

SOUTHERN REGIONAL COMMITTEE
NATIONAL COUNCIL FOR TEACHER EDUCATION
BANGALORE

Minutes of the 279th Meeting of SRC held at the Conference Hall of NCTE,
Bangalore on 1st February, 2015

The following Persons attended the Meeting:-

1. Prof. M.S. Lalithamma - Member
2. Dr. R. Ayyappan (TN). - Member
3. Mrs. M.S.S. Lakshmi Watts(AP) - Member
4. Dr. P. Revathi Reddy. - Non-Member
Regional Director - Convener

1.The following Members did not attend the Meeting.

Shri S.Sathyam. I.A.S (Retired), Chairman, Dr. M.P. Vijayakumar. I.A.S (Retd). Member, Prof. Sandeep Ponnala, Member, Dr. (Smt.) Padma Sarangapani, Member, and the Representatives of the Govts. Of Karnataka, Kerala, Telangana, Lakshadweep, Pondicherry & Andaman & Nicobar Islands.

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

Minutes OF 279th MEETING OF SRC-NCTE

consideration of Shifting Case: (Volume- 02).

Sl. No.	Code No Course Name of the institutions State	Remarks												
1.	APS0905 4 B.Ed Venkata Rathna College of Education, Kurnool, Andhra Pradesh AP	<p>Venkata Rathna College of Education Kurnool District-518002, Andhra Pradesh</p> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">Code/ Course</td> <td style="text-align: center;">APS09054/B.Ed</td> </tr> <tr> <td style="text-align: center;">Name of the institution</td> <td style="text-align: center;">Venkata Rathna College of Education, No. 87/1364, Maruthi Nagar, Kallur, Kurnool District-518002, Andhra Pradesh</td> </tr> <tr> <td style="text-align: center;">Letter as per NCTE guidelines dated 18.12.2014 sent on</td> <td style="text-align: center;">19.12.2014</td> </tr> <tr> <td style="text-align: center;">Affidavit affirming adherence to regulations 2014 received on</td> <td style="text-align: center;">23.01.2015</td> </tr> <tr> <td style="text-align: center;">Intake Request</td> <td style="text-align: center;">2 Unit</td> </tr> <tr> <td style="text-align: center;">Other Courses offered in the institution</td> <td style="text-align: center;">Stand alone</td> </tr> </table> <p>Sri Shiridi Sainath Educational Society, Kurnool District, Andhra Pradesh had submitted an application to the Southern Regional Committee of NCTE for grant of recognition to Venkata Rathna College of Education, No. 87/1364, Maruthi Nagar, Kallur, Kurnool District-518002, Andhra Pradesh for B.Ed Course for one year duration under section 14(1) of the NCTE Act. 1993 and received in the Southern Regional Committee, NCTE on 08/10/2007.</p> <p>The application was processed and recognition was granted for offering B.Ed course with an annual intake of 100 students on <u>18/01/2008</u> at Venkata Rathna College of Education, No. 87/1364, Maruthi Nagar, Kallur, Kurnool District-518002, Andhra Pradesh.</p> <p>On 19/02/2013 ,the institution submitted a written representation as under :- "I humbly submit that I have already submitted a letter to Regional Director, SRC-NCTE,</p>	Code/ Course	APS09054/B.Ed	Name of the institution	Venkata Rathna College of Education, No. 87/1364, Maruthi Nagar, Kallur, Kurnool District-518002, Andhra Pradesh	Letter as per NCTE guidelines dated 18.12.2014 sent on	19.12.2014	Affidavit affirming adherence to regulations 2014 received on	23.01.2015	Intake Request	2 Unit	Other Courses offered in the institution	Stand alone
Code/ Course	APS09054/B.Ed													
Name of the institution	Venkata Rathna College of Education, No. 87/1364, Maruthi Nagar, Kallur, Kurnool District-518002, Andhra Pradesh													
Letter as per NCTE guidelines dated 18.12.2014 sent on	19.12.2014													
Affidavit affirming adherence to regulations 2014 received on	23.01.2015													
Intake Request	2 Unit													
Other Courses offered in the institution	Stand alone													

Bangalore, bearing No. 122483 Dt. 27/11/2012 and bearing No. 123138 Dt. 27/12/2012 in addition to the above letter. I am herewith enclosing a copy of the NCTE-Recognition order dated 2008 of APS0 9054 of Venkata Ratna College of Education, Kurnool for your kind reference.

In addition I am herewith submit the photos of labs, library and class rooms of above building is purely utilized on rented basis till the new construction of building is made by the Shri Shridi Sainath Educational Society.

I request the honorable authorities to kindly permit us to use the present shifted building for running of Venkata Ratna College of Education (Doctor's colony area) as per regulation stipulated during 2006. I am already enclosing an affidavit submitted for the construction of new building by the management.

May I request you sir to kindly issue necessary permission orders for the same, for which kind of act, I shall remain grateful to you”.

The SRC in its 250th meeting held during 11-13 August, 2013, considered the above matter , decided and advised SRO to submit a comparative statement for APS09054, APS06270 and APS06268 in the 251st meeting

Accordingly, a comparative statement was prepared and placed before SRC in its 253rd meeting held during 30th Sept, 2013 and 1st Oct, 2013 and the matter was deferred to next meeting.

The SRC in its 254th meeting held on 25-27th Oct, 2013 considered the written representation of the institution vide letter dated 19/02/2013, all the relevant documents of the institution and decided and advised Southern Regional Office to collect inspection fee, there after to Cause Inspection of the New Premises for shifting. If the new building is on a different land, VT to be asked to collect land documents, building plan & building completion certificate and to verify the details at the time of inspection. Further, the Committee advised Southern Regional Office to complete the exercise before 30th Nov, 2013.

Accordingly, inspection of the institution was fixed between 28th Nov – 2nd Dec, 2013.

As per the direction of SRC, the inspection of the institution was conducted on 22.11.2013 and the VT report received in the office of SRC on 01/01/2014.

The SRC in its 259th meeting held on 17th-19th January 2014, considered the VT report, VCD, and all the relevant documentary evidences and decided to serve Show cause Notice Under NCTE Act for the following -

- Certified copy of the Lease deed land documents from Govt. authority is not submitted. The institution has submitted lease deed documents not certified by the competent authority.
- Building plan from authorized Govt. authority is not submitted.

- Building completion certificate in the prescribed format from competent Govt. engineer is not submitted.
- Notarized land usage certificate from the Revenue divisional office stating that the agriculture land converted to non-agriculture for the purpose of educational institution is not submitted. Proceedings from the revenue divisional office not submitted.
- The Affidavit in Rs.100/- stamp paper in the prescribed format with precise location of land details with Notary attestation is not submitted.
- Original FDRs of Rs. 5 & 3 lacs towards endowment and reserve fund respectively from a Nationalized Bank is not submitted.
- As per VT report, the size of the multipurpose hall is only 1000 sq.ft, which is less than the requirement of 2000 sq.ft. as per NCTE norms.
- As per VT report, the building is still under construction (lease land), which is not permissible as per NCTE regulations 2009. The total built up area is only 8807.06 sq.ft.

As per 8 (10) of regulations 2009, which reads:

“At the time of inspection, the building of the institution shall be complete in the form of a permanent structure on the land possessed by the institution in terms of sub-regulation (7) of Regulation 8, equipped with all necessary amenities and fulfilling all such requirements as prescribed in the norms and standards. The applicant institution shall produce the original completion certificate issued by the competent Government Authority or local body authority, approved building plan in proof of the completion of building and built up area and other documents to the visiting team for verification. No temporary structure or asbestos roofing shall be allowed in the institution, even if it is in addition to the prescribed built up area”.

As per VT report, Furniture provided is inadequate and to be strengthened.

As per VT report, no qualified Principal is appointed by the college.

As per VT report, all the facilities provided to the college needs to be strengthened.

As per VT report, separate faculty rooms are not available.

As per VT, other labs & physical Education needs to be strengthened.

AS per VT, Physical Education instructor is not available.

Accordingly, a show cause notice was issued to the institution on 11.02.2014. The institution has submitted its written representation on 03.03.2014.

The Southern Regional Committee in its 269th meeting held during 1- 2 July, 2014 considered the matter, reply of the institution vide letter dated 03.03.2014 to the show cause notice issued, and also the relevant documents of the institution and decided not to permit for shifting to the new building for the following reasons:-

- i). Land & Building are on private lease.
- ii). Building plan is not approved by the competent authority.
- iii). Building completion certificate is not in prescribed format.
- iv). Validity of FDRs has expired.

The decision of SRC not to permit shifting to the new building was conveyed to the institution vide this office letter No. F.No. SRC/NCTE/APS09054/B.Ed/AP/2014/58820 dated 05.08.2014.

In the mean time, the institution submitted a request for renewal of FDRs and FDRs were returned to the institution for the purpose of renewal on 05.08.2014
On 04.08.2014, the institution has submitted a written representation regarding the formation of new governing body of Sri Shirdi Sainath Education Society which is as under :-

‘ This is to bring to your notice and this is to inform you that the Governing Body has come into existence , the new body was constituted on 30.08.2011.The amendment to that effect was given by the Dist. Registrar Societies, Ranga Reddy District, State of Government as per Societies Act. We have enclosed all the necessary resolutions ,amendments and name of the New Governing Body Members.

This is for your kind information and record.’

Note : The institution has submitted the list of new office bearers, a copy of the minutes of the General body meeting held on 12.08. 2011, and the affidavits from the outgoing office bearers conveying their decision to quit the respective posts is submitted along with the letter dated 04.08.2014.

The Southern Regional Committee in its 272nd meeting held during 1st & 2nd September, 2014 considered the matter, letter from the institution dated 04.08.2014 regarding the formation of new governing body of Sri Shirdi Sainath Education Society. Committee decided *that there is no Regulation governing changes in Trust/Society. The Registrar of Society’s Act permits such changes. The Committee took note of the changes reported.*

The Institution submitted FDR’s on 15.09.2014

As per the decision of 272nd meeting of SRC, a letter was addressed to the institution on 29.09.2014.

A letter seeking consent on the Willingness of the institution for Considering their application as per Regulations 2014 was sent to the institution on 19.12.2014.

In response to this office letter dated 19.12.2014, the institution has submitted a reply on 23.01.2015, along with an affidavit on Rs. 100/- stamp paper expressing their willingness for the application to be processed as per Regulation, 2014.

The Committee took note of the matter.

2. APS0200
8
D.Ed
Anjuman
D.Ed
College ,
Dharwad,
Karnataka
KA

Code/Course	APS02008/ D.Ed
Name of the institution	Anjuman D.Ed College
Letter as per NCTE Hqrs guidelines dated 18.12.2014 sent on	19.12.2014
Affidavit affirming adherence to Regulations, 2014 received on	16.01.2015
Other courses offered in the	B.Ed(APS01920), D.Ed (APS01524),

institution.	D.Ed (AOS00022), D.Ed (APS02008)
<p>Anjuman-Islam, Dharwad, Karnataka had submitted an application to the Southern Regional committee of NCTE for grant of recognition to Anjuman D.Ed College, Anjuman Estate, Vijaya Road, Opp. to Old Bus Stand, Dharwad – 580 001, Karnataka for Elementary (D.Ed) Course of two and half years duration from the academic session 2004-05 with an annual intake of 50 students.</p> <p>The application was processed and the inspection of the institution was conducted and finally SRC granted recognition for offering D.Ed course with an intake of 50 students from the academic session 2004-2005 on 03.12.2004 with a condition to shift the institution to its own premises / building within three years from the date of recognition. (in case the course is started in rented premises).</p> <p>No shifting proposal has been received from the institution, so far, even after the laps of more than 9 years.</p> <p>Now, the institution has submitted a letter dated 27.06.2014 received in the office of SRC on 21.07.2014 requesting as follows:</p> <p>“With reference to the subject cited above, I would like to bring to your kind notice that, we are running D.Ed course from the year 2004 and have successfully completed two and half years till date.</p> <p>The management has been very kind enough in providing a new independent building in the same premises as per your norms and requirements. I am pleased to inform you that the college is equipped with adequate infrastructure as per the requirement of your good office and that of the Program concerned. The results of the eight batches is quite satisfactory and we will strive hard to continue the same and work towards overall academic excellence in making the above said institute a model institute.</p> <p>Hence, we request your good office for renewal of the above said course.</p> <p>This is for your kind information and perusal.”</p> <p>The SRC in its 272nd meeting held on 01st -02nd September, 2014 considered the matter, letter from the institution dated 27.06.2014 requesting for renewal of the APS02008-D.Ed course. The committee noted that, the institution was granted recognition from the academic session 2004-05 on 3.12.2004, with a condition to shift the institution to its own premises / building within three years from the date of recognition. The institution has not shifted to its own building within three years from the date of recognition and even after a time period of more than 9 years and 9 months, and decided that the institution should shift to permanent building and advised Southern Regional Office to write to the institution and ask them to shift. Otherwise we will be constrained to take action for withdrawal of recognition w.e.f. 2015-16.</p> <p>Accordingly, as directed a letter to the institution was sent on 10.10.2014.</p>	

		<p>Now the institution has submitted its letter dated 28.10.2014 received by SRC on 31.10.2014. stated as follows:</p> <p align="center"><i>“...since 03.12.2004 the institution is running in its own premises not in rented or donated building. The present building is constructed for D.Edcollege in the premises of Anjuman-E-Islam Opp. To Old Buu stand, Dharwad.</i></p> <p><i>Since it is permanent own building then there is no necessary to the shift to other buildings.</i></p> <p><i>Please consider the case and renew the AnjumanD.Ed College Dharwad for further academic year.</i></p> <p>The SRC in its 275th meeting held on 1st -2nd December, 2014 considered the matter, reply of the institution vide their letter dated 28.10.2014, advised Southern Regional Office to await notification of the new Regulations and to put up the case in the next meeting.</p> <p>An email dated 18.12.2014 received from NCTE Hqrs Regarding guidance for processing of pending applications.</p> <p>Accordingly, a willingness letter was issued to the institution on 19.12.2014. The institution has submitted reply on 16.01.2015 along with affidavit and relevant documents.</p> <p>The Committee considered the matter, advised Southern Regional Office to prepare a comparative statement and put up.</p>
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Consideration of Complaint Case : (Volume- 02).

3	<p>SRCAPP1 545 D.Ed Ramanujan College of Elementary Education, Medak, Andhra Pradesh AP</p>	<p>Ramanujan College of Elementary Education, Khasara No.1516,Plot No.11-1-86/1,P.Nagar Street, Prashanth Nagar Village. Siddipet Post and Taluk, Siddipet City, Medak District-502103 Andhra Pradesh</p> <p>Sharada Educational Society, Plot No.11-1-86/1, Bharathi Nagar Street, Siddipet Village and Post, Siddipet City and Taluk,Medak District -502103, Andhra Pradesh had submitted an online application to the Southern Regional Committee of NCTE on 30.09.2011 and physical application on 03.10.2011 for grant of recognition for D.El.Ed course of two year duration with an annual intake of 50 students at Ramanujan College of Elementary Education, Khasara No.1516,Plot No.11-1-86/1,P.Nagar Street, Prashanth Nagar Village. Siddipet Post and Taluk, Siddipet City, Medak District-502103 Andhra pradesh and was granted recognition on 06-09-2012 from the academic session 2012-2013.</p> <p>A letter has been received from Shri. Gopal Reddy, Director, SCERT, Andhra Pradesh, Hyderabad on 25.2.2014 and 26.2.2014, enclosing a letter from Commissioner and Director of School Education, Andhra Pradesh to Regional</p>
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Director, SRC, NCTE, Bangalore dated 23.12.2013 to communicate the order passed on the detailed report submitted to NCTE, Bangalore in respect of (41) D.Ed colleges who have made admissions during 2012-13 at their own in violation of admission rules and to take necessary action as per NCTE rules.

The Southern Regional Committee in its 268th meeting held on 4th & 5th June 2014, considered the matter, letter dated 25.02.2014 & 26.02.2014 from Shri Gopal Reddy, Director, SCERT, Hyderabad, Andhra Pradesh, letter dated 23.12.2013 and decided to issue Show Cause Notice for withdrawal of recognition for the violations of Regulation 8 (12) of 2009 and 3 (3) of the Norms and Standards for D.El.Ed course, 2009, as reported by the affiliating body in respect of 41 D.Ed colleges who have made admissions during 2012-13 at their own in violation of admission rules issued by the State Govt. of A.P.

As per the decision of SRC, a show cause notice was issued to the institution on 07.08.2014. The institution has submitted a written representation on 26.08.2014. The Court Order Submitted by the institution:-

- 1) The institution submitted a court order in the Hon'ble High Court of Judicature of Andhra Pradesh at Hyderabad, dated 05.06.2013 WPMP No.1747/2013 in W.P.No.798 of 2013 against the Government of AP & others, the Court Order is as under:-

"The admission of students to respondents- writ petitioners' Colleges and the Completion of their course shall be subject to result of the writ appeal. "

- 2) The institution submitted another Court order in the Hon'ble High Court of Judicature of Andhra Pradesh at Hyderabad, dated 04.03.2014, in WP Nos. 6030 and batch in WPS and respect of the institution in WP. Nos. 6192 of 2014 filed by the institution and 7 others against the Government of AP the Court Order is as under:-

"Notice before admission returnable in six weeks.

In view of the judgment rendered by this Court in a batch of writ petitions directing the State Government, the Commissioner and the Director of School Education to consider the grant of affiliation, the students admitted by the respective colleges of Education for the two year D.El.Ed course for the academic session 2012-2013 shall be permitted to appear for the year end examination provided each student has put in the minimum requisite percentage of attendance."

- 3) The institution submitted another Court order in the Hon'ble High Court of Judicature of Andhra Pradesh at Hyderabad, dated 04.03.2014, in WP Nos. 6234 and batch in WPS and respect of the institution in WP. Nos. 6306 of

2014 against the Government of AP the Court Order is as under:-

“Notice before admission returnable in six weeks.

In view of the judgment rendered by this Court in a batch of writ petitions directing the State Government, the Commissioner and the Director of School Education to consider the grant of affiliation, the students admitted by the respective colleges of Education for the two year D.El.Ed course for the academic session 2012-2013 shall be permitted to appear for the year end examination provided each student has put in the minimum requisite percentage of attendance.”

- 4) The institution submitted a another court order in the Hon’ble High Court of Judicature of at Hyderabad, for the state of Telangana and the state of Andhra Pradesh dated 11.06.2014 W.P.No.15499 of 2014 filed by the institution and 9 others against the Government of AP & others, the Court Order is as under:-
“Learned AGP for school Education seeks two weeks ‘ time to secure detailed instruction.

Post after three weeks in motion list

In the meantime, the attendance put in by the students of the respective petitioner institution be verified and in case they have put in the requisite minimum percentage of attendance their results my be announced immediately.”

The SRC in its 273rd meeting held during 30th September & 1st October, 2014 considered the matter, reply of the institution vide letter dated 26.08.2014, Hon’ble High Court of Andhra Pradesh orders dated 05.06.2013, 04.03.2014, & 11.06.2014, decided that, “the law is clear on this issue. The Supreme Court has also given specific directions. Once ‘recognition’ is given by NCTE, the affiliating body shall affiliate. If they have any problem, they have to take it up with NCTE. In this case, the High Court has also reiterated this position. In their reply to our show cause notice, the institution has clarified that all the actions were taken in compliance of the High Court order. The State Government and the SCERT will, therefore, be well advised to comply with the High Court order”.

As per the decision of SRC, a letter was addressed to the SCERT, and School Education Department Govt. of Telangana dated 07.11.2014.

In the meantime, an affidavit is received from Mr. Vanam Ramesh News Reporter R/O.H.No:4-34/1,Dharmajipet Village, Dubbak Mandal, Medak District, 502108, on 19.01.2015.(copy enclosed).Complaining the institution as under:-

I Submit the following few lines for your kind consideration and necessary action:

Ramanujan college of Elementary Education (D.Ed) Located in K No. 1516, Prashanthnagar, Siddipet, Medak District-502103 T.S

One College have secured formal recognition orders by submitting the following:

- 1. Fake land documents i.e., the land belongs to some other person*
 - 2. The Staff mentioned in the Staff approval list has never worked in these college*
 - 3. The certificate that the college is located in rural Area is fake*
 - 4. The land Conversion Documents are also fake*
 - 5. All the other documents are also fake*
 - 6. Above all there are 2 or more courses being run in the same building*
 - These complaints were already made against these colleges but they continue to run the courses with out any fear as they have MANAGED the officers in different offices.*
 - Moreover the inspection should not be carried out by the office of the director, SCERT, Telangana as the management of these colleges have made the staff habituated to bribe.*
 - A Strong Team from SRC-NCTE, Bangalore should be drafted to carry out the inspection of these of these colleges that too with out any notice to the management of these colleges.*
 - Because, these Management are very much capable of MANAGING the teams of SRC-NCTE. Let me be clear on this issue, I am not at all questioning the integrity of the visiting Team, but only trying to give a fair idea about the extent to which these colleges can go.*
 - I have secured these Documents under RTI Act,-2005 from the office of the Director, SCERT, Telangana, Hyderabad.*
 - The management of the aforesaid colleges came to know about this and they even approached me and tried to bribe me. But I did not heed to their request. so they even tried to threatened me.*
 - Later, they informed me that they are least bothered about the complains I have made and they informed me that they have once again MANAGED every possible person in every office and they do not care about the complaints.*
- I, therefore, request you Kindly to personally look in to the matter and draft a strong visiting Team which can look in to every aspect. I have enclosed the necessary documents to this affidavit.*

I, solicit early necessary order in the matter.

The complaint has submitted the following:-

		<ol style="list-style-type: none"> 1. NEC of H.No.4-34/1, Sy. No.1516. and 2057. Plot No.14 from 1.1.1985 to 18.11.2014. 2. As per the Non -Encumbrance certificate the land is not in the name of Society /institution. 3. Reply to this office letter dated 07.11.2014 is awaited from the SCERT & School Education department Hyderabad. Telangana. <p>The Committee considered the matter, complaint vide letter dated 19.01.2015, decided and advised Southern Regional Office to send the complaint to SCERT with a request to enquiry and report.</p>
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Consideration of Change of Name : (Volume- 02).

4	APS0862 4 M.Ed Kotturswamy College of Education, Bellary, Karnataka KA	<table border="1" style="width: 100%;"> <tr> <td style="width: 45%;">Code/Course</td> <td>APS08624/M.Ed</td> </tr> <tr> <td>Name of the institution</td> <td>KotturswamyCollege of Education, ASM College Campus,GandhiNagar,Bellary District, Pin-583103, Karnataka.</td> </tr> <tr> <td>Letter as per NCTE Hqrs guidelines dated 18.12.2014 sent on</td> <td>19.12.2014</td> </tr> <tr> <td>Affidavit affirming adherence to Regulations 2014 received on</td> <td>14.01.2015</td> </tr> <tr> <td>Other Courses offered in the institution</td> <td>B.Ed M.Ed</td> </tr> </table> <p>The Southern Regional Committee, NCTE hereby granted recognition to Kotturswamy College of Education, ASM College Campus,GandhiNagar,BellaryDistrict, Pin-583103, Karnataka for conductingM.EdCourse of one year duration with an annual intake of 25 students from the academic session 2008-09 under clause 7 (11) of NCTE Regulations. Enhancement of intake of 10 seats from existing 25 to 35 was permitted toKotturswamy College of Education, ASM College Campus,GandhiNagar,BellaryDistrict, Pin-583103, KarnatakaforM.Edcoursew.e.f the session 2010-2011, on 20.08.2010. A letter dated 14.10.2014 has been received from the institution and stating as follows:</p> <p>“...this college started in the year 1963 with the nomenclature as “Kotturswamy College of Education” at Bellary. In the year 1996, it was upgraded as “CTE” vide letter No.S.1:IASE:EST:1:95-96, dated 06.07.1996, (copy enclosed) and its nomenclature is changed as “Kotturswamy College of Teacher Education” then onwards.</p> <p>But in the records of your office, the nomenclature of this college is not changed and</p>	Code/Course	APS08624/M.Ed	Name of the institution	KotturswamyCollege of Education, ASM College Campus,GandhiNagar,Bellary District, Pin-583103, Karnataka.	Letter as per NCTE Hqrs guidelines dated 18.12.2014 sent on	19.12.2014	Affidavit affirming adherence to Regulations 2014 received on	14.01.2015	Other Courses offered in the institution	B.Ed M.Ed
Code/Course	APS08624/M.Ed											
Name of the institution	KotturswamyCollege of Education, ASM College Campus,GandhiNagar,Bellary District, Pin-583103, Karnataka.											
Letter as per NCTE Hqrs guidelines dated 18.12.2014 sent on	19.12.2014											
Affidavit affirming adherence to Regulations 2014 received on	14.01.2015											
Other Courses offered in the institution	B.Ed M.Ed											

		<p>the nomenclature of this college is still as “Kotturwamy College of Education”. As a proof, I am herewith enclosed a copy of the letter of the Director, DSERT, Bangalore, duly upgrading this college as “CTE” in the year 1996. Since then the nomenclature of the college is changed as “Kotturwamy College of Education “.</p> <p>In this connection, I request you to make necessary change in your office records and issue a note about change of nomenclature of this college and the same may be sent to the Director, NAAC, Bangalore, as the same is required by them.</p> <p>An email dated 18.12.2014 received from NCTE Hqrs regarding guidance for processing of pending applications. Accordingly a willingness letter was issued to the institution on 19.12.2014. The institution has submitted its written representation on 14.01.2015 along with affidavit for B.Ed and M.Ed.</p> <p>The Committee considered the matter, letter dated 14.10.2014, submission of affidavit vide letter dated 14.01.2015, decided to defer till receipt of further instruction from NCTE (H'qrs) for change of name.</p>					
5	APS0375 7 M.Ed Premakan thi Trust, Mangalore , Karnataka KA	<p>Premakanthi Trust, Mangalore, Karnataka had submitted an application to the Southern Regional Committee of NCTE for grant of recognition to Sri Devi Sharada College of Education, Bhandarkars Complex, Kulur Ferry Road, Mannagudda, Mangalore-575003, Karnataka for Secondary(B.Ed) course of one year duration from the academic session 2005-06 with an annual intake of 100 students.</p> <p>The institution was granted recognition on 03.02.2006.</p> <p>Now, the institution has submitted its written representation dated 21.01.2015 along with relevant documents received by SRC on 27.01.2015 and stated as follows:</p> <p>“Kindly note that our college name has been changed from <u>“Shri Sharada College of Education”</u> to <u>“Premakanthi College of Education”</u> as per Govt. letter No.ED 165 UDA 2007 dtd. 05.12.2007 and university order No.MV/ACC/CCS/CR47/2004-05 dtd 02.02.2008. The copies of the same are enclosed herewith for your kind perusal”.</p> <p>Note: The institution has already changed college name from <u>“Shri Sharada College of Education”</u> to <u>“Premakanthi College of Education”</u> without Prior permission SRC–NCTE.</p> <p>The Committee considered the matter, letter dated 21.01.2014, along with relevant documents, decided to defer till receipt of further instruction from NCTE (H'qrs) for change of name.</p>					
6	APS0981 7 B.Ed Shanti Niketan	<table border="1"> <tr> <td>Code/Course</td> <td>APS09817/B.Ed</td> </tr> <tr> <td>Name of the institution</td> <td>Shanti Niketan College of Education, Ward No.4, Kombi Road, Uthamapalayam 625533,Theni District, Tamilnadu</td> </tr> </table>	Code/Course	APS09817/B.Ed	Name of the institution	Shanti Niketan College of Education, Ward No.4, Kombi Road, Uthamapalayam 625533,Theni District, Tamilnadu	
Code/Course	APS09817/B.Ed						
Name of the institution	Shanti Niketan College of Education, Ward No.4, Kombi Road, Uthamapalayam 625533,Theni District, Tamilnadu						

College of Education, Theni, Tamilnadu TN	Letter as per NCTE Hqrs guidelines dated 18.12.2014 sent on	19.12.2014
	Affidavit affirming adherence to 2014 Regulations received on	27.01.2015 one unit +one unit =Two units of B.Ed course
	Other courses offered by the institution	----

Existing Name	Change of Name
Shanti Nikethan College of Education	Sri Vikasa College of Education

Shanti Niketan College of Education, Ward No.4, Kombi Road, Uthamapalayam 625533, Theni District, Tamilnadu was granted recognition for conducting B.Ed course of one year duration with an annual intake of 100 from the academic session 2011-12 subject to fulfillment of certain conditions on **15.04.2011**.

Shri Shanthi Niketan Trust had submitted written representations on 25.11.2013 04.12.2013 and 21.03.2014, requesting for return of fixed deposits for renewal of the same.

The original fixed deposit receipts of R. 5 Lakhs and Rs. 3 Lakhs were returned to the institution on 07.01.2014.

The institution has submitted written representations on 21.10.2013, 25.11.2013, 04.12.2013 and 21.03.2014 regarding change of name of the college.

The institution has stated as under:

‘Our Trust is running a B.Ed college in the name and style of Shanthi Niketan College of Education at Uthamapalayam in Theni District, Tamilnadu for the pas 3 years, an another Educational Institution namely Shanthi Niketan Matriculation Higher Secondary School is functioning at Muthu Thevan Patty, in Theni District. Since both the names of the institutions are identical and similar in nature, there is an impression prevailing among the Public of Theni District and neighboring District, that both institutions are running by the same management under the same committee.

*In order to clear the above said impression prevailing among the public, our committee decided to change the name of our B.Ed College from **Shanthi Niketan College of Education** to **Sri Vikasa College of Education** in the board meeting held on 06.10.2013.*

Hence, we request you to accept the change and make appropriate changes in your

		<p><i>official proceedings.</i></p> <p>The trust resolution copy to this effect is enclosed.</p> <p>The SRC in its 268th meeting held on 04th-05th June 2014, considered the request letter dated 21.10.2013, 25.11.2013, 04.12.2013 & 21.03.2014 from Shanti Niketan College of Education, Ward NO. 4, Kombi Road, Uhamapalayam 625533, Theni District, Tamilnadu for change of name of the college. The Committee decided and advised SRO to advise the college to secure:</p> <p>Govt. permission. Society's Resolution in support and, University's approval.</p> <p>As per the decision of SRC a letter to the institution was sent n 31.07.2014. The institution has submitted its reply on 01.09.2014.</p> <p>NCTE-Hqrs has sent a letter dated 24.11.2014 received on 01.12.2014 regarding change of name cases.</p> <p>An email dated 18.12.2014 received from NCTE Hqrs regarding guidance for processing of pending applications. Accordingly a willingness letter was issued to the institution on 19.12.2014.</p> <p>The institution has submitted its written representation on 17.01.2015 along with documents and not submitted affidavit to process the application as per regulation 2014.</p> <p>The Institution has submitted its willingness letter on 27.01.2015 to process their pending application as per Regulations 2014.</p> <p>As per NCTE New regulation the application is processed.</p> <p>The Committee considered the matter, letter dated 17.10.2015 along with affidavit, decided to defer till receipt of further instruction from NCTE (H'qrs) for change of name.</p>
7	APS0566 3 D.Ed Gopal D.Ed College, Kolar, Karnataka	<p>Gopal D.Ed College, No.115, 2nd Cross, Gowripet, Kolar – 563101, Karnataka.</p> <p>Gopal Educational Trust, Kolar District, Karnataka had submitted an application to the Southern Regional Committee of NCTE for grant of recognition to Gopal D.Ed College, No.115, 2nd Cross, Gowripet, Kolar – 563101, Karnataka for Elementary (D.Ed) Course of two and half years duration with an annual intake of 50 (Fifty) students. The Southern Regional Committee granted recognition order dated F.SRO/NCTE/D.Ed/2006-2007/722 on 12.04.2007 with a condition to shift to</p>

KA	<p>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 dated 28.02.2014 has received in this office on 28.02.2014 from the Principal Gopal D.Ed college, Kolar - 563101 which is as under:</p> <p><i>“The above subject cited I request your good self to give kind permission to change medium of interaction. That is from <u>Tamil medium to Kannada medium</u> to our Gopal D.Ed College, Gowripet Kolar kindly consider and oblige.”</i></p> <p>The SRC in its 264th meeting held on 01st –03rd March, 2014 has considered the matter, letter from the institution dated 28.02.2014 requesting for permission to change medium of instruction from present ‘<u>Tamil medium</u>’ to ‘<u>Kannada medium</u>’. Committee decided and advised SRO to write to the institution to furnish faculty details and details of instructional materials to show capability to handle instruction in the new medium, i.e., Kannada medium.</p> <p>Accordingly, a letter was sent to the institution on 01.05.2014 and the institution has submitted the reply on 15.05.2014</p> <p>The SRC in its 268th meeting held on 04th -05th June 2014, considered the reply of the institution vide letter dated 15.05.2014 and decided that:</p> <p>The staff list given is not in the format or according to the NCTE norms and not approved by SCERT.</p> <p>Further, the Southern Regional Committee is advised to ask the institution to submit the staff list (for the Kannada Medium) after the notification of the new Regulations. An email dated 18.12.2014 received from NCTE Hqrs regarding guidance for processing of pending applications.</p> <p>Accordingly a willingness letter was issued to the institution on 19.12.2014.the institution has submitted its reply along with documents on 30.01.2015 stated as follows:</p> <p>“It is for your information that Gopal D.Ed College is running College (code: APS05663) recognized BY THE Government of Karnataka and approved by NCTE New Delhi G.O No.ED:487 PTI 2005(390) Bangalore dated: 29.12.2005 and NCTE order No.SRO/NCTE/D.Ed/2006-2007/722 dated: 12.04.2007 (Photocopy attached). On perusal of your letter under reference mentioned at 1 above, the documents as asked is not applicable because this college is already recognized.</p> <p>Therefore, you are requested to accord the permission for change of instruction medium”.</p> <p>The Committee considered the matter, reply of the institution vide letter dated 30.01.2015 along with documents, decided and advised Southern Regional</p>
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		<p>Office to ask the institution to submit</p> <p>(i).Affidavit</p> <p>(ii).approved staff to handling classes in Kannada medium as per NCTE Norms.</p>
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Consideration of Other Cases : (Volume- 02).

8	APSO218 4 B.P.Ed Sri Valmiki Education Society's, B.P.Ed College, Belgaum, Karnataka KA	<p>Sri Valmiki Education Society's B.P.Ed College Harugeri, Raibagh Taluk, Belgaum District – 591220 , Karnataka</p> <p>Sri Valmiki Education Society's B.P.Ed College Harugeri, Raibagh Taluk, Belgaum District – 591220, Karnataka was granted recognition for B.P.Ed course of one year duration from the academic session 2004– 05 with an annual intake of 50 students on 28.01.2005 subject to the condition that the institution shall shift to its own premises / building within three years from the date of recognition (in case the course is started in rented premises).</p> <p>On 01.09.2007, a letter was sent to the institution seeking information on shifting of premises from temporary to permanent building.</p> <p>The Principal, S.V.E.Society's B.P.Ed College, Harugeri- 591220 submitted a written representation on 09.10.2007 stating that they have shifted to the building permanent which is more than 7423.09 sq.ft built up area and is situated on the land of 6.27 acres.</p> <p>The institution submitted a D.D. of Rs.40,000/- which was taken into account vide this office bill no.13355 dated 25.10.2007.</p> <p>The institution was asked to submit all the documents pertaining to the new premises to examine the proposal of shifting vide F.SRO/NCTE/2008-09/ 13857 dated 05.06.2009. The institution had not submitted any reply.</p> <p>On 12.08.2013, an E-Mail was received from Valmiki B.P.Ed College Harugeri seeking information about how to get permission from NCTE at start a new M.P.Ed course.</p> <p><i>The Southern Regional Committee in its 256th Meeting held during 4-6 December,2014 considered the matter, all the relevant documentary evidences and decided to serve Show cause Notice for having shifted to new premises without permission, under NCTE Act, as under ;</i></p> <p>The Institution was given recognition on 28/01/2005 in temporary premises with a</p>
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		<p>condition to shift to permanent premises within 3 years from the date of recognition given. The institution has shifted to new premises as per their letter dated 01/09/2007, without the prior permission of SRCNCTE, Bangalore. This is a gross violation of NCTE regulations.</p> <p>The institution has not submitted any documents pertaining to new building/premises (where the shifting has been taken place). In this regard the institution has not replied so far to NCTE letter dated 05/06/2009 to submit all the relevant documents pertaining to new building/premises.</p> <p>Accordingly, a show cause notice was issued to the institution on 11.02.2014. The institution has submitted a written representation on 03.03.2014</p> <p>The SRC in its 268th meeting held on 4-5 June 2014 considered the matter, reply of the institution vide their letter dated 03.03.2014, all the relevant documents submitted by the institution and advised Southern Regional Office to Re-examine with reference to the new documents given by the institution.</p> <p>As per decision of SRC, the institution has not submitted any new documents.</p> <p>The SRC in its 273rd meeting held on 30th September & 1st October, 2014 considered the matter, decided and advised Southern Regional Office to: Examine the documents relating to the new location for causing inspection. This is a case of shifting without permission. That being so, the 'freeze' order will not hinder this case to be processed.</p> <p>An email dated 18.12.2014 received from NCTE H.qrs Regarding guidelines for processing of pending applications.</p> <p>Accordingly, a willingness letter was issued to the institution on 19.12.2014. The institution has submitted affidavit on 01.01.2015.</p> <p>The Committee considered the matter, institutions representation vide letter dated 3.03.2014, affidavit submitted by the institution on 01.01.2015, decided that, the institution is functioning in its own land and building from the beginning. There is no need for shifting.</p>
9	APS0277 8 D.T.Ed St. Joseph's Teacher Training institute, Karaikal,	<p>St. Joseph's Teacher Training Institute, No. 7, Yadava Street, Poovam, Varichikudi, Karaikal-609602, Pondicherry</p> <p>St. Joseph's Teacher Training Institute, No. 7, Yadava Street, Poovam, Varichikudi, Karaikal-609602, Pondicherry had submitted application for D.T.Ed (Elementary) course of two years duration on 31.12.2003. Recognition was granted to the institution on 23.12.2004 with an annual intake of 100 students from the academic session 2005-2006.</p>

Pondicherry PU	<p>Aggrieved by the decision of SRC's recognition order granting recognition for 2005-2006, the Trust preferred an appeal requesting for grant of recognition from the academic session 2004-2005 instead of 2005-2006. The appellate Authority vide their order no. F. No.89-32/2005-Appeal, dated 29.04.2005 confirmed the recognition order of SRC-NCTE appealed against.</p> <p>The institution approached the Hon'ble High Court of Madras and brought direction in W.P. No. 38966 of 2004 quashing the SRC's Recognition order directing SRC-NCTE to grant Recognition to the institution from the academic session 2004-2005.</p> <p>The institution filed a contempt petition vide no. 633 of 2005 in the Hon'ble High Court of Madras and brought direction in W.P.No. 38966 of 2004 quashing the SRC's Recognition order directing SRC-NCTE to grant Recognition to the institution from the academic session 2004-2005.</p> <p>The institution filed a contempt petition vide no. 633 of 2005 in the Hon'ble High Court of Madras. The matter was placed in 99th meeting of SRC held on 29th August 2005. The SRC decided to accord Recognition to the institution for starting elementary course from the academic session 2005-2005 with an annual intake of 100 students. Accordingly, a recognition order was issued to the institution vide order no. F.PN.N-48/SRO/NCTE/2005-06/3010 dt. 22.09.2005.</p> <p>A report has been received from the Government of Pondicherry regarding malpractices, maltreatment and mismanagement done by the management. Hence the report received from the Government of Pondicherry was placed before SRC in its 112th meeting held on 12th -13th June 2006 and SRC resolved to send a committee to the institution. Hence an inspection was carried out on 26th June 2006. The visiting team report was placed before 113th meeting held on 06th-07th July, 2006.</p> <p>Upon consideration of the detailed report of the committee. SRC has taken a serious view and had decided to issue notice prior to withdrawal of Recognition under Section 17 of NCTE Act of the reasons mentioned below:-</p> <p>Poor infrastructure, insufficient space for labs, class rooms and the library. The orders of the Director of School Education and Collector of Karaikal to close the institute due to certain malpractices, which was confirmed by the committee after inspection. The institution submitted its written representation dt. 13.09.2006, which was considered by SRC in its 122nd meeting, held on 04th-05th December, 2006. The SRC considered the written representation submitted by the institution and also the original file, letters from the State Government of Pondicherry and decided to Withdrawal Recognition accorded to the institution for D.T.Ed course under Section 17(1) of NCTE Act. Accordingly, withdrawal order was issued to the institution on 28.02.2007.</p>
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Aggrieved by the order of SRC, the institution filed a case against SRC-NCTE in W.P.No. 12938 of 2007 along with petition for stay before the Hon'ble High Court of Judicature at Madras which was her by the Hon'ble High Court on 10.04.2007. The Hon'ble High Court based on interim order of stay of the operation of order no. F.PN/Elc/SRO/NCTE/2006-07/10843 dt. 28.02.2007 passed by the respondent i.e SRC pending disposal of the said writ petition. As per records of this office, the said order is still in force.

The institution moved to Hon'ble High Court of Judicature at Madras dtd. 12.06.2012 coram the Honorable Mr. Justice K. Chandru in W.P. No. 12938 of 2007 and M.P.No. 1 of 2007 reads as under:-

".....as the petitioner institution has been running on the strength of the interim order for the past five years, It is just and necessary that a direction should be issued to the NCTE i.e., the first respondent to once again conduct a fresh enquiry with reference to the infrastructure facilities of the petitioner teacher training institute and thereafter after giving an opportunity to the petitioner institute to pass appropriate orders. This exercise shall be undertaken by the first respondent(SRC, NCTE) within a period of two months from the date of receipt of copy of this order. So that they can take a decision with reference to future of the institute by the time next academic year could start. The writ petition is disposed of accordingly. No costs. Consequently connected miscellaneous petition stands closed".

The SRC in its 226th meeting held on 09th-10th July, 2012 considered the matter and decided to process after receipt of copy of the court order.

The matter was again put up before SRC in its 228th meeting held on 24th-25th July, 2012 as under:-

In view of the specific direction of the Hon'ble High Court to "conduct a fresh enquiry with reference to the infrastructure facilities of the petitioner teacher training institute and thereafter after giving an opportunity to the petitioner institute to pass appropriate orders"

The committee considered the matter and decided to process the application of the institution after receipt of Hon'ble High Court order.

It may be observed that the matter was placed before SRC twice in reference to court directions to cause inspection of the institution and take a decision, thereafter, However, the committee decided to process both times.

The matter is placed again before SRC with request to take a decision regarding **Causing Inspection** in reference to court directions.

The SRC in its 230th meeting held on 16th -17th August 2012, considered the matter and decided to call for details like Land documents, building plan, encumbrance certificate, land usage certificate and building completion certificate etc., along with

		<p>fee to cause inspection as directed by Court.</p> <p>Accordingly, a letter was sent to the institution on 29.08.2012 regarding submission of required documents for causing inspection.</p> <p>This office is receipt of letter from NCTE-Hqrs vide No.F.64-107/2013/NCTE/Legal A97844 dated 13/18 November 2014 in respect of W.P.No.10123/2010 filed by St.Joseph Teacher Training Institute Vs. The Director of School Education & ors. Before Hon'ble High Court of Madras.</p> <p>An email dated 18.12.2014 received from NCTE Hqrs regarding guidance for processing of pending applications. Accordingly a willingness letter was issued to the institution on 19.12.2014.</p> <p>A letter was sent to the Institution on 19.12.2014 & the same was returned to the NCTE on 12.01.2015. Again same was reposted on 17.01.2015. Again the same was returned to SRC-NCTE ON 28.01.2015.</p> <p>Two times posted and returned back undelivered.</p> <p>The Committee Considered the matter, non-response of the institution to the letters sent to the institution dated 19.12.2014 & 17.01.2015, and all the relevant documentary evidence and decided to serve Show cause Notice under NCTE act. For the following deficiencies.</p> <ul style="list-style-type: none"> • The Institution has not submitted land and building document in response to the notice dated 29.12.2012. <p>In view of the above, the Committee decided to issue Show Cause Notice to the institution and thereby providing an opportunity to the institution to make a <u>written representation</u> within 21days from the date of receipt of the Notice along with necessary certificates/documents in order to take a final decision in the matter including withdrawal of recognition, based on the records available, with no further notice.</p>
10	AOS0040 0 B.Ed Rukmini Devi Arundate College of Education, Chittoor,	<p>Rukmini Devi Arundale college of Education, Madanapalle, Chittoor-517325, Andhra Pradesh.</p> <p>Rukminidevi Arundale College of education, Madanapalle 517325, Andhra Pradesh was granted recognition on 21-7-2000 for offering B.Ed Course of one year duration from the academic session 2000-2001 with an annual intake of 100, subject to certain conditions.</p> <p>On 8-05-2001, the institution submitted the performance Appraisal Report for the</p>

<p>Andhra Pradesh AP</p>	<p>year 1999-2000, based on PAR submitted, the intake of the institution was fixed at 88 vide this office letter on 20-07-2001.</p> <p>Has submitted on 11-1-2007 based on a complaint and letter was addressed to the institution regarding Non-maintenance of infrastructural facilities as per NCTE Norms and Regulations.</p> <p>Further, no correspondence is available in the file.</p> <p>In the meantime, a letter dated 25.07.2014 is received by this office on 28/07/2014 from the Principal, Rukminidevi Arundale College of Education, submitting the list of staff members working with the college.</p> <p>The Southern Regional Committee in its 272nd meeting held during 01st & 02nd September,2014 considered the matter, letter dated 30/07/2014 from the Institution in respect of staff list, and all the relevant documentary evidences and decided to serve Notice under NCTE Act for the following :-</p> <p style="padding-left: 40px;">The Principal is not qualified for the post, as he is not having PH.D degree as per NCTE norms and standards.</p> <p style="padding-left: 40px;">The staff list submitted by the institution is not approved by the affiliating University.</p> <p>As per the decision of SRC, a Notice issued to the institution on 28.10.2014</p> <p>The institution has not replied to the Notice till date.</p> <p>On 30.12.2014 ,a copy of letter dated 19.12.2014 from the Registrar, Sri Venkateswara University, Tirupathi Andhra Pradesh is received by this office (Copy Enclosed) which is as under:-</p> <p><i>"In Continuation of report third cited. You are requested to rectify the deficiencies noted below and send the Compliance Report with supporting documents for considering the extension of affiliation for the academic year 2014-15.</i></p> <p><u><i>Condition pointed out by the Inspection Commission and deficiencies to be Rectified</i></u></p> <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 5%; text-align: center;">1.</td> <td> <p><i>The RA College of Education was established during the year 1999-2000 in the temporary building and NCTE also given permission for the same and later on the management has shifted the college to the pucca building constructed for B.Ed course in 2005-06 and applied to NCTE for shifting permission. The NCTE was appointed a committee for inspection of the College in 2005 and later on there is no information letter from the NCTE and also the management ignored in getting shifting permission letter from NCTE. The building is having adequate class rooms, laboratory rooms and furniture. The Committee has identified this and advised to the Principal take necessary action in getting shifting approval letter from NCTE, Bangalore.</i></p> </td> </tr> </table>	1.	<p><i>The RA College of Education was established during the year 1999-2000 in the temporary building and NCTE also given permission for the same and later on the management has shifted the college to the pucca building constructed for B.Ed course in 2005-06 and applied to NCTE for shifting permission. The NCTE was appointed a committee for inspection of the College in 2005 and later on there is no information letter from the NCTE and also the management ignored in getting shifting permission letter from NCTE. The building is having adequate class rooms, laboratory rooms and furniture. The Committee has identified this and advised to the Principal take necessary action in getting shifting approval letter from NCTE, Bangalore.</i></p>
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<p>11</p> <p>APS0324 8 B.Ed Mahatma Gandhi University College of Teacher Education, Kottayam, Kerala KL</p>		<p>Mahatma Gandhi University College of Teacher Education, Kudamaloor-686017 Kottayam District, Kerala.</p> <p>Mahatma Gandhi University College of Teacher Education, Kudamaloor-686017 Kottayam District, Kerala has submitted an application to the Southern Regional Committee of NCTE for grant of recognition for Secondary (B.Ed) course of one year duration with an annual intake of 210 students and was granted recognition on 1.11.2007 with a condition shift to its own Premises/ building three years from the date of recognition. (in case the Course is started in rented premises).</p> <p>A letter is received from Sri. V.M. Kurian, Advocate in W.P.(C)No.12263/2007 in the Hon'ble High Court of Kerala filed by Fr. Francis M.J. Fernandez. The judgment dated 5.11.2012 states as under:-</p> <p><i>“The learned counsel for petitioners submits that he intends to withdraw the writ petition with liberty to approach this court in the event the petitioner has a surviving interest in the relief prayed for in the writ petition.</i></p> <p><i>2. Infact, this court had already passed an interim order on 10.4.2007 directing the 2nd respondent to consider Ext.P9 and issue appropriate clarifications as warranted by law. Apparently, 2nd respondent would have passed appropriate orders in the matter. If the petitioner has any surviving interest in the said matter, it is open for him to challenge any such order passed.</i></p> <p><i>W.P. is disposed of as above.”</i></p> <p>As per the decision of 176th meeting held on 27th and 28th may, 2009, a Show Cause Notice was issued to the institution on 2.7.2009. In reply, the institution submitted representation on 29.7.2009.</p> <p>The reply of the institution is not placed before the Committee and there is no further</p>							

processing/action in the file.

The Committee considered the reply of the institution vide letter dt. 29.07.2009 and all the relevant documentary evidences and it was decided to serve Show Cause Notice under NCTE Act, for the following:-

On 13th July, 2004, Recognition orders were issued to all the 12 University Centre of Mahatma Gandhi University College of Teacher Education in Kerala.

Further, the institution was given recognition on 01-11-2007 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 01.11.2010. Even after a lapse of time period of 5 years 05 months, the management has not shifted its own building/move to its own building. No documentary proof is provided towards the completion of ground floor and ongoing construction of own building for B.Ed course

Building plan submitted is not approved by Government Engineer. Built up area as per the building plan is 872.78 sq.mts .Built up area is less, it should be 1500 sq.mts as per NCTE regulations.

A school exists in the same compound as per the order from Under Secretary, Government of Kerala dated 16/03/2004. As per NCTE regulations 2009, teacher education institution shall not be allowed to have any other institution within its demarcated area or building and shall not have any other course(s) in its building.”

Building Completion Certificate approved by competent authority is not submitted.

Original FDRs are not submitted.

Encumbrance certificate from the competent Government authority is not submitted.

Certificate of Registration/ Bye-law of the Society/Trust should be submitted.

The institution has to submit duly approved staff list by the University/affiliating body.

In view of the above and with reference to the totality of information collected & based on a collective application of mind, the Committee in its 241st Meeting held on 29th – 30th March and 1st April 2013 meeting held on 29th & 31st March 2013 & 01st April 2013 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 written representation within 05 Months from the date of receipt 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 withdrawal of application for recognition, based on the records available, with no further notice.

As per the decision of SRC, a show cause notice was issued to the University centre on 16/05/2013. But, the University had not submitted any representation so far even after a lapse of more than 5 months.

The SRC in its 256th meeting held on 04th -06th December 2013 considered the Non-reply of the University College on the above matter and also the relevant documents of the institution and decided to withdraw recognition for the following reasons:-

- The University College has not submitted any reply even after a lapse of **more** than 5 months time given.

Based on the above points the committee decides to withdraw the recognition of the B.Ed course run by the Mahatma Gandhi University College of Teacher Education, Kudamaloor, Kottayam-686017, Kerala 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.

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 was informed accordingly. Further 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.

As per the decision of SRC, a withdrawal order was issued to the institution on 11.02.2014.

Aggrieved by the withdrawal order of SRC, the institution preferred an appeal to NCTE-H'qrs and the appellate authority vide order No. F.No.89-179/2014 Appeal/10th meeting -2014 dated 16.09.2014 stated that,

“The Correspondent, Mahatma Gandhi University Collage of teacher Education (hereinafter referred to as the appellant), preferred an appeal dated 04/04/2014 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

Ms. Suja P. Abraham, Principal, Mahatma Gandhi University College of Teacher Education, Kottayam, Kerala presented the case of the appellant institution on 04.08.2014. In the appeal and during personal presentation it was submitted that “ relevant documents and explanations as required in the Show Cause Notice were submitted to the office of Mahatma Gandhi University for onward transmission to SRC, NCTE, Bangalore. The same were misplaced at somewhere which led to the withdrawal of the recognition of B.Ed. course run by the institution from 2014-15 onwards. The follow up action has not been done as the head of the institution was on leave on medical ground. Undue delay was beyond the control of the institution and may be condoned. Recognition may be re-instated so as to enable the institution to run B.Ed. course for the academic year 2014-15”.

From the relevant records, Council noted that Mahatma Gandhi University College of Teacher Education (UCTE), Kudemallor, Kottayam Dist. Kerala was given formal recognition to conduct B.Ed. course with an annual intake of 100 seats vide NCTE

order dated 1.11.2007. An inspection of the appellant institution was conducted on 28.09.2007. In the inspection report it is mentioned that course is being conducted in a government building. Govt. has given permission to conduct B.Ed. course. The fact that 'the University College of Teacher Education (UCTE) was functioning from a Government allotted building. and that a separate land has also been allotted for the UCTE and that construction on the said land has already started are mentioned in two separate V.T. reports dated 9.11.2006 and 28.09.2007. The Minutes of the 146th Meeting of SRC held between 25th to 27th indicate that recognition order was unconditional. The issue of Show Cause Notice dated 2.07.2009 on the grounds that institution has not shifted to the own premises as decided in the 175th Meeting of SRC held on 13-14 May,2009 is therefore, not understood. The Show cause Notice dated 16.05.2013 includes certain points such as a) Original FDRs are not submitted. B) Encumbrance Certificate from Competent Government authority is not submitted. C) Certificate of registration/Bye laws of the society/trust should be submitted.

The UCTE being a constituent college of the university the above points are not relevant. The appellant also stated that UCTE is functioning in the compound of Govt. Higher Secondary School for which Govt. of Kerala has granted permission. The institution has one own building and three buildings of Govt. Higher Secondary School which are handed over to Registrar, M.G. University to conduct B.Ed. Course. The appellant institution was issued another Show Cause Notice on 16.05.2013 in which it is stated that recognition granted on 1.11.2007 was in a temporary premises with a specific condition that institution should move to a permanent premise within a period of three years i.e. on or before 1.11.2010. Council could not find any document on record to suggest that UCTE was under any obligation to pay rent or vacate the accommodation. The V.T dated. 28.09.2007 in Col.11 of the inspection report remarked "it is government building. But Govt. has given permission to conduct B.Ed. degree course".

The reply to SCN dated 16.05.2013 is delayed for the reasons that Principal, UCTE was on leave on Medical grounds and the reply was to be routed through the Mahatma Gandhi University. The reply to SCN was finally submitted by M.G. University on 26.12.2013 received in the office of SRC on 30.12.2013 The decision to withdraw recognition of course was taken by SRC before the reply to SCN was received but orders of withdrawal were issued almost 2 months after this decision. After considering the details of the case, Committee concluded that since UCTE is a constituent college of Mahatma Gandhi University funded by the state govt. it is exempted from payment of processing fee act and SRC could have objectively conducted an inspection to know the adequacy of infrastructural and instructional facilities and then taken a decision accordingly. Committee

Finally concluded to remand back the case to SRC for keeping the withdrawal order dated 11.02.2014 in abeyance and initiating inspection under Section 13 of the Act by NCTE, Hqrs. for making an objective assessment with regard to the adequacy of infrastructural and instructional facilities. In the circumstances, the Council concluded to remand back the case to SRC with a direction to keep the withdrawal

order in abeyance till the inspection report is processed.

The Council hereby remands back the case of Mahatma Gandhi University College of Teacher Education, Kottayam, Kerala to the SRC, NCTE, for necessary action as indicated above."

The SRC in its 274th meeting held on 30th - 31st, October, 2014 considered the matter, decided that, as per the H'qrs circular this can be processed only after notification of new Regulations.

A letter dated 17.11.2014, along with staff list is received by this office from the Registrar on 20.11.2014.

In the meanwhile, a letter seeking consent on the willingness of the institution for considering their application as per Regulations 2014 was sent to the institution on 19.12.2014.

In response to this office letter dated 19.12.2014, the institution has submitted a reply on 17.01.2015, along with an affidavit on Rs. 100/- stamp paper expressing their willingness for the application to be processed as per Regulations, 2014.

On 17.01.2015, a letter dated 14.01.2015 is received by this office from the Registrar, Mahatma Gandhi University, Kottayam as under:-

"As pe the reference (1) cited (Order No. SRO/NCTE/APS 3248/B.Ed/KL/2013-14/56792 dated 11.02.2014) the SRC, NCTE, Bangalore had withdrawn the recognition of UCTE, Kudamaloor, a Self Financing Institution under the direct control of the University and directed not to conduct admission during 2014-15 academic year. Following this, University filed an appeal before the appeal committee of NCTE, New Delhi against the order of SRC, NCTE.

The appeal committee held on 16.09.2014, after hearing the case, has issued directions vide reference (2) (F.No. 89/179/2014/Appeal/10th meeting 2014 dated 16.09.2014 Available in the NCTE website) to SRC, NCTE, Bangalore to keep the withdrawal order in abeyance and to initiate inspection under Section 13 of the Act by NCTE Head quarters for making an objective assessment with regard to the adequacy of infrastructural and instructional facilities. The appeal committee has further directed that the withdrawal order shall be kept in abeyance till the inspection report is processed.

With regard to his, it may please be noted that as construction of the building was in progress, an extension of ten months time had been sought vide reference (3) (this office letter No.5575/SFIII-3/2014 dated 10.10.2014) for inspection by the NCTE team.

Now, vide reference (4) cited above, (f.sro/ncte/APS03248/B.Ed.KL/2014/60836 dated 19.12.2014 received on 30.12.2014) it has been directed to submit the

		<p>Affidavit signed by the Authorised signatory as per the provision of revised NCTE Regulation 2014. It is directed to submit institutional willingness to proceed with the pending case for grant of recognition as per NCTE Regulations 2014.</p> <p>To comply with the above direction, I hereby request to grant an extension of 5 months time to submit the Affidavit in order to complete the extension work of ground floor and construction of first floor so as to meet the built up area requirement of the UCTE, Kudamaloor centre as per the revised NCTE Regulations 2014. (NCTE Notification No.346 dated 01.12.2014)".</p> <p>The Committee considered the matter, decided to await Inspection report under Section 13 from NCTE (H'qrs)</p>
12	<p>SRCAPP1 06 B.Ed Rains Education al and Charities Trust, Erode, Tamilnadu TN</p>	<p>Rains Educational and Charities Trust, Plot No.74, S K C Road, Erode Village and Post Office, Erode City and Taluk, Erode District – 638001, Tamilnadu had applied for grant of recognition to Rains College of Education, Plot/Khasara No.776/2, 778/2, Street No.74, Pachampalayam Privu Village, Ganapathypalayam Post Office, Erode City and Taluk, Erode District – 638153, Tamilnadu for B.Ed Course of one year duration under Section 14(1) of the NCTE Act, 1993 to the Southern Regional Committee, NCTE online on 31.12.2012 and physical copy on 04.01.2013.</p> <p>The application was scrutinized and a copy of application was sent to State Government for recommendation on 05.02.2013 followed by reminder on 22.04.2013. A deficiency letter was issued to the institution on 22.04.2013.</p> <p>The institution has replied to the deficiency letter on 01.07.2013.</p> <p>The reply of the institution has been received on the 70th day from the date of issue of deficiency letter. Hence, the institution has submitted the reply after the stipulated period of 60 days.</p> <p>The SRC in its 250th meeting held on 11th – 13th August 2013 had considered the reply of the institution, which is received on 28/06/2013, i.e., on 70th (<u>Seventy</u>) days after issue of deficiency letter and with reference to the totality of information collected & based on a collective application of mind, the committee decided as per clause 7(1) of NCTE Regulations 2009, to reject the application of the institution for recognition of B.Ed course.</p> <p>Accordingly, a rejection order was issued to the institution on 25.09.2013.</p> <p>Aggrieved by the rejection order of SRC, the institution had preferred an appeal to NCTE Hqrs and the NCTE Appellate Authority in its order dated 21.05.2014 remanded as follows:</p> <p>“..... Appeals Committee noted that a deficiency letter dated – 22/04/2013 was issued to the appellant Institution. Deficiencies pointed out in this deficiency letter were required to be removed and reply sent to SRC within 60 days from the date of</p>

appeal hearing produced evidence to prove that the above deficiency letter dated – 22/04/2013 was received by him through speed post envelope delivered on 30/04/2013. Reply to this deficiency letter was delivered in the office of SRC on 28/06/2013 vide SRC Dy. No. 128031. Council also noted that the reply sent by the appellant institution with all its enclosures is available on the relevant file except page one of the forwarding letter. Committee further noted that the reply of the appellant institution which was well within 60 days of the date of receipt of deficiency letter by the appellant institution should have been considered on merit by the SRC. The Council concluded to remand back the case to SRC with a direction to process the application further as per regulations.

After perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Council concluded that the appeal deserves to be remanded to SRC with direction to process the application further as per regulations.

The Council hereby remands back the case of Rains College of Education, Erode, Tamilnadu to the SRC, NCTE, for necessary action as indicated above.

The considered the matter, as per the direction of NCTE (Hqrs) that all appeal remand cases should be processed only after notification of the new Regulations. Advised Southern Regional Office to process the case accordingly, and put up after notification of new Regulations as per NCTE (H.Q) instructions.

An email dated 18.12.2014 received from NCTE Hqrs Regarding guidance for processing of pending applications.

Accordingly a willingness letter was issued to the institution on 19.12.2014.the institution has submitted its reply along with affidavit and relevant documents on 07.01.2015.

The application was processed and placed before the SRC in its 278th meeting held on 25th January 2015, considered the reply of the Institution dated 07.01.2015 along with affidavit expressing their willingness to process their application as per Regulations 2014, and the committee decided to **cause inspection**.

Accordingly, a letters was addressed to Education Secretary Govt. of Tamilnadu, Prof.K.Panduranga Swamy, SCERT, Mr.J.Narendar Lecturer SCERT, and to the institution on 28.01.2015.

The institution has submitted its written representation dated 30.01.2015 received by this office on 30.01.2015 stated as follows:

“We here to know our institution in stage of cause inspection. As per SRC 278th meeting. We prepare for the same. In this situation our close relative expired on 27th 2015 evening. We are in part of the family. In our tradition mourning for 16 days. We request you to consider our situation and postpone the visit for two weeks. ”

		<p>The Committee considered the matter, request of the institution vide letter dated 30.01.2015, for extension of VT inspection, decided and advised Southern Regional Office to Cause Inspection around 15.02.2014.</p>
13	<p>SRCAPP8 26 D.El.Ed Smt. Kandukuri Rajyalakshmi Elementary Teacher Education College for women, Godavari, Andhra Pradesh AP</p>	<p>Smt. Kandukuri Rajyalakshmi Elementary Teacher Education College for Women, Khasara/Plot No.52-19-1, Rajahmundry Village & P.O, Rajahmundry Taluk, East Godavari District, Pin-533103, Andhra Pradesh</p> <p>Hitakarini Samajam, Plot No. 52-19, Opp. TTD Kalyanamandapam, Village & P.O, Rajahmundry Taluk, East Godavari District, Pin-533103, Andhra Pradesh</p> <p>had applied for grant of recognition to Smt. Kandukuri Rajyalakshmi Elementary Teacher Education College for Women, Khasara/Plot No.52-19-1, Rajahmundry Village & P.O, Rajahmundry Taluk, East Godavari District, Pin-533103, Andhra Pradesh for D.El.Ed Course for two years duration from the academic session 2012-2013 with an annual intake of 50 students.</p> <p>Now This office has received copy of PROCEEDINGS OF THE DIRECTOR, S.C.E.R.T., A.P. HYDERABAD Present: Smt. M.S.S Lakshmi Watts, M.Sc., M.Ed Rc. No. 840/B1/TE/SCERT/2012 dated 23-12-2014-verification of staff lists for additional intake to existing D.Ed College in respect of Smt. Kandukuri Rajyalakshmi Elementary Teacher Education College for women, Khasara /Plot No.52-19-1, Rajahmundry Village and Post Office, Rajahmundry Taluk, East Godavari District, is as under:-</p> <p>The Committee considered the matter and it was decided to serve Notice Under Section 14 of NCTE Act for the following deficiencies:-</p> <ul style="list-style-type: none"> • The institution has not appointed Lecturer in Foundation of Education. <p>In view of the above, the Committee decided to issue Notice to the institution and thereby providing an opportunity to the institution to make a <u>written representation</u> within 21days from the date of receipt 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 rejection of the application, based on the records available, with no further notice.</p>
14	<p>----- ----- Court order from the High Court of Judicature at Hyderabad for the State of Telanga and the</p>	<p>Court order from the High court of Judicature at Hyderabad for the State of Telanga and the State of Andhra Pradesh dated 15th December, 2014 in W.P.Nos.31174 , 28670, 28845, 28716, 28674, 28742,28677,28695,28735,28738, 31192,31193,31261,31278, 31321,13836, 13830,34776,3481034814,34830,34910,34966,35005,35060,35179,35362,35386,3 5480,35487and 35496 of 2014</p> <p>The common order of the Hon'ble High Court dated 15.12.2014 is as under :-</p> <p>“ The Court made the following: COMMON ORDER: <i>In this batch of writ petitions, some writ petitions are filed by the managements of elementary teacher education colleges seeking a relief with regard to the recognition granted by the National Council for Teacher Education (NCTE) and also seeking</i></p>

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consequential directions against the authorities of the State in not granting affiliation to the colleges for the academic year 2013-2014. Some of these writ petitions are, however, filed only against the authorities of the State Government seeking affiliation and ratification of admission with respect to students, who are already admitted in the first year course during the year 2013-2014. Some writ petitions are filed by the students of some of the colleges seeking a direction that they be allowed to pay examination fee and appear for examination for the 1st year D.Ed course, which is stated to have been studied by the students in their respective colleges

. 2. In all these writ petitions, except WP.No.13836 of 2014, NCTE granted recognition for the respective colleges only from the academic year 2014-2015 and in all the writ petitions recognition granted by NCTE is for an intake of 50 students and in almost all the colleges, students have been admitted for the academic year 2013-2014.

3. The relevant facts relating to each writ petitioner are set out in a tabular form as under :

(R-1, State of Telangana, R-2 – Director, SCERT, R-3-Director, Govt. Examination, R-4- SRC-NTCE, R-5-Sri Sai Saraswathi Educational Society, R-6-Sharvani College of Teacher Education)

Sl.No.	Case No.	Petitioner's Name	NCTE Approval and academic year	Order/inaction questioned
1	W.P.No. 31174/2014	S.Gangaiah and others students of Sri Sai Saraswathi Educational Society and Sharavani College of Elementary Education	22.08.2013 & 11.10.2013 (2014-15)	Inaction of R1 and R2 in granting affiliation to R5. Decision of R4 in not granting recognition to R5
2	W.P.No. 28670/2014	Sri Sri Sai Saraswathi Educational Society and Sharavani College of Elementary Education	22/08/2013 & 11/10/2013 (2014-15)	Decision of R4 dated 11/10/2013 granting recognition
3	W.P.No.288 45/2014	Suryalaxmi Educational Society	10.04.2013 (2014-15)	Decision of R4 dated 10.04.2013 granting

					recognition only from academic year 2014-15. Inaction of R2 in granting affiliation to petitioner society.
4	W.P.No.287 16/2014	B.S.Bugudi Educational Society	01.11.2014 (2014-15)	Decision of R4 date 10.04.2013 granting recognition only from academic year 2014-15. Inaction of R2 in granting affiliation to petitioner society	
5	W.P.No. 28674/2014	Sarvepally Radhakrishna Educational Society	28.11.2013 (2014-15)	Decision of R4 dated 28.11.2013 granting recognition only from academic year 2014-15 Inaction of R2 in granting affiliation to petitioner society	
6	W.P.No. 28742/2014	Vidya Bharathi Educational Society	05/10/2012 (2012-2013)	Inaction of R2 in granting affiliation to petitioner society for the academic year 2013-14	
7	W.P.No. 28677/2014	Anjani Educational Society & Santhiniketan Diploma in elementary Education	22/01/2014 (2014-15)	Decision of R4 dated 22/01/2014 granting recognition only from academic year 2014-15 Inaction of R2 in granting affiliation to petitioner	

				society	
8	W.P.No.286 95/2014	Dwaraka Educational Society	11/10/2013 (2014-2015)	Decision of R4 dated 11/10/2013 granting recognition only from the academic year 2014-15. Inaction of R2 in granting affiliation to petitioner society	
9	W.P.No.2873 5/2014	Sri Dhanalakshmi Educational Society	07/11/2013 (2014-15)	Decision of R4 dated 07/11/2013 granting recognition only from the academic year 2014-15. Inaction of R2 in granting affiliation to petitioner society	
10	W.P.No. 28738/2014	Sri Chenna Keshava Society	06/02/2014 (2014-15)	Decision of R4 dated 06.02.2014 granting recognition only from the academic year 2014-15. Inaction of R2 in granting affiliation to petitioner society	
11	W.P.No. 31192/2014	Chakali Navitha and other students of Sarvepally Radhakrishna Educational Society(Item		Inaction of R1 and R2 in granting affiliation to R5 Decision of R4 in not granting	

			No.5 in the table0		recognition to R5	
		12	W.P.No.3119 3 / 2014	R.Naresh Kumar and others students of Vidya Bharathi Educational Society(item no 6 in the table)		Inaction R1 and R2 in granting affiliation to R5. Decision of R4 in not granting recognition to R5
		13	W.P.No.3126 1/2014	Y.Radhika and other students of Dwaraka Educational Society (Item No.8 in the table)		Inaction R1 and R2 in granting affiliation to R5. Decision of R4 in not granting recognition to R5
		14	W.P.No. 31278/2014	C.Bhavya and other students of Suryalaxmi Educational Society (Item No.3 in the table)		Inaction R1 and R2 in granting affiliation to R5. Decision of R4 in not granting recognition to R5
		15	W.P.No. 31321/ 2014	G.Pavan Kumar and others students of B.S.Bugudi Educational Society (Item No.4 in the table)		Inaction R1 and R2 in granting affiliation to R5. Decision of R4 in not granting recognition to R5
		16	W.P.No. 13836/2014	Vignan College of Education	25.11.2013 (2013-14)	Rejection of affiliation dated 03/04/2014
		17	W.P.No. 13830/ 2014	Jeremial College of Education	07.11.2013 (2014-15)	Inaction of respondents in not granting affiliation and not ratifying admission of students

					despite grant of recognition by NCTE	
		18	W.P.No.34776/2014	Venkata Sai D.Ed College	07/08/2013 (2014-15)	Decision of R5 and R6 in not granting recognition. Inaction R1 to R4 in granting affiliation.
		19	W.P.No.34810/2014	Little Star College of elementary Education	08/01/2014 (2014-15)	Decision of R5 and R6 in not granting recognition . Inaction R1 to R4 in granting affiliation
		20	W.P.No. 34814/ 2014	SRM D.Ed college	23.09.2013 (2014-2015)	Decision of R5 and R6 in not granting recognition. Inaction of R1 to R4 in granting affiliation.
		21	W.P.No.34830/2014	Mother College of elementary Education	26.02.2014 (2014-15)	Decision of R5 and R6 in not granting recognition. Inaction of R1 to R4 in granting affiliation.
		22	W.P.No.34910/2014	Dhanalakshmi D.Ed College	25.11.2013 (2013-2014)	Action of respondents in refusing to received the examination fee of the students of the petitioner institution.
		23	W.P.No.34966/2014	Santhinikethan Diploma in elementary Education	22.01.2014 (2014-15)	Action of respondents in refusing to received the examination fee of the students of the petitioner institution.
		24	W.P.No.35005/2014	Little Rose College of Education	19.12.2013 (2014-17)	Decision of R5 and R6 in not granting recognition. Inaction of R1 to R4 in granting affiliation
		25	W.P.No.35060/2014	St.Andrews College of Education	22.01.2014 (2014-15)	Decision of R5 and R6 in not granting recognition.

				Inaction of R1 to R4 in granting affiliation
26	W.P.No. 35179/ 2014	Amaravathi D.Ed College	11.09.2013 (2014-15)	Action of respondents in refusing to received the examination fee of the students of the petitioner institution.
27	W.P.No.353 62/2014	S.R.D.Ed college	28.02.2014 (2014-15)	Action of respondents in refusing to received the examination fee of the students of the petitioner institution.
28	W.P.No.353 86/2014	Mother College of Education	13.09.2013 (2014-15)	Action of respondents in refusing to received the examination fee of the students of the petitioner institution.
29	W.P.No. 35480/2014	Sri Bhanodaya Teacher Training Institute	27.11.2013 (2014-15)	Action of respondents in refusing to received the examination fee of the students of the petitioner institution.
30	W.P.No. 35487/2014	Vikas D.Ed College	05.09.2013 (2014-15)	Action of respondents in refusing to received the examination fee of the students of the petitioner institution.
31	W.P.No. 35496/ 2014	Sarvodaya College of Education	05.09.2013 (2014-15)	Action of respondents in refusing to received the examination fee of the students of the petitioner institution.
<p>4. <i>The genesis of these cases appears to be the approval granted by NCTE to Vignan College of Education, which is the petitioner in WP.No.13836 of 2014. The said college was granted recognition by NCTE under its proceedings dated 25.11.2013 for the academic year 2013-2014.</i></p> <p>5. <i>The pleadings of the petitioner institutions, in the respective writ petitions, are mostly based upon the recognition granted to Vignan College of Education by NCTE for the academic year 2013-2014. The petitioner institutions claim in their respective affidavits that they had applied for approval of NCTE even earlier to Vignan College of Education and since the later was granted approval for the academic year 2013-2014, expecting similar approval in their case also, all the petitioner institutions state that they have already made requisite preparations including approval of staff and hence, they commenced the admission for the academic year 2013-2014. They further state that, ultimately, however, when the NCTE communicated the approval,</i></p>				

it was found to be for the academic year 2014-2015. It is, therefore, pleaded by them that they had applied to NCTE well in advance and made all the arrangements for commencing of the college including appointment of staff, which was approved and as such, for no fault of theirs and for the delay caused by NCTE in communicating the recognition, they cannot be penalized for not getting recognition for the academic year 2013-2014. Hence, they seek direction that the recognition granted by NCTE for the academic year 2014-2015 may be treated as recognition for the academic year 2013-2014.

6. Based upon the recognition granted by NCTE for the academic year 2014-2015 with regard to respective petitioner institutions, the admission of students made by each petitioner institution for the academic year 2013-2014 was not recognized by the State of Andhra Pradesh and State of Telangana and consequently, the list of students admitted was not approved and thereby, the examination fee for the 1st year D.Ed course to be held from 19.11.2014 was not accepted. Hence, all the petitioners had approached this Court by the present batch of writ petitions. So far WP.No.13836 of 2014 is concerned, I would deal with the same separately.

7. I have heard Mr. S. Satyam Reddy, learned senior counsel appearing for some of the petitioners, Mr. Mohd Moin Ahmed Quadri, Smt K.V. Rajasree, Mr. K. Gani Reddy and Mr. Y. Nagi Reddy as well as Mr. K. Ramakanth Reddy, learned counsel, appearing for NCTE and learned Government Pleader for Education appearing for the respective States and its authorities.

8. The arguments of the learned senior counsel and other counsel for the petitioners rightfully focused on the plight of the students, who have studied in the petitioner institutions for one year and who are ready to appear for the examination, but for the action on behalf of the State Government, which is complained of. The extensive arguments of the learned senior counsel and the other learned counsel also focused upon the fact that the petitioner institutions not being at fault when they applied well in advance to NCTE and when they have complied with all the requirements for grant of recognition. However, the delay in grant of recognition by NCTE cannot work to their disadvantage and thereby, the students would stand to lose the whole academic year 2013-2014. Learned counsel also contended that after NCTE's recognition the role of the affiliating authority is very limited and formal and as such, the said authorities were not justified in denying affiliation.

9. Learned Government Pleader for Education, on the other hand, submits that the recognition granted by NCTE is undisputedly for the academic year 2014-2015 and the order of NCTE itself provides that the institution shall make admissions only after it obtains affiliation from the examining body in terms of clause 8 (12) of NCTE(Recognition Norms and Procedure) Regulations, 2009. Based on that, it is specifically contended that none of the institutions was authorized to make admission for the academic year 2013-2014 and since the said action of the respective institutions is contrary to the National Council for Teacher Education Act and Regulations, the said action cannot be overlooked. It is also contended that so far as the State Government is concerned, the rules framed under G.O.Ms.No.63 Education (PE-PROGS.II) Department dated 28.10.2013, which are titled as Andhra Pradesh Elementary Teacher Training Institutions/District Institutes of Education and Training (Regulation of Admissions into Diploma in Elementary Course through

Common Entrance Test) Rules, 2013 clearly regulate the procedure for seeking recognition based upon the NCTE approval.

10. *Learned Government Pleader also points out that under Rule 9 of the aforesaid Rules as per the aforesaid G.O., the schedule for completing admissions is also prescribed with a view to ensure that required minimum attendance is achieved by the students in the respective colleges where they are admitted and as such, no deviation in the said schedule is permissible. The said Rule 9 also provides that no new college shall be granted affiliation after issuance of notification for admission counseling by the Chairperson. All the writ petitions are, accordingly, resisted on the ground that the petitioner institutions directly violate the mandate of the Supreme Court in MAA VAISHNO DEVI MAHILA MAHAVIDYALAYA v. STATE OF U.P.*

11. *Mr. Ramakanth Reddy, learned counsel appearing for NCTE, submitted that the role assigned to NCTE covers the verification and approval of all the basic requirements of establishing a teacher training institute and the NCTE grants recognition only after being satisfied that the applicant college has fulfilled all the basic requirements and only, thereafter, recognition of NCTE under Section 14 of the National Council for Teacher Education Act (for short 'the Act') is issued. Learned counsel further submitted that it is, therefore, mandatory for the institutions to follow the terms and conditions of the said recognition including the intake and the academic year from which the recognition is granted. In the present batch of cases, since the recognition is granted by NCTE for the academic year 2014-2015, none of the institutions can claim to have started the academic course for the academic year earlier to the recognition granted.*

12. *I have considered the aforesaid submissions on either side. However, before advert to them, it would be necessary to notice the statutory environment governing the teacher training institutions. NCTE Act enacted by the Parliament takes into consideration various aspects relating to establishment of teacher training institutions viz. infrastructure facility, the competency of staff appointed etc. After due verification including inspection of the respective colleges, the NCTE considers respective proposal of the colleges and grants it approval. The orders passed by NCTE under Section 14 are also subject to appeal under Section 18 of the NCTE Act. For the sake of convenience, Sections 14, 15, 16, 17 and 18 are extracted hereunder:*

"14 . Recognition of institutions offering course or training in teacher education: -(1) Every institution offering or intending to offer a course or training in teacher education on or after the appointed day, may, for grant of recognition under this Act, make an application to the Regional Committee concerned in such form and in such manner as may be determined by regulations:

Provided that an institution offering a course or training in teacher education immediately before the appointed day, shall be entitled to continue such course or training for a period of six months, if it has made an application for recognition within the said period and until the disposal of the application by the Regional Committee.

(2) The fee to be paid along with the application under sub-section (1) shall be such as may be prescribed.

- (3) *On receipt of an application by the Regional Committee from any institution under sub-section (1), and after obtaining from the institution concerned such other particulars as it may consider necessary, it shall-*
- (a) *if it is satisfied that such institution has adequate financial resources, accommodation, library, qualified staff, laboratory and that it fulfils such other conditions required for proper functioning of the institution for a course or training in teacher education, as may be determined by regulations, pass an order granting recognition to such institution, subject to such conditions as may be determined by regulations; or*
- (b) *if it is of the opinion that such institution does not fulfil the requirements laid down in sub-clause (a), pass an order refusing recognition to such institution for reasons to be recorded in writing: Provided that before passing an order under sub-clause (b), the Regional Committee shall provide a reasonable opportunity to the concerned institution for making a written representation.*
- (4) *Every order granting or refusing recognition to an institution for a course or training in teacher education under sub-section (3) shall be published in the Official Gazette and communicated in writing for appropriate action to such institution and to the concerned examining body, the local authority or the State Government and the Central Government.*
- (5) *Every institution, in respect of which recognition has been refused shall discontinue the course or training in teacher education from the end of the academic session next following the date of receipt of the order refusing recognition passed under clause (b) of sub-section (3).*
- (6) *Every examining body shall, on receipt of the order under sub-section (4), (a) grant affiliation to the institution, where recognition has been granted; or (b) cancel the affiliation of the institution, where recognition has been refused."*
- 15. Permission for a new course or training by recognized institution:-**
- (1) *Where any recognized institution intends to start any new course or training in teacher education, it may make an application to seek permission therefore to the Regional Committee concerned in such form and in such manner as may be determined by regulations.*
- (2) *The fees to be paid along with the application under sub-section (1) shall be such as may be prescribed.*
- (3) *On receipt of an application from an institution under sub-section (1), and after obtaining from the recognized institution such other particulars as may be considered necessary, the Regional Committee shall, -*
- a) if it is satisfied that such recognized institution has adequate financial resources, accommodation, library, qualified staff, laboratory, and that it fulfils such other conditions required for proper conduct of the new course or training in teacher education, as may be determined by Regulations, pass an order granting permission, subject to such conditions as may be determined by regulation; or*
- (b) if it is of the opinion that such institution does not fulfill the requirements laid down in sub-clause (a), pass an order refusing permission to such institution, for reasons to be recorded in writing:
Provided that before passing an order refusing permission under sub-class*

(b), the Regional Committee shall provide a reasonable opportunity to the institution concerned for making a written representation.

(4) Every order granting or refusing permission to a recognized institution for a new course or training in teacher education under sub-section (3), shall be published in the Official Gazette and communicated in writing for appropriate action to such recognized institution and to the concerned examining body, the local authority, the State Government and the Central Government.

16. Affiliating body to grant affiliation after recognition or permission by the Council: - Notwithstanding anything contained in any other law for the time being in force, no examining body shall, on or after the appointed day,--

(a) Grant affiliation, whether provisional or otherwise, to any institution; or

(b) hold examination, whether provisional or otherwise, for a course or training conducted by a recognized institution,

Unless the institution concerned has obtained recognition from the Regional Committee concerned, under section 14 or permission for a course or training under section 15.

17. Contravention of provisions of the Act and consequences thereof: -

1) Where the Regional Committee is, on its own motion or on any representation received from any person, satisfied that a recognized institution has contravened any of the provisions of this Act, or the rules, regulations, orders made or issued thereunder, or any condition subject to which recognition under sub-section (3) of section 14 or permission under sub-section (3) of section 15 was granted, it may withdraw recognition of such recognized institution, for reasons to be recorded in writing: Provided that no such order against the recognized institution shall be passed unless a reasonable opportunity of making representation against the proposed order has been given to such recognized institution:

Provided further that the order withdrawing or refusing recognition passed by the Regional Committee shall come into force only with effect from the end of the academic session next following the date of communication of such order.

(2) A copy of every order passed by the Regional Committee under sub-section (1),

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(a) shall be communicated to the recognized institution concerned and a copy thereof shall also be forwarded simultaneously to the University or the examining body to which such institution was affiliated for cancelling affiliation; and

(b) shall be published in the Official Gazette for general information.

(3) Once the recognition of a recognized institution is withdrawn under subsection.(1), such institution shall discontinue the course or training in teacher education, and the concerned University or the examining body shall cancel affiliation of the institution in accordance with the order passed under sub-section(1), with effect from the end of the academic session next following the date of communication of the said order.

(4) If an institution offers any course or training in teacher education after the coming into force of the order withdrawing recognition under sub-section (1) or where an institution offering a course or training in teacher education immediately before the appointed day fails or neglects to obtain recognition or permission under this Act, the qualification in teacher education obtained pursuant to such course or training or after undertaking a course or training in such institution, shall not be

treated as a valid qualification for purposes of employment under the Central Government, any State Government or University, or in any school, college or other educational body aided by the Central Government or any State Government.

18. APPEALS: -

(1) Any person aggrieved by an order made under section 14 or section 15 or section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed.

(2) No appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor:

Provided that an appeal may be admitted after the expiry of the period prescribed therefor: if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

(3) Every appeal made under this section shall be made in such form and shall be accompanied by a copy of the order appealed against and by such fees as may be prescribed.

(4) The procedure for disposing of an appeal shall be such as may be prescribed: *Provided that before disallowing an appeal, the appellant shall be given a reasonable opportunity to represent its case.*

(5) The Council may confirm or reverse the order appealed against.”

13. *In terms of the NCTE Act, the affiliating authority viz. the State Government/University, as the case may be, is required to examine the request of the respective colleges for affiliation. So far as the State Government is concerned, the said issue was earlier governed by G.O.Rt.No.559 Education (SE-TRG) Department dated 22.08.2007, which is now superceded by later G.O.Ms.No.63 Education (PE-PROGS.II) Department dated 28.10.2013. The scheme of the aforesaid rules, as per the G.O., envisages allotment of seats under elementary teacher training institutions/District Institutes of Education and Training (DIETs) imparting Diploma inElementary Education (D.El.Ed.) Course in the State. Rule 3 provides that all sanctioned intake of seats to D.El.Ed shall be filled by the Convener (DEECET). Rule 4 provides eligibility criteria for admission, Rule 5 provide for method of admission and Rule 6 provides for procedure for admission of all seats in Government DIETs and for category A seats in respect of private unaided elementary teacher training institutions and Rule 6(B) provides for procedure for filling up of category A seats in un-aided minority colleges etc. The said rules are also based upon presidential order for providing reservation for different categories. Rule 9, which is relevant for our purpose, deals with schedule of DEECET, which is extracted as under:*

“9. Schedule of DEECET

1) The Chairperson, DEECET should by convening a meeting of the Common Entrance Test Committee draw a schedule as shown below for the conduct of DEECET and admissions through DEECET such that the entire admission process is completed by the Last week of July of that particular year and the first instruction day should be the first working day in the first week of August of that particular academic year.

Sl. No.	Activity	Proposed dates
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1	Meeting of DEECET Admissions Committee	First week of March
2	Notification for Minority institutions to exercise their option for inclusion in SW-1 or SW-2	Second week of March
3	Notification for conduct of DEECET	First week of May
4	Conduct of DEECET	First week of May
5	Declaration of Result	Third week of May
6	Handing over of list of colleges granted affiliation for that particular year	Lat week of May
7	Preparation of academic calendar by SCERT	Last week of May
8	First phase of Counseling 9 Preparation of seat matrix ,submission of web bases options by candidates, issuance of provisional letters of admission, verification of certificates at DIETs and issue of Final admission letter	First week of June to second week of June
9	Second phase of Counseling	Third week of June and Fourth week of June
10	Notification for filling up vacant seats in minority institutions with minority candidates	First week of July
11	Spot admissions	Second to Fourth week of July
12	First day of instruction	First working day in the month of August.

(2) No new college shall be granted affiliation after issuing of notification for admission counseling by the Chairperson. All the applicants filed and received by the Chairperson for Affiliation Committee for granting affiliation for that year shall be disposed before the above said date. This is to ensure timely completion of counseling process to enable commencement of academic work in the institution on time and also to avoid litigation.”

14. The Supreme Court has in various decisions considered and interpreted the provisions of NCTE Act and in my view, it would be relevant to notice two decisions of the Supreme Court,

which are relevant for the purpose of deciding the present batch of writ petitions. In ADARSH MAHAVIDYALAYA v. SUBHASH RAHANGDALE the Supreme Court observed that “... the need for well-equipped and trained teachers because in the last three decades private institutions engaged in conducting teacher training courses/ programmes have indulged in brazen and bizarre exploitation of the aspirants for admission to teacher training courses...”. The Supreme Court also noticed in para 87 (x) and (xi) as under:

“(x) In view of the mandate of Section 16, no examining body, as defined in Section 2(d) of the 1993 Act, shall grant affiliation unless the applicant has obtained recognition from the Regional Committee under Section 14 or permission for starting a new course or training under Section 15.

(xi) While granting affiliation, the examining body shall be free to demand rigorous compliance of the conditions contained in the statute like the

University Act or the State Education Board Act under which it was established or the guidelines / norms which may have been laid down by the concerned examining body.”

It was further mandated in para 87 (xii) to (xvi) as under:

“(xii) No institution shall admit any student to a teacher training course or programme unless it has obtained recognition under Section 14 or permission under Section 15, as the case may be.

(xiii) While making admissions, every recognised institution is duty bound to strictly adhere to para 3.1 to 3.3 of the Norms and Standards for Secondary/Pre-School Teacher Education Programme contained in Appendix-1 to the Regulations.

(xiv) If any institution admits any student in violation of the Norms and Standards laid down 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.

(xv) The students admitted by unrecognised institution and institutions which are not affiliated to any examining body are not entitled to appear in the examination conducted by the examining body or any other authorised agency.

(xvi) The students admitted by the recognized institutions otherwise than through the entrance/eligibility test conducted in accordance with the admission procedure contained in para 3.3 of Appendix-1 of the Regulations are also not entitled to appear in the examination conducted by the examining body or any other authorized agency.”

15. In another later decision of the Supreme Court in MAA VAISHNO DEVI MAHILA MAHAVIDYALAYA's case (1 supra) the Supreme Court has again examined the provisions of NCTE Act and somewhat similar question was considered by the Supreme Court with respect to delay on the part of the State Government in granting affiliation. The relevant paras of the said decision are extracted here under:-

“42. From the reading of the above provisions, it is clear that the NCTE is expected to perform functions of a very high order and to ensure maintenance of higher standards of education in teachers training. Default in compliance of its orders/directions can result in very serious consequences and, in fact, would render the concerned institute ineffective and inoperative. Where the recognition by the NCTE gives benefits of wide magnitude to an institute, there the withdrawal of recognition not only causes impediments in dispensation of teacher training courses by that institution but the institution is obliged to discontinue such courses from the specified time.

59. ...The Department of the State and the affiliating University have a role to play but it is limited in its application. They cannot lay down any guideline or policy which would be in conflict with the Central statute or the standards laid down by the Central body. State can frame its policy for admission to such professional courses but such policy again has to be in conformity with the directives issued by the Central body. In the present cases, there is not much conflict on this issue, but it needs to be clarified that while the State grants its approval, and University its affiliation, for increased intake of seats or commencement of a new course/college, its directions should not offend and be repugnant to what has been laid down in the conditions for approval granted by the Central authority or Council. What is most important is that all these

authorities have to work ad idem as they all have a common object to achieve i.e. of imparting of education properly and ensuring maintenance of proper standards of education, examination and infrastructure for betterment of educational system. Only if all these authorities work in a coordinated manner and with cooperation, will they be able to achieve the very object for which all these entities exist.

69. Thus, grant of recognition or affiliation to an institute is a condition precedent to running of the courses by the Institute. If either of them is not granted to the institute, it would not be in a position to commence the relevant academic courses. There is a possibility of some conflict between a University Act or Ordinance relating to affiliation with the provisions of the Central Act. In such cases, the matter is squarely answered in the case of State of Maharashtra v. Sant Dnyaneshwar Shikshan Shastra Mahavidyalaya [(2006) 9 SCC 1] where the Court stated that after coming into operation of the Central Act, the operation of the University Act would be deemed to have become non-enforceable in case of technical colleges. It also observed that provision of the Universities Act regarding affiliation of technical colleges and conditions for grant of continuation of such affiliation by university would remain operative but the conditions that are prescribed by the university for grant and continuation of affiliation must be in conformity with the norms and guidelines prescribed by the NCTE.

71. *The examining body can impose conditions in relation to its own requirements. These aspects are:*

- (a) eligibility of students for admission;*
- (b) conduct of examinations;*
- (c) the manner in which the prescribed courses should be completed; and*
- (d) to see that the conditions imposed by the NCTE are complied with.*

Despite the fact that recognition itself covers the larger precepts of affiliation, still the affiliating body is not to grant affiliation automatically but must exercise its discretion fairly and transparently while ensuring that conditions of the law of the university and the functions of the affiliating body should be complementary to the recognition of NCTE and ought not to be in derogation thereto.

78. *It is on record and the Regulations framed under the Act clearly show that upon receiving an application for recommendation, the NCTE shall send a copy of the application with its letter inviting recommendations/comments of the State Government on all aspects within a period of 30 days. To such, application, the State is expected to respond with its complete comments within a period of 60 days. In other words, the opinion of the State on all matters that may concern it in any of the specified fields are called for. This is the stage where the State and its Department should play a vital role. They must take all precautions to offer proper comments supported by due reasoning. Once these comments are sent and the State Government gives its opinion which is considered by the NCTE and examined in conjunction with the report of the experts, it may grant or refuse recognition. Once it grants recognition, then such grant attains supremacy viz-a-viz the State Government as well as the affiliating body. Normally, these questions cannot be re-agitated at the time of grant of affiliation. Once the University conducts inspection in terms of its Statutes or Act, without offending the provisions of the Act and*

conditions of recognition, then the opinion of the State Government at the second stage is a mere formality unless there was a drastic and unacceptable mistake or the entire process was vitiated by fraud or there was patently eminent danger to life of the students working in the school because of non-compliance of a substantive condition imposed by either of the bodies. In the normal circumstances, the role of the State is a very formal one and the State is not expected to obstruct the commencement of admission process and academic courses once recognition is granted and affiliation is found to be acceptable.

79. It is on record and the Regulations framed under the Act clearly show that upon receiving an application for recommendation, the NCTE shall send a copy of the application with its letter inviting recommendations/comments of the State Government on all aspects within a period of 30 days. To such, application, the State is expected to respond with its complete comments within a period of 60 days. In other words, the opinion of the State on all matters that may concern it in any of the specified fields are called for. This is the stage where the State and its Department should play a vital role. They must take all precautions to offer proper comments supported by due reasoning. Once these comments are sent and the State Government gives its opinion which is considered by the NCTE and examined in conjunction with the report of the experts, it may grant or refuse recognition. Once it grants recognition, then such grant attains

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85. The process for grant of recognition, affiliation and thereby sanctioning of commencement of the courses in terms of the Regulations and the orders of this Court gives an outer period of approximately 270 days, i.e. 9 months, from 1st September to 10th May of the year immediately preceding the concerned academic year. Thus, for the entire process to be within this framework, it must be completed within the afore-stated period. The process inter alia includes various steps including comments of the State, inspection of the institution and compliance of the various conditions afore-noted in the order of recognition and affiliation by the affiliating body.

87.3. The recognition and affiliation granted as per above schedule shall be applicable for the current academic year. For example recognition granted up to 3-3-2013 and affiliation granted up to 10-5-2013 shall be effective for the academic year 2013-2014 i.e. the courses starting from 1-4-2013. For the academic year 2013-2014, no recognition shall be issued after 3-3-2013 and no affiliation shall be granted after 10-5-2013. Any affiliation or recognition granted after the above cut-off dates shall only be valid for the academic year 2014-2015.

87. 4 We make it clear that no Authority/person/Council/Committee shall be entitled to vary the schedule for any reason whatsoever. Any non-compliance shall amount to violating the orders of the Court.”

16. *In the light of the aforesaid binding ratio, therefore, I am unable to find any justifiable seasons to accept the contentions on behalf of the petitioners. The fact remains that in all the writ petitions, the recognition by NCTE is only for the academic year 2014-2015 and none of the institutions could have proceeded with admission of the students without obtaining affiliation from the State Government/examining body. As observed by the Supreme Court in the judgments, referred to above, any admission in violation of NCTE Act or the Rules of the State Government, cannot be recognized and the process of this Court under Article 226 of the Constitution of India also cannot be invoked either on the ground of sympathy or otherwise. The binding nature of the schedule fixed by the Supreme Court, as extracted above, is inviolable. Further, the admission rules framed by the State Government, extracted above, also stipulate the time schedule under Rule 9(2) of the Rules under the aforesaid G.O. Thus, to enable admission of students in a particular academic year, the respective college, which has obtained approval of NCTE, must approach the State Government and obtain affiliation within the time schedule fixed, as above.*

17. *The contentions of the learned counsel in some of these writ petitions that for no fault of theirs, the approval is delayed, is, therefore no ground to condone the admissions made in anticipation of approval from NCTE or affiliation from the State Government. It is also noteworthy that though many of the petitioners contend that they had applied to the NCTE well in advance and they ought to have been granted recognition for the academic year 2013-2014. However, against the actual recognition granted by NCTE for the academic year 2014- 2015, none of the institutions have preferred any appeal in terms of Section 18 of the NCTE Act seeking recognition from the academic year 2013-2014. Hence, it is also not possible to accept the contention that NCTE’s recognition has to be treated as for academic year 2013-2014 in view of their applications having been made well in time.*

18. *I am, therefore, unable to find any substance in the contentions of the learned counsel for the petitioners and in view of the admissions made by the colleges for academic year 2013-2014, though NCTE granted recognition for the academic year 2014-2014, no directions can be given to permit the students to appear for examinations.*

I am, therefore, of the view that all the writ petitions are liable to be dismissed.

WP.No.13836 of 2014:

19. *The relevant facts show that NCTE granted recognition on 25.11.2013 for the academic year 2013-2014. However, the affiliation sought for by the petitioner institution was rejected by the State Government under its order dated 03.04.2014. The said order is questioned on various grounds.*

20. *Learned senior counsel contends that in this case also NCTE granted approval in November 2013 and immediately the petitioner institution applied for affiliation. However, the Government rejected the affiliation on the ground that the proposal of the petitioner institution is received after the cut off date, as stipulated in the G.O., referred to above. Learned senior counsel, however, contends that the delay in*

approval by the NCTE cannot be blamed on the petitioner institution and as soon as the petitioner institution received approval, they have applied for affiliation. Learned senior counsel also placed reliance upon two unreported decisions of the Supreme Court in CENTRAL UNIVERSITY OF ORISSA v. NCTE [WP (Civil) No(s).741 of 2013] dated 06.09.2013 and another decision in WP(C).No.221 of 2013 dated 10.05.2013 wherein on the facts of those cases appropriate directions were given to treat the said orders of recognition by NCTE as applicable to the current academic years, though it was beyond the cut off date.

21. Counter affidavit filed by respondents place strong reliance upon Rules 9(1) and (2) of the Rules framed under G.O.Ms.No.63 dated 28.10.2013, extracted above. Paras 6 and 7 of the counter affidavit states that since the petitioner's request for affiliation for the academic year 2013-2014 could not be considered and since the petitioner had submitted a fresh proposal for granting affiliation for the academic year 2014-2015, the same was approved by the affiliation committee and the Government also granted affiliation to the petitioner for the academic year 2014-2015 vide its memo dated 30.09.2014. Rule 9 (1) and (2) of the Rules framed under the aforesaid G.O., is also sought to be justified on the basis of the ratio of the decision of the Supreme Court in MAA VAISHNO DEVI MAHILA MAHAVIDYALAYA's case (1 supra) and relevant paras are already extracted above. It is stated that in order to be eligible for the academic year 2013-2014 the petitioner institution ought to have been granted affiliation up to 10.05.2013 and if no affiliation is granted by that date, no such affiliation can be granted for the academic year 2013-2014.

22. The aforesaid contentions of the learned senior counsel also cannot be accepted as the ratio of the decision of the Supreme Court in MAA VAISHNO DEVI MAHILA MAHAVIDYALAYA's case (1 supra) is binding on petitioner institution as well as this Court. Secondly, the two decisions referred to by the learned senior counsel recorded in the orders that the said orders are not to be treated as a precedent and are passed in the particular facts of respective cases. Therefore, even if NCTE's recognition has been issued after the cut off date but that by itself is not a ground to hold that the petitioner institution is entitled to affiliation for the academic year 2013-2014 also.

23. Moreover, the counter affidavit of the Government filed by the first respondent states that subsequently after inspection and considering the reply of the petitioner institution, the affiliation committee granted affiliation for the academic year 2014-2015. In view of that, it is not permissible to accept the request of the learned senior counsel for treating the rejection of affiliation for 2013-2014 as non-est. In view of the decision of the Supreme Court in MAA VAISHNO DEVI MAHILA MAHAVIDYALAYA's case (1 supra) it cannot be said that the impugned order of the State Government rejecting the affiliation to the petitioner institution is merely on technical grounds. Therefore, the writ petition is liable to be dismissed.

In the result, all the writ petitions are dismissed. As a sequel, The miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

The Committee took note of the matter.