dharmapuri District	APS09434/M.Ed 24.11.2008	W.P.No.31261 of 2013	3	Annai College of Master Education, Dharmapuri District	APS09006/M.Ed 22.09.2008	W.P.No.32954 of 2013	4	St. John De Britto College of Education, Thanjavur District	APS09762/M.Ed 30.07.2009	W.P.No.32955 of 2013	5	K.S.K. College of Education, Thanjavur District	APS09184/M.Ed 24.02.2009	W.P.No.33080 of 2013	6	Grace College of education, Thiruvannamalai District	APS07706/M.Ed 30.05.2008	W.P.No.34223 of 2013	7	Shivparvathi Mandradiar College of Education, Tiruppur District	APS07226/M.Ed 01.11.2007	W.P.No.34436 of 2013
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7	Shivparvathi Mandradiar College of Education, Tiruppur District	APS07226/M.Ed 01.11.2007	W.P.No.34436 of 2013																															
20.	APS08321 B.Ed Ponkalias a College of Education, Karur TN	<p>Ponkalias College of Education, Thiruvalluvar Nagar, Bye-Pass Road, Velayuthampalayam, Karur District, Pin-639117, Tamilnadu had submitted an application for B.Ed Course on 14.02.2007. The institution was granted recognition on 19.03.2008 with an annual intake of 100 students.</p> <p>A complaint was received from Shri. R. Elango, Tamilnadu on 13.07.2010. The complainant had made the complaint against two colleges i.e. Arasu College of Education for Women, Karur and Ponkalias College of Education, Karur.</p> <p>The SRC in its 194th meeting held on 21st-22nd July 2010 considered the matter and decided to call for remarks with necessary documentary evidence on the specifics of the</p>																																

		<p>complaint from both the institutions and to obtain an affidavit from the complainant.</p> <p>Accordingly, a letter was issued to the institution on 31.08.2010 and to the complainant on 01.09.2010 to submit the reply within 15 days. The reply from complainant was received on 13.09.2010. The complainant has submitted affidavit, copy of complaint, VT reports of Arasu College of Education and Ponkalamman College of Education along with CD. But reply from both the above institutions was not received ..</p> <p>In the meantime, the Chairperson, NCTE vide his communication dated 16.07.2010 asked to look in to the matter immediately and instructed that if VT members are found having submitted false report they should be blacklisted. A reply was sent to CP, NCTE-Hqrs stating that the matter will be placed before SRC for appropriate action vide letter dated 03.08.2010.</p> <p>SRC considered the reply of the complainant regarding the veracity of complaint in its 196th meeting held on 15th-16th September, 2010 and the committee considered the matter and noted the specific/serious deficiencies pointed out by the complainant. Remarks of the institution be placed before the committee for further necessary action. Final Report on the outcome of action taken be sent to the NCTE –Hqrs.</p> <p>The institution had submitted its reply on 12.10.2010. The committee considered the matter in its 197th meeting held on 13th-14th October, 2010 and decided to cause inspection.</p> <p>Accordingly, inspection of the institution was fixed between 15th-19th November, 2010 and the same was intimated to the institution on 09.11.2010. Meanwhile, a letter was received from the institution on 23.11.2010 requesting for postponement of the inspection as the college building work was not complete and it may be completed within three months and requested to fix the inspection after three months and the same was also informed to the VT members.</p> <p>Accordingly, the inspection of the institution was re-fixed between 14th-17th February, 2011 the same was intimated to the institution on 17.01.2011. The institution vide its letter dated 18.02.2011 again requested to postpone the inspection for two months.</p> <p>The institution vide its letter dtd. 24.12.2012 has submitted DD bearing no. 405906 dated 21.12.2012 for Rs. 50,000/- for shifting of premises to the following new address:-</p> <p style="text-align: center;">Ponkalamman College of Education, Panduthakaran Pudur, Manmangalam (Pondicherry), Karur (Dt), Tamilnadu. Pin Code: 639 006.</p> <p>The SRC in its 239th meeting held on 26th and 27th February, 2013 considered the request of the institution vide letter dt. 24/12/2012 for <u>causing inspection</u> at the new premises and decided to cause Shifting inspection at the new premises and to ascertain infrastructural and instructional facilities Under Section NCTE Act. subject to the condition that the deficiencies, if any, were duly rectified by the institution, as per the norms. The institution is directed to submit all the documents pertaining to new premises.</p> <p>Accordingly, a letter was sent to the institution on 18.03.2013. The institution has submitted the documents dated 05.04.2013.</p> <p>The documents submitted by the institution was placed before the committee.</p>
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	<p>The Southern Regional Committee in its 244th Meeting held on 9th – 11th May, 2013 considered the written reply of the institution on the above matter and also the relevant documents of the institution and decided to withdraw recognition under NCTE Act for the following reasons:-</p> <p>The institution does not have title to the land. In the affidavit submitted, total built up area for the course being run is not mentioned. In the approved copy of the building plan submitted, approving authority seal and signature is not clear, total earmarked built up area is not clear. Original building completion certificate in a proper format from competent Govt. engineer is not submitted. Notarised English version of Up-to-date encumbrance certificate issued by sub-registrar is not submitted.</p> <p>Based on the above points the Committee decided to withdraw the recognition of the B.Ed course run by the Ponkalamman College of Education, Thiruvalluvar Nagar, Bypass Road, Velayuthampalayam, Karur District-639117, Tamilnadu, from the academic year 2013-14, in order to enable the ongoing batch of students in B.Ed, course, if any, to complete their course.</p> <p>As per the decision of the Committee, withdrawal Order was prepared for issuance.</p> <p>In the meantime, a Court Order dated 15.05.2013. M.P.(MD).No. 2 of 2013 in W.P.(MD).No.8351 of 2013 was received from institution as well as from the Hon'ble High Court on 17.05.2013 and 28.05.2013 <u>thus obtaining stay prior to the confirmation of Minutes.</u></p> <p><i>".....This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.B.SARAVANAN, Advocate for the petitioner, the Court made the following order:-</i></p> <p><i>Notice of motion returnable in four (4) weeks. Post after four (4) weeks. Interim stay till then".</i></p> <p>A letter was sent to the Advocate on 31.05.2013 along with the brief of the institution to defend the case and vacate the stay.</p> <p>The SRC in its 246th meeting held on 02nd-04th June, 2013 considered the matter and advised SRO to pursue the matter with the lawyer for getting the "stay" vacated.</p> <p>This office was in receipt of a notice from the Hon'ble High Court of Madras at Madurai on 10.06.2013 stating that the WP(MD).No.8351 of 2013 is set down for hearing on 12.06.2013 for orders as to admission.</p> <p>A letter was addressed to Mr.Shivaji, advocate on 18.06.2013 along with the brief of the case . followed by another letter on 12.07.2013 to get the stay vacated.</p> <p>A duly signed counter affidavit was sent to Mr.Ramakrishnareddy on 26.08.2013 in W.P. No. 8351 of 2013 filed by the institution.</p> <p>On 22.10.2013, the institution submitted a copy of the Hon'ble High Court order dated 10.10.2013 in MP(MD) No.2 of 2013 in WP(MD) No. 8351 of 2013 stating as under ;</p> <p><i>'This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.B.SARAVANAN, Advocate for</i></p>
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the petitioner, the Court made the following order:-

Interim order is extended till 31.10.2013.Post on 31.10.2013'

A copy of the Court order dated 28.11.2013 in MP(MD) Nos.2 & 2/2013 in W.P(MD) Nos. 8351 & 10454/2013 was received from the Madurai Bench of Madras High Court. Stating as under ;

' These petitions coming on for orders upon perusing the petitions and affidavits filed in support thereof and upon hearing the arguments of M/S.Saravanan, Advocate for the petitioner in both miscellaneous petitions, the court made the following orders ;-

At the request of the learned counsel for the respondent for filing counter in the writ petitions, wherein counter has not been filed so far, post the matter after four weeks.

Interim order already granted by this court in W.P.No.s 8351 and 10454 of 2013 is extended till then.'

On 16.01.2014, the institution submitted a copy of the court order dated 16.12.2013 in in MP(MD) Nos.2 & 2/2013 in W.P(MD) Nos. 8351 & 10454/2013 where in the Hon'ble High Court *extended the interim order already granted to 06.03.2014.*

A letter was addressed to the advocate Mr.Shivaji on 06.02.2014 with respect to the interim order of stay till 06.03.2014..

The institution vide its letter dtd. 16.01.2014 submitted the interim order dated 16.12.2013 in W.P. No. MP(MD) Nos.2 & 2/2013 in WP(MD) Nos. 8351 & 10454/2013 which read as under:-

"..... These petitioners coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.B.SARAVANAN, Advocate for the petitioner in both miscellaneous petitions, the court made the following order:-

Interim order already granted by this Court in WP(MD). Nos. 8351 & 10454 of 2013 is extended till 06.03.2014.

Post on 06.03.2014"

This office is in receipt of a court order dated 06.03.2014 in MP(MD) Nos.2 /2013 IN w.p.No.s.8351 and 10454/2013 filed by M/s.Ponkalamman College of Education, Thiruvalluvar and M.S.Arasu College of Education, Thiruvalluvar in the Madurai Bench of Madras High Court where in Chairman, SRC,NCTE is the first respondent and The Regional Director, SRC,NCTE is the second respondent. The court order is submitted by M/s.Ponkalamman College of Education, Thiruvalluvar.

The court order is as under ;

Petitions praying that in the circumstances stated therein and in the affidavits filed therewith the High Court will be pleased to

grant an order of stay of the impugned proceedings of the 1st respondent in the 244th meeting of SRC-NCTE dated 9-11May 2013 in respect of the petitioner at serial no.7 in the impugned proceedings, pending disposal of the above writ petition MP(MD) Nos.2 /2013 IN w.p.No.s.8351 and 10454/2013.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue an order of interim stay of the operation and all further proceedings of the impugned decision of 247th Meeting of the 1st respondent SRC-NCTE dated 20-22 June 2013 in respect of rejection of request for shifting and further to withdraw the recognition of the petitioner college .(MP (MD) 2/2-13 in W.P.No.10454.2013).

:: ORDER :

These petitions coming on orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/s. Saravanan ,Advocate, the court made the following order :-

'Learned counsel for the respondent seeks further time to file counter affidavit. Post after two weeks. Interim order already granted is extended till then.'

Further ,a copy of the court order dated 21.03.2014 in W.P.Nos.2 and 2/2013 in W.P.No. 8351 and 10454/2013 filed by M/s.Ponkalamman College of Education,Thiruvalluvar nagar and Arasu College of Education for women, is received by this office on 01.04.2014.

ORDER :

These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/s. Saravanan ,Advocate, for the petitioner in both miscellaneous petitions, the court made the following order :-

'Post on 27.03.2014 for orders .Interim order already granted is extended till then.'

A copy of the description of documents submitted by M/s.Poonkalamman College of Education, Thiruvalluvar Nagar,Bye-Pass Road, Velayuthampalayam, Karur District to the High Court of Judicature at Madras ,Madurai Bench in W.P.(MD) No. 16654 of 2013 filed by them is received by this office.

Note :

W.P.No. 8351 is filed by Ponkalamman College of Education, Thiruvalluvar Nagar, Bye Pass Road, Velayuthampalayam, Karur District, Pin-639117, Tamilnadu (APS08321/B.Ed) and W.P.No. 10454/2013 is filed by Arsau College of Education for Women,Thiruvalluvar Nagar,Velayuthampalayam,Karur District – 639002,Tamilnadu (APS08517/B.Ed).The Court orders mentioned above is common to both the petitions.

2. Withdrawal order has not been issued to the institution so far.

The Committee considered the matter, Hon'ble High Court of Madurai Bench Interim order and advised Southern Regional Office to ask the Lawyer to report the present position of the case.

And, also to ask the lawyer to move for early hearing and get the stay vacated.

21.	<p>SRCAPP18 13 B.Ed St. Mary's College of Education, Tirunelveli TN</p>	<p>St. Marys College of Education, Plot/Khasara No. 174,174/2,174/2,174/2, Plot No. 13, Street No. 100, Vadamalaisamutram Village, Vickramasingapuram Post Office, Ambasamudram Taluk, Tirunelveli District-627425, Tamilnadu</p> <p>St. Mary Christian Educational Development & Charitable Trust, Plot No. 174, Street/Road. Ambur Road, Vadamalaisamudram Village, Vickramasingapuram Post Office, Ambasamudram Taluk, Tirunelveli District-627425, Tamilnadu had applied for grant of recognition to St. Marys College of Education, Plot/Khasara No. 174,174/2,174/2,174/2, Plot No. 13, Street No. 100, Vadamalaisamutram Village, Vickramasingapuram Post Office, Ambasamudram Taluk, Tirunelveli District-627425, Tamilnadu for B.Ed Course for one year duration under Section 14(1) of the NCTE Act, 1993 to the Southern Regional Committee, NCTE online on 14.12.2012. The institution has submitted hard copy of the application on 26.12.2012 along with processing along with processing fees paid through challan dt.17.12.2012 for Rs.50100/-.</p> <p>The Southern Regional Committee reviewed the duly scrutinized above new application received by Southern Regional Office, NCTE for the Session 2013-14. Accordingly, the above application, which suffer from basic infirmities, was summarily rejected as per Regulations [7 1–A (i)].</p> <p>On-line application was submitted on 14.12.2012, whereas the hard copy of the same is submitted on 26.12.2012, as such, the Society has not dispatched the Hard copy of the application within 7 days of the submission of the on-line application.</p> <p>As per the decision of SRC , a rejection letter was issued to the institution on 18.03.2013.</p> <p>The institution submitted written representations on 17.9.2013,19.11.2013 and 16.12.2013 requesting for returning of FDRs.</p> <p>In the meantime, the institution has approached the Hon'ble High court of Judicature at Madras in W.P.No. 16215 of 2013 with a prayer to direct the 2nd respondent (SRC,NCTE) to consider the application of the petitioner for grant of recognition to St.Marys College of Education for B.Ed course for the academic year 2013-14 and pass such or other orders as this Hon'ble Court may deem fit and proper in the circumstance of the case and thus render justice.</p> <p>A letter from the advocate Mr.Ramakrishna Reddy was received by this office on 02.07.2013 enclosing a copy of the Counter Affidavit to be filed on behalf of the respondent,NCTE.</p> <p>Attested copies of the Counter Affidavit were sent to the advocate Shri.Ramakrishnareddy on 18.07.2013.</p> <p>The original FDRs of the institution were returned vide this office letter F.No.SRCAPP1813 /B.Ed / TN/2013-14/55436 dated 17.12.2013.</p> <p>Now this office is in receipt of the Court Order dated 18.02.2014 .</p> <p>The Hon'ble High Court of Judicature at Madras vide order dated 18.02.2014 in W.P.No. 16251 of 2013 and M.P.No. 1 of 2013 had made the following observations ;</p> <p><i>'The issue involved in this case need not be gone into and decided on merits, in</i></p>
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		<p><i>view of the fact that the very academic year for which recognition is sought for namely 2013-14 is going to be over shortly and therefore , the petitioner has to make a fresh application only for the current academic year 2014-15.If any such application is filed, then it shall be considered by the respondents on merits and in accordance with the law.</i></p> <p><i>The learned Counsel for the petitioner fairly submitted that they will make fresh application for the academic year 2014-15 and of any such application is filed, a direction may be issued to the respondents to consider the same and pass the order on merits. The learned counsel for the respondents also fairly submitted that it is open to the petitioner to make fresh application for the academic year 2014-15 and if any such application is filed, it will be decided on merits.</i></p> <p><u>Therefore, this writ petition is closed as infructuous with liberty to the petitioner to make fresh application for the academic year 2014-15.As and when such application is filed, it is for the respondents to consider the same and pass orders on merits and in accordance with law.</u> No costs. The connected miscellaneous petition is closed.’</p> <p>Now, on 03.04.2014, the institution has submitted a written representation dated 26.03.2014 which is as under ;</p> <p><i>‘Our application was rejected by SRC for B.Ed program for the year 2013-14.As per the Hon’ble High Court of Madras Judgement in W.P.No. 16215 of 2013 and M.P.No. 1 of 2013 dated 18.02.2014, we have submitted the copy of the application proposal for recognition of St.Mary’s College for the academic year 2014-15.Hence, we request you to kindly consider our application and Hon’ble High court of Madras Judgement dated 18.02.2014 favourably.’</i></p> <p>The trust has enclosed copies of the application in triplicate along with the letter.</p> <p><u>Note : The St. Mary’s Educational Charitable Trust has submitted copies of the application dated 29.09.2011 (SRCAPP1132) instead of application dated 24.12.2012 (SRCAPP1813) pertaining to which the Hon’ble High Court has passed the above mentioned order in W.P.No. 16215 of 2013.</u></p> <p>The Committee considered the matter, noted that the said case of the institution is a case of pending application and not of an existing institution. That being so, in view of the Supreme Court orders, (dated 07.03.2014 read with order dated 10.09.2013) this cannot be processed until the new regulations are notified and keep it pending.</p>
22.	<p>APS08940 B.Ed Sandaravadhanam College of Education, Cuddalore District TN</p>	<p>Sandaravadhanam College of Education, Pazhachanallur & Post, Kattumannakoil Taluk, Cuddalore District-608301, Tamilnadu</p> <p>Sandaravadhanam College of Education, Pazhachanallur & Post, Kattumannakoil Taluk, Cuddalore District-608301, Tamilnadu for B.Ed Course was granted recognition on 17.12.2007.</p> <p>NCTE, Hqrs vide its letter dated 14.06.2011 has forwarded a copy of the inspection report dated 22.09.2010 conducted under Section 13 of NCTE Act. The deficiencies observed from the inspection report were communicated to the institution vide office letter no.13-8/2010/NCTE/SEC13/Insp/TN-15/A35903 dated 08.02.2011 & no.13-8/2010/NCTE/SEC13/Insp/TN-15/A35209 dated 21.04.2011, which was replied by the institution vide its letters dated 24.02.2011 & 20.05.2011.</p> <p>Keeping all the facts in view NCTE, Hqrs had requested SRC, to look into the matter to</p>

	<p>ascertain the adherence of relevant NCTE norms & standards by the institution and to take appropriate action in the matter under intimation to NCTE-Hqrs.</p> <p>The SRC in its 207th meeting held on 23rd June 2011 considered the VT Report and all the relevant documentary evidences and decided to serve Show Cause Notice under Section 17 of NCTE Act. Accordingly, a Show Cause Notice was issued to institution on 27.07.2011. The institution had submitted its written representation 29.08.2011.</p> <p>The SRC in its 213th meeting held on 06th-07th November, 2011 considered the reply of the institution and since the reply is not satisfactory and convincing, decided to cause inspection for all the courses on payment of Rs. 40,000/- each, as the building is variant and confusing. The building covered by CD appears to be different from the picture printed in the Trust's vision document. Building Plan itself was only for 33,193 sq.ft. What is needed is 38,000 sq.ft. Staff list was in complete. Installation of 30 computers to be checked. Staff list was in complete for B.Ed and also salary payment details are not adequate; Bank details are required. Installation of equipment to be checked. Accordingly, the inspection of the institution was conducted on 19.01.2012. The institution submitted DD bearing no. 931400 dt. 19.01.2012 for Rs. 40,000/- and another DD bearing no. 931401 dtd. 19.01.2012 for Rs. 40,000/- towards inspection fee for B.Ed and D.T.Ed course.</p> <p>The SRC in its 218th meeting held on 28th February, 2012 considered the VT report, VCD and the relevant documentary evidences and with reference to the totality of information collected & based on a collective application of mind, decided to serve Show Cause Notice under Section 17 of NCTE Act. Accordingly, a Show cause notice was issued to the institution on 27.03.2012. The institution had submitted its written representation on 19.04.2012 and 14.06.2012.</p> <p>The SRC in its 231st meeting held on 22nd-23rd August, 2012 considered the reply of the institution vide letter dt. 19.04.2012 & 14.06.2012 and all the relevant documentary evidences and decided to serve Show Cause Notice under NCTE Act. Accordingly, a Show cause notice was issued to the institution on 15.09.2012. The institution had submitted its written representation on 04.10.2012 and 11.10.2012.</p> <p>The SRC in its 235th meeting held on 21st -22nd November, 2012 considered the reply of the institution vide letters dt. 04.10.2012 & 11.10.2012, and all the relevant documentary evidences and it was decided to serve Final Show cause Notice under NCTE Act. Accordingly, a Show cause notice was issued to the institution on 01.01.2013. The institution had submitted its written representation on 23.01.2013 for which agenda was prepared for 240th meeting. In meantime the institution submitted another letter to Show Cause Notice on 08.03.2013.</p> <p>The SRC in its 242nd Meeting held on 14th-16th April, 2013 considered the written reply of the institution on the above matter and also the relevant documents of the institution and decided to withdraw recognition for the following reasons:-</p> <p>The faculty members are inadequate as per NCTE norms for the courses being run by the institution.</p> <p>In the building completion certificate submitted, name of the institution given is not matching with the running institution's name.</p> <p>Land usage certificate is not notarised. Land usage certificate is in the name of other Sy.No. 118/8B is also not mentioned.</p> <p>Extension of multipurpose hall size is not certified by the Competent Government authority.</p> <p>FDR No. 385981 of Rs. 3 lacs for APS08558-D.T.Ed course & FDR No. 0520191 of Rs. 3 lacs for APS08940-B.Ed course is renewed for a duration of one year only, hence both the FDRS is not renewed for 5 years.</p> <p>Staff list duly approved by the affiliating body for D.T.Ed, D.T.Ed-AI and B.Ed course is not submitted.</p> <p>Up-to-date encumbrance certificate issued by sub-registrar is not submitted and English version is not notarised.</p> <p>No documentary Proof is submitted towards appointment of Lecturer in Physical Director</p>
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and Fine Arts.
1+6 staff is grossly inadequate for 2 units of D.T.Ed courses.
The institution is paying consolidated salary to staff members, which is not permissible as per NCTE norms.

Based on the above points the committee decides to withdraw the recognition of the B.Ed course (APS08940) run by Sandaravadhanam Teacher Training Institute, Papakudi Main Road, Kattumannarkoil Taluk, Cuddalore District-608301, Tamilnadu from the academic year 2013-14, in order to enable the ongoing batch of students in B.Ed course, if any, to complete their course.

Accordingly, withdrawal order is not yet to be issued to the institution for B .Ed course.

The institution moved to Hon'ble High Court of Judicature at Madras in W.P. no. 13127 and 13128/2013 and M.P..No. 2 of 2013 dtd. 13.04.2013.

“ This petition coming on for orders upon perusing the petition and these respective affidavits and the affidavit filed in support thereof and upon bearing the arguments of M/S.B.RABU MANOHAR, Advocate for the petitioner in each of the petitions the court made the following order:-

There shall be an order of interim stay”.

The SRC in its 244th meeting held on 09th -11th May, 2013 considered the matter and decided to “inform the Lawyer to move for vacation of ‘stay’ by citing the Supreme Court orders about strict enforcement of norms/standards”.

The Supreme Court judgment reads as under:

Keeping in view, Supreme Court vide their order in Civil Appeal No. 1125-1128/2011 in SLP No. 17165-68/2009 filed by NCTE Vs ors, which reads as under:

“An institution is not entitled to recognition unless it fulfills the conditions specified in various clauses of the Regulations. The Council is directed to ensure that in future no institution is granted recognition unless it fulfils the conditions laid down in the Act and the Regulations and the time schedule fixed for processing the application by the Regional Committee and communication of the decision on the issue of recognition it strictly adhered to”.

Accordingly, a letter was issued to Shri.K.Ramakrishna Reddy on 07.06.2013

The court order received by SRC on 03.06.2013 in the Hon'ble High Court of Judicature at Madras in W.P. No. 13127 & 13128 of 2013 and M.P No. 2 of 2013 which reads as follows:-

“..... the petition will come up for hearing on 20.06.2013, you are hereby directed to appear, in person or by advocate, to show cause why the petitioner's prayer should not be granted, in default of which, the matter will be heard and decided in your absence.

Notice and interim stay have been ordered by Court on 30.04.2013”.

A letter was issued to the advocate Shri.K.Ramakrishna Reddy on 11.06.2013.

A court notice dt. 30.04.2013, which was received by SRC on 17.06.2013 from the Hon'ble High Court of Judicature at Madras in W.P. No. 13127 & 13128 of 2013 which reads as follows:-

“.....that you, the respondent (in both WPs) above mentioned, do send for our

		<p><u>use in the High Court of Judicature at Madras, all and singular the said records and orders with all things touching the same as fully and perfectly as they have been made by you, and now remain in your custody or power together with this our Writ before 25.06.2013.</u></p> <p>that you, the respondent (in both WPs) herein, do appear before us personally or by advocate on 25.06.2013 at 10.30 am and show cause why this petition should not be complied with, and that we may cause further to be done thereon what of right and according to law we shall see fit to be done.”</p> <p>A letter was issued to the Shri.K.Ramakrishna Reddy, Advocate on 28.06.2013.</p> <p>Now, the institution has submitted its written representation on 28.04.2014 stating as follows:-</p> <p>“we have eliminated and rectified all the deficiencies pointed out in the Final Show Cause Notice dated 01.01.2013, and submitted our reply on 23.01.2013 to your good office. But it seems the Southern Regional Committee, NCTE, Bangalore tactlessly decided to withdraw recognition to our institution in its 242nd meeting (item no 70) held from 14-16 April 2013. So, we have approached the Hon’ble High Court of Madras and got an interim stay order against the decision of SRC’s 242nd meeting and submitted the court order on 06.05.2013 to the Regional Director of NCTE (SRC), Bangalore. As for as, we know that the recognition granted to our institution is continued and still in force.</p> <p>For the TNTEU and Tamilnadu government official purposes, we request you kindly to issue a letter to us stating that our college recognition is continuing as per your records as on today.”</p> <p>The Committee considered the written representation from the institution dated 28.04.2014 and advised Southern Regional Office to put up the case in the next meeting for review of our order.</p>
23.	<p>APS07608 B.Ed Narendar College of Education, Trichy, TN</p>	<p>Narendar College of Education, Venkatachalapuram, Pullambad, Trichy-621711, Tamilnadu</p> <p>Narendar College of Education, Venkatachalapuram, Pullambad, Trichy-621711, Tamilnadu had submitted an application for seeking recognition for B.Ed Course on 21.11.2006. The institution was granted recognition on 31.01.2008 with an annual intake of 100 students, with the condition to shift to its own premises within 3 years.</p> <p>Meanwhile a complaint was received from Shri. V.C. Ravi Chandran, No.40, Kamarajarnagar, Chinnatirupathy, Salem-636008, Tamilnadu regarding concealment and violation of rules and regulation by Narendar College of Education. The SRC considered the complaint in its 195th meeting held on 17-18 August 2010 and decided to call for remarks with necessary documentary evidence on the specifics of the complaint from the institution and to obtain an affidavit from the complainant.</p> <p>Accordingly, letters to complainant and institution were issued on 24.09.2010. The Reply from the complainant was received on 14.10.2010. The complainant had submitted affidavit on Rs.10/- stamp paper along with encumbrance certificate. Reply from the institution was not received.</p> <p>The reply from the complaint was considered in its 198th Meeting held on 24-26 November 2010 and decided to cause inspection under Section 17 of NCTE Act. The institution was directed to submit the essential documents within 30 days of the receipt of the notice. Demand Draft of Rs.40,000/- towards inspection fee in favour of “The Member Secretary, NCTE” payable at Bangalore should be submitted. Duly filled in Questionnaire along with all the necessary documents for land, building approval and building completion certificate from a competent Govt. Engineer and other relevant</p>

documents should also be submitted within the stipulated notice period of 30 days.

Accordingly, a letter was issued to the institution on 06.01.2011 to submit the above. Inspection of the institution was fixed between 14-19 February 2011 and the same was intimated to the institution on 08.02.2011. Meanwhile, a letter was received from the institution on 17.02.2011 requesting to give a copy of complaint to give a detailed explanation and to carry out the inspection thereafter.

The inspection team visited the institution on 15.02.2011 but did not carry out the inspection. A letter from VT members was received on 21.02.2011 stating that *"the chairman of the college was not willing for the inspection and said that he was received a court direction against the inspection. The letter from the chairman along with a copy of the court direction is enclosed herewith"*.

Meanwhile, a court order in W.P.No.3596/2011 was received on 21.02.2011 stating as follows:

"the writ petition stands disposed of with a direction to the first respondent to furnish a copy of the written complaint, if any available to the petitioner within ten days from the date of receipt of a copy of this order and thereafter, proceed in accordance with law. It is open to the petitioner to communicate the inspection team, if they visit the site, about the order of this court, in which event the inspection team shall act as per the order of this court".

The institution vide its letter dated 15.02.2011 again requested to furnish a copy of complaint received against the institution, in order to give reply. After seeing the complaint, SRC considered the matter in its 202nd meeting held on 14th-15th March 2011 and decided that court order be complied with.

Accordingly, a copy of complaint was forwarded to the institution on 11.03.2011. The institution vide its letter dated 16.03.2011 requested for extension of time to submit the reply. SRC in its 203rd meeting held on 31st March & 1st April 2011 decided to wait for the reply from the institution for causing inspection.

The reply from the institution was received from 27.04.2011 stating as follows:

"...The complaint from V.C. Ravichandran against our institution are false and motivated. We have civil dispute pending against him and he has given the said false complaint. We wish to inform you that we have clear title of property in which our institution is situated. Our institution is situated in Sy.No.164/2, 164/3, 164/4A, 162/7, 162/8, 163/1, 163/2 at Venkatachalapuram. The above said land is also not under any litigation. The Encumbrance certificate produced by the complaint is totally false and I am hereby submitting the real encumbrance certificate relating to the lands in which the institution is situated. The attachment of the property as stated in the complaint does not refer to the lands in which the institution is situated. I therefore request you to drop all action against us and not proceed any further".

The SRC in its 205th meeting held on 18th-19th May 2011 considered the matter and decided to cause inspection under section 17 of NCTE Act. Accordingly, inspection was carried out on 10.08.2011.

The SRC in its 211th meeting held on 21st-23rd September, 2011 considered the VT Report, VCD and all the relevant documentary evidences and decided to serve Show Cause Notice under Section 17 of NCTE Act.

Accordingly, a Show cause notice was issued to the institution on 24.11.2011. The institution had submitted its written representation on 26.03.2012.

The SRC in its 223rd meeting held on 29-31 May 2012, considered the reply of the institution and all the relevant documentary evidences and it was decided to serve Final Show cause Notice Under of NCTE Act for the following:

The institution has submitted notarized land title certificate dt. 14.02.2012, which is on lease basis, which is not permissible as per NCTE Regulation 2009.

Original building completion certificate from competent Govt. authorized engineer is not submitted.

In the Questionnaire submitted, Address of the land is not submitted.

Original FDRs. Of Rs. 5 & 3 lacs towards endowment and reserve fund respectively from a Nationalised Bank in joint account is not submitted.

The management has not submitted certificate from the affiliating body to the effect that no other programme is being conducting by the institution in the same building/campus, along with the existing B.Ed course.

As per land usage certificate submitted, the land is on lease basis, which is not permissible as per NCTE norms.

Up-to-date encumbrance certificate issued by sub-registrar is not submitted.

The institution has not submitted any bills towards proof of purchase of equipments available in the Language learning lab.

Accordingly, a final show cause notice was issued to the institution on 25.06.2012. The institution has submitted its reply to final show cause notice on 06.07.2012 stating as follows:-

".....request you to withdraw the show cause notice and if you have any doubt, please conduct inspection in accordance with Rule 8 of the NCTE Rules by informing us the date of inspection in advance."

(Note: it is observed from the file that the reply of the final show cause notice was not placed before SRC)

The court notice in MP9MD) No.2, of 2013 in WP (MD) No.9977 of 2012 filed by Narendar College of Education V/s NCTE-SRC and The Registrar, Teacher Education University was received by SRC on 17.06.2013.

A letter addressed to Sri.A.Sivaji, Advocate along with brief of the case was sent on 10.07.2013.

An e-mail from the Advocate received by SRC on 03.01.2014 stating that send the remarks. A letter addressed to Sri.A.Shivaji Advocate along with e-mail details, brief of the case was sent on 06.02.2014

Now, the Hon'ble High Court of Madras, Madurai Bench has sent a court order of W.P.(MD) Nos.9977 and 9978 of 2012 and M.P.(MD). Nos.1 and 2 of 2013 (each two MPs) and M.P.(MD(Nos.2 of 2012 (two Mps) and M.P. (MD) No.3 of 2012 dated 03.01.2014 as follows:-

".....the petitioner institution should have been given an opportunity by the authorities concerned. Therefore, both the impugned orders are set aside, as no opportunity has been given for them to rectify the mistakes pointed by the respondents, following the judgement made in the Teacher Education vs. Vaishnav Institue of Technology & Managements, reported in (2012) 5 Secc 139. At the same time, since the next admission will start only from the year 2014, the respondents will give a notice of inspection to the petitioners concerned and inspect the institution in accordance with section 13 or the NCTE Act coupled with Rule 8 of the Act and if they are satisfied in respect of the rules and regulations, the petitioner institution will be permitted to start admission. It is made clear that till the inspection is over and recognition is given, the

		<p><i>petitioner institution will not start admission.</i></p> <p><i>With the above discussions and observations, these writ petitions are disposed of. Consequently, the connected miscellaneous petitions are closed. No costs.”</i></p> <p>Note: Same court order of both cases i.e. W.P.(MD) No.9977 of 2012 related to Narendar College of Education, Venkatachalapuram, Pullambad, Trichy-621711, Tamilnadu (APS07608/B.Ed) and W.P.No.9978 of 2012 related to MSES College of Education, 1st Floor, S.F.No. 721, Thanthantrimalai, Karur District-639005, Tamilnadu (APS05519/B.Ed)</p> <p>The matter is placed before SRC along with original file for decision and direction.</p> <p>The Committee considered the Hon’ble High Court order dated 03.01.2014 and all other relevant documents and decided to <u>cause inspection for B.Ed (APS07608) course</u> under NCTE Act, to examine whether the Institution fulfils all the requirements as per the norms, existing programme.</p>
24.	<p>APS05519 B.Ed MSES College of Education, Karur TN</p>	<p>MSES College of Education, 1st Floor, S.F.No. 721, Thanthantrimalai, Karur District-639005, Tamilnadu</p> <p>MSES College of Education, 1st Floor, S.F.No. 721, Thanthantrimalai, Karur District-639005, Tamilnadu has submitted an application for seeking grant of recognition for B.Ed course on 02.01.2006. The application was processed and recognition to the institution for B.Ed course was granted for annual intake of 100 students on 13.11.2006.</p> <p>An RTI query from Shri. V.C. Ravi Chandran has been received through NCTE-Hqrs on 02.09.2010 in which RTI applicant has informed that the college run by the society MSES is running the college without any own building and land and basic infrastructure for more than four years and sought for action.</p> <p>In view of the above, the application file of above institution has been scrutinized and observed that recognition order has been issued on 13.11.2006 to the address as mentioned in rent deed.</p> <p>Recognition has been granted subject to fulfillment of following conditions among others, the institution shall shift to its own premises or building within three years from the date of recognition (if the course is started in rented premises). As per the rent deed submitted by institution they have started institution in rented premises at S.F.No.721, No.13, 1st Floor, Thanthantrimalai, Karur. But so far the institution has not informed about shifting to permanent building and not submitted fee of Rs.40000/- for causing inspection for shifting.</p> <p>The SRC in its 197th meeting held on 13th-14th October 2010 considered all the relevant documentary evidences and decided to serve Show cause Notice Under Section 17 of NCTE Act for the following –</p> <p>The institution was given recognition on 13.11.2006 in temporary rented premises and as per the NCTE Norms the institution should have shifted to the New building/premises within the stipulated period of 3 years i.e.,on or before 12.11.2009. But till now the institution has not informed to SRC-NCTE about the shifting schedule to new building / premises nor submitted fee of Rs. 40000/- for causing inspection for shifting.</p> <p>The Management has not shifted to its own building / Premises even after the lapse of more than 4 years period.</p> <p>Accordingly, show cause notice was issued to the institution on 08.12.2010. The institution did not submit its reply even after completion of stipulated period specified in show cause notice. The matter was considered by SRC in its 200th meeting held on 20th-21st January 2011. The SRC decided to issue final show cause</p>

notice.

Meanwhile the institution submitted its reply dated 17.2.2011 requesting to give a copy of the complaint to give an effective reply and submitting that the copy is necessary for giving reply in this regard. SRC in its 201st meeting held on 20th-21st January 2011 considered the request of the institution and decided request to be complied. Accordingly final show cause notice is issued along with the copy of complaint:

The institution has not cared to reply to the show cause notice issued vide letter dt. 08.12.2010 under section 17 of NCTE Act, for the deficiencies pointed in the notice. The institution was given recognition on 13.11.2006 in temporary rented premises and as per the NCTE Norms the institution should have shifted to the New building/premises within the stipulated period of three years i.e., on or before 12.11.2009. But till now the institution has not informed to SRC-NCTE about the shifting schedule to new building / premises nor submitted fee of Rs. 40000/- for causing inspection for shifting.

The Management has not shifted to its own building / Premises even after the lapse of more than four years period.

Accordingly, a show cause notice was issued to the institution on 08.03.2011 by enclosing a copy of complaint to submit the reply within the period of 30 days.

The reply from the institution has not been received so far.

The SRC in its 208th meeting held on 13-14 July 2011 considered the matter and decided to **withdraw the recognition** of the institution for B.Ed (APS05519) course on the following grounds:-

The management has not replied to the show cause notice issued to the institution vide letter DT. 08.03.2011.

The institution has not cared to reply to the show cause notice issued vide letter dt. 08.12.2010 under section 17 of NCTE Act, for the deficiencies pointed in the notice. The institution was given recognition on 13.11.2006 in temporary rented premises and as per the NCTE norms the institution should have shifted to the new building/premises within the stipulated period of three years i.e. on or before 12.11.2009. but till now the institution has not informed to SRC-NCTE about the shifting schedule to new building/premises nor submitted fee of Rs.40,000/- for causing inspection for shifting.

The management has not shifted to its own building/premises even after the lapse of more than four years period.

Accordingly, withdrawal order was issued to the institution on **25.03.2011**.

A court notice has received by this office on **13.08.2012** in WP (MD).No.9977 & 9978 of 2012 and again a court order has received by this office on **17.08.2012** in W.P.(MD) Nos. 2 and 2 of 2012 in WP(MD) Nos.9977 and 9978 of 2012 stating as follows:-

“Order: These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/s.K.Sridhar, Advocate for the petitioner in both the petitions, the court made the following order:-

There shall be an order of interim stay for a period of three weeks. It is made clear the petitioner will not admit for the present till the next hearing.

Notice.”

A court notice has received by this office on 31.12.2012 in WP (MD) No.9977 & 9978 of 2012 “directed respondent No.1(SRC NCTE) to appear before the court personally or by

		<p>advocate on 31.01.2013.”</p> <p>Accordingly, a letter addressed to Shri.Ramakrishna Reddy, Advocate sent on 03.01.2013 along with brief of the both cases (Narendar College of Education, Pullambad, Trichy-621711 and MSES College of Education, Karur District</p> <p>Now, the Hon'ble High Court of Madras, Madurai Bench has sent a court order of W.P.(MD) Nos.9977 and 9978 of 2012 and M.P.(MD). Nos.1 and 2 of 2013 (each two MPs) and M.P.(MD(Nos.2 of 2012 (two Mps) and M.P. (MD) No.3 of 2012 dated 03.01.2014 as follows:-</p> <p><i>“.....the petitioner institution should have been given an opportunity by the authorities concerned. Therefore, both the impugned orders are set aside, as no opportunity has been given for them to rectify the mistakes pointed by the respondents, following the judgement made in the Teacher Education vs. Vaishnav Institue of Technology & Managements, reported in (2012) 5 Secc 139. At the same time, since the next admission will start only from the year 2014, the respondents will give a notice of inspection to the petitioners concerned and inspect the institution in accordance with section 13 or the NCTE Act coupled with Rule 8 of the Act and if they are satisfied in respect of the rules and regulations, the petitioner institution will be permitted to start admission. It is made clear that till the inspection is over and recognition is given, the petitioner institution will not start admission.</i></p> <p><i>With the above discussions and observations, these writ petitions are disposed of. Consequently, the connected miscellaneous petitions are closed. No costs.”</i></p> <p><u>Note:</u> Same court order of both cases i.e. W.P.(MD) No.9977 of 2012 related to Narendar College of Education, Venkatachalapuram, Pullambad, Trichy-621711, Tamilnadu (APS07608/B.Ed) and W.P.No.9978 of 2012 related to MSES College of Education, 1st Floor, S.F.No. 721, Thanthantrimalai, Karur District-639005, Tamilnadu (APS05519/B.Ed)</p> <p>The Committee considered the Hon'ble High Court order dated 03.01.2014 and all other relevant documents and decided to <u>cause inspection for B.Ed (APS05519) course</u> under NCTE Act, to examine whether the Institution fulfils all the requirements as per the norms, for the existing programme.</p>
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Consideration of complaint cases

25.	<p>----- ----- Complaint from CBI against 7 Colleges AP</p>	<p>A complaint has been received from Rama Shankar Naik, I.A.S, Commissioner & Director of School Education, Andhra Pradesh, Hyderabad received on 28/11/2013 Stating that <i>“... I wish to inform that the student federation of India (SFI), A.P. vide letter dated 24.09.2013 has submitted a written complaint to the District Collector, Kurnool, that the Colleges running D.Ed Courses in the district are deficient on the following points;</i></p> <ol style="list-style-type: none"> 1. <i>Infrastructure availability as against the requirement</i> 2. <i>Staff position</i> 3. <i>Toilets and Drinking water facility.</i> 4. <i>Appointment of faculty as per Government Norms</i> 5. <i>Payment of salaries to the faculty</i> 6. <i>Location of building with reference to the address at which recognition is granted by NCTE.</i> <p><i>Basing on the above complaint the District Collector vide Procs. Rc.No.330/2013, dated 15.10.2013 has appointed an enquiry team to enquire into the allegations made against D.Ed Colleges in the district and submit a comprehensive report within a week time. of Challenging the action of the District Collector, the Rayalaseema University Private Colleges of Education Management Welfare Association 41-499, Kothapet, Kurnool has filed W.P.No.30289/2013 in the Hon'ble High Court of Andhra Pradesh, with a prayer that the</i></p>
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District Collector lacks jurisdiction, both under the National Council Teachers Education Act and the Andhra Pradesh Education Act, 1982 and therefore the proceedings must be quashed.

On hearing both sides the Hon'ble High Court has observed that inspections proposed to be casued, include an inspection of various facilities such as provision of toilet and drinking water facilities etc., and it will be in larger public interest to ensure that educational institutions provide these facilities. The Hon'ble High Court hs by exercising its discretionary jurisdiction under Article 226 of the Constitution of India, has Suomotto impleaded the Commissioner & Director of School Education in the Writ Petition and issued orders to cause an enquiry on all the points referred to in the proceedings of the District Collector dated 15.10.2013 and submit a compliance report within two weeks.

In response to the directions of the Hon'ble High Court, the Commissioner and Director of School Education has requested the Hon'ble Court to grant 6 weeks time to submit the report. On hearing the same the Hon'ble court has granted one week time to inspect the institutions located in Kurnool town itself in the first instance.

Accordingly, two teams have been constituted by the Commissioner and Director of School Education for enquiring into the allegations made against D.Ed Colleges in the district on the following facilities.

- 1. Infrastructure availability against the requirement.*
- 2. Staff pattern and vacancy position.*
- 3. Toilets and Drinking water facility.*
- 4. Appointment of faculty as per Government Norms.*
- 5. Payment of salaries to the faculty.*
- 6. Location of building with reference to the proposal sent by the management for permission to the government.*

In view of the above orders the Enquiry team has visited the D.El.Ed and B.Ed Colleges located in Kurnool town and submitted the report to the commissioner and director of school education.

The enquiry reports reveal that 7 out of the 25 colleges located in Kurnool town as shown below are truly found to be deficient on some of the 6 parameters on which inspection is caused. Copy of college wise and consolidated copy are enclosed."

The above matter was placed before SRC in its 256th meeting held on 4th-6th December 2013 and the committee considered the matter and decided to process and put up in the next meeting.

Accordingly, as per complaint details of infrastructure of 7 colleges along with the observations of file were enclosed separately (Annexure-I).

Sl. No	Course/Code	Institution Name	Granted on
1	SRCAPP1262/ D.Ed	Iqbal D.Ed College, Kh.No.31/9, Nayakallu Village & Post, Kurnool Taluk & City, Kurnool District-518001, Andhra Pradesh	18.09.2012
2	SRCAPP1270/D.Ed	Sadia D.Ed College, Kh.No.34, Peddapadu Village and Post Office, Kalluru Taluk, Kurnool City and District-518001, Andhra Pradesh	18.09.2012
3	SRCAPP1266/D.Ed	Abu Sawood D.Ed College, Kh.No.31/9, Nayakallu Village and Post Office, Kalluru Taluk, Kurnool City & District-518001, Andhra Pradesh	10.09.2012
4	SRCAPP913 /D.Ed	Mohd. Pasha D.Ed College, Parthasaradhi Nagar,B-Camp Post,	04.09.2012

		Kalluru Taluk Kurnool City & District-518002, Andhra Pradesh.	
5	APSO9704/ D.Ed	Al-Madina Elementary Teacher Education, Plot No.109/B3, 024, Near Zamia Majid, Mungalapadu Village & Post, Kurnool District-518004, Andhra Pradesh	06.08.2012
6	SRCAPP1045/D.Ed	National D.Ed College, Plot No.00 Peddatekuru Village, Ullindakonda Post, Kalluru Taluk, Kurnool District-518002, Andhra Pradesh	04.09.2012
7	AOS00383 / B.Ed (112 intake)	Osmania College of Education, 40/23, Park Road, Kurnool-518001, Andhra Pradesh	19.07.2000

In the meantime, a letter was received from Shri.U.V.Bhaskara Rao dated 11.12.2013 through fax informing that he is reaching Bangalore for collection of original documents of institutions and examination of witnesses.

In the said above 7 institutions, four colleges (SRCAPP1262-D.Ed, SRCAPP1270-D.Ed, SRCAPP1266- & SRCAPP1045-D.Ed) are included among the list of seven colleges f CBI enquiry.

Now, CBI report has received by SRC from Supdt. of Police & HOB, CBI, ACB, Hyderabad on 28.03.2014.

A preliminary enquiry vide PE 7 (A)/2013 was registered on 22.11.2013 by the CBI/ACB/Hyderabad against unknown officials of NCTE Bangalore, Managements of Nine (9) suspected D.Ed colleges.

The Allegations in brief are : the information is that the officials of NCTE Bangalore joined hands with the managements of the D.Ed Colleges viz: Bidesnstsyhi College of Elementary Education, Wanaparthy Road, Pebbair Village, Mahaboobnagar Dist & Other 8 colleges (KMD Iqbal D.Ed College, Peddapadu, Iqbal D.Ed college, Nayakallu etc, of Kurnool) and granted recognitions/permissions to the said college, during the year 2012-2013 based on the false inspections/visits, even though the buidings of said D.Ed, Colleges are still under construction, lack of basic infrastructure facilities, equipment, lab facilities library etc.,

The enquiry has revealed that on the basis of orders of the Hon'ble High Court of A.P. Sri Rama Shankar Naik, IAS, conducted inspection and sent a report to the NCTE recommending to withdraw recognition accorded. The Inspection team noted the deficiencies promptly which they noticed during their inspection. The owners of the institutions used wrong documents and photos of building in the applications submitted for getting approval of the institutions.

In view of the above, the CBI has recommended to take action as deemed fit against the owners of the erroneous following D.Ed colleges.

i. Iqbal D.Ed Coillage, ii. K. Iqbal D.Ed College, iii. K.MD Iqbal, D.Ed college, iv. Abu Sawood D.Ed College; (SRCAPP-1226); v. Saida D.Ed College (SRCAPP-1270), vi. Khan Telegu Pundit Training (T.P.T) (SRCAPP-1274), vii. National D.Ed College, Pedda Tekur (V), Ullindakonda (P), Kallur Taluk, Kurnool.

The Committee considered the inspection report of the Commissioner and Director of School Education in respect of the said colleges, decided and advised Southern Regional Office to examine the cases and put up each case separately w.r.t. the inspection report of the Commissioner/Director of School Education and also the CBI reports.