List of Colleges approved by N.C.T.E List No : 1180

502

राष्ट्रीय अध्यापक शिक्षा परिषद
(भारत सरकार का एक विधिक संस्थान)
दक्षिण क्षेत्रीय समिति

गुरुर्गुरूतमो धाम
NCTE

National Council for Teacher Education
(A Statutory Body of the Government of India)
Southern Regional Committee

F.No.APS07345/B.Ed/A.P/2012/ 43841

Date 21/12/2012
Speed Post

TO BE PUBLISHED IN GAZETTE OF INDIA PART III SECTION 4

ORDER

WHEREAS, **Praveen Educational Society, Guntur District, Andhra Pradesh** had submitted an application to Southern Regional Committee of NCTE for grant of recognition to **Coramandal College of Education, D.No.4-5-82/1, 5th lane, Koritapadu, Guntur Dist-522007, Andhra Pradesh** for offering **B.Ed** course of one year duration on 31.07.2006.

AND WHEREAS, the Southern Regional Committee, after considering the report of the visiting team as well as other relevant materials granted recognition to the institution for offering B.Ed course vide order dated 14.06.2007 with an annual intake of 100 students.

AND WHEREAS, the office of SRC has received a complaint on 10.07.2009 in Telugu wherein it was stated that the following institutions have submitted forged fixed deposits of Rs.5 Lakhs and 3 lakhs and other documents along with proforma.

WHEREAS, complaint about the forged FDR's in respect of **Praveen Educational Society, Guntur District, Andhra Pradesh & V.C.Venkata Reddy Educational Society, Andhra Pradesh** has been received in this office on 10.07.2009 in telugu stating that the following institutions have submitted forged fixed deposits receipt of Rs. 5 lakhs and Rs. 3 lakhs alongwith other documents including proforma:

1. Coramandal B.Ed. College, Guntur District
2. Praveen B.Ed College, Prakasam District
3. Praveen HPT College, Prakasam District
4. Ravi Teja college of Education, Prakasam District

AND WHERREAS, the complaint was placed before SRC in its 178th meeting held on 13th and 14th July, 2009. Wherein Committee decided to call for remarks from the concerned Bank for genuineness of Rs. 5 lakhs and Rs. 3 lakhs FDRs issued by the Bank. Further, the Committee decided to call all original essential documents from the institutions under section 17 of NCTE Act for verification of genuineness and further action.

AND WHEREAS, as per decision of SRC a letter was issued to the Bank on 31.7.2009 for authencity and veracity of the complaint and also show cause notice was issued to the institution on 31.7.2009 for verification of following documents:-

- Original FDR for Rs. 5 lakhs
- Original FDR for Rs. 3 lakhs
- Copy of land documents (attested by Notary)
- Approved building Plan
- Building Completion Certificate
- Land Usage Certificate
- Encumbrance Certificate
- Affidavit in the prescribed format
- Staff details in prescribed format.

AND WHEREAS, the institution did not submit the reply after the expiry of stipulated time.

AND WHEREAS, a reply regarding authenticity of FDRs was received from Senior Manager, IOB vide letter dated 04.08.2009. As the information provided by bank was vague and incomplete, another letter was issued to the Bank Manager on 25.8.2009. In response, a reply dt.28.08.2009 was received from the Senior Manager, Indian Overseas Bank,

ज्ञान भारती कैम्पस रोड, नगरभावी,
नजदीक नेशनल लॉ स्कूल, बेंगलौर - ५६० ०७२.
फोन : 080-23185663/7072, Fax : 080-23185673

Jnana Bharathi Campus Road, Opp. National Law School,
Nagarabhavi, BANGALORE - 560 072.
E-mail : src@ncte-india.org Website : http://www.srcncte.in

Guntur District, A.P. on 4.9.2009 stating that the said FDR's were not issued by their branch and those FDRs appear to be fabricated.

AND WHEREAS, the matter was placed before SRC in its 183rd meeting held on 22nd September 2009, wherein Regional Committee had considered the letter received from Senior Manager, I.O.B., Brodiepet Branch, Guntur and decided to ask the institution to explain as to why action including withdrawal of recognition shall not be taken since the FDRs submitted by the institutions are fabricated, according to the bank.

AND WHEREAS, accordingly, a letter was issued to the institution on 03.11.2009. In reply institution had submitted its written representation on 10.12.2009 as under:-

"We have engaged J.Wesley from Kerala and appointed him as administrative officer to look after the entire administration of the institution, including financial affairs of the institution. In the process of administration we have handed over cash of Rupees eight lakhs instructing him to deposit said amount in fixed deposit towards endowment fund Rs.500000/- and reserve fund Rs.300000/- separately and bring the original FDR receipts. Later he handed over the FDR receipts, which were found to be fabricated. Later on we are made to believe that the said receipts are original. He assured that they are the original FDRs. Therefore we have sent them to your office. The said employee stopped coming to our institution. Our enquiries revealed that the address particulars given to us are false. As such we could not trace him so far. Some time thereafter we received show cause notice and other notices. Alleging that the said FDR's are forged receipt. Immediately thereafter we have taken separate FDR's from Union Bank of India, Guntur District and submitted original FDRs to your office on 21.08.2009.

AND WHEREAS, meanwhile a letter has been received from Mr.B.Srinivasa Reddy, Koritepadu Main Road, Guntur, Andhra Pradesh on 10.12.2009 which was forwarded by NCTE Hqs vide dairy No.81297 dated 27.11.2009. In this letter the complainant has stated that *"the correspondent, Ravi Teja College of Education, Prakasam District, Andhra Pradesh and three other colleges have submitted forged FDR's worth of Rs.32 lakhs to the SRC NCTE stating that they were drawn from the Indian Overseas Bank, Brodipet Branch, Guntur. The NCTE by a complaint caught hold of the fact that those FDRs were forged and it asked the Branch Manager of the IOB, Brodipet Branch, Guntur for clarification and the Branch Manager informed the NCTE that the FDRs were not issued by the branch and those FDRs appear to be fabricated. But the NCTE, Bangalore did not file a criminal case against him and also did not lodge a complaint against him in the police station for such a fraud".*

AND WHEREAS, as per NCTE Act Rules and Regulation Regional Committee is empowered u/s 17 to withdraw recognition after following due procedure, if any institution is found lacking in infrastructural and instructional.

AND WHEREAS, the matter was placed in 188th meeting of SRC held on 28-29 January 2010 committee considered the matter and decided to Withdrawal of recognition of all the four institutions as the case involves a criminal misconduct and forgery/cheating by the Management. To lodge the complaint with the Police instantly. As, as per direction of Regional Committee withdrawal order issued on 04.03.2010 to applicant institutions.

AND WHEREAS,apart from this the competent authority decided to seek legal opinion and in this regard the facts alongwith brief history of the case was forwarded to Shri K. Ramakrishana Reddy, Advocate, Legal counsel, "Srinivas" U-89/A, (New No. 7) 3rd Main Road, Anna Nagar, Chennai-600040,Tamilnadu on 17.02.2010 with a request to provide legal opinion and implications of filing FIR, since filing of FIR for criminal cases does not come under domain of NCTE Act, rules and Regulation.

AND WHEREAS, Shri K. Ramakrishna Reddy, Advocate, Legal counsel has given legal opinion that NCTE can initiate criminal proceeding by lodging a complaint against the erring institutions in the Jurisdictional Police Station of Bangalore City if the NCTE feels that the little –bit inconvenience that may be caused because of the investigation may not interfere in the day-to–day work of the NCTE.

AND WHEREAS, SRC vide its letter dated 04.03.2010 requested Member Secretary, NCTE to guide in the matter as to how to proceed in this matter.

AND WHEREAS, the file is processed on 23.03.2010. The competent authority has directed to file the FIR in the nearest police station. Accordingly the FIR has been lodged in Jallahali police station.

AND WHEREAS, the institution has approached to Hon'ble High court after confirmation of appellate authority against withdrawal order of said institution, in writ petition no. 15371/2010,15372 and 15373/2011.

AND WHEREAS, the Hon'ble High court has passed common order in writ petition no. 15371,15372 and 15373 as under:-

"It is no doubt true that the F.D Rs furnished by the Petitioners were found to be not genuine. No other violation on the part of the petitioners is pointed out. The FDRs are to be kept with the council to meet the unforeseen developments in case the institutions are stopped abruptly. The petitioners appear to have not taken proper care while furnishing the F.Drs. Once the genuine F.Drs. are furnished along with explanation, the council ought to have taken a pragmatic view, duly imposing penalty ,if any, upon the petitioners. Apart from the interests of the petitioners, the career of students is also involved. Further, the existence of the institution at a particular place would ensure proper training to the person in the locality.

This court is of the view that ends of justice would be met, if penalty of Rs. 50,000/- each is levied upon the petitioners for restoration of the approval.

Hence, the writ petition is allowed and the orders passed by the council withdrawing the approval are set aside, on condition that the petitioners shall pay a sum of Rs. 50,000/- (Rupees fifty thousand only) each towards penalty to the council, within four weeks from today. There shall be no order as to costs.

AND WHEREAS, the matter was placed before SRC in its 204th meeting held on 27th –28th April, 2011 has decided to file an appeal against the court order. In this regard a letter also issued to our legal counsel on 11.05.2011. We have also written to NCTE Hqtrs for direction on 01.06.2011. NO reply is received from either a received is being sent for the same.

AND WHEREAS, meanwhile charge sheet received in the office of SRC on from Praveen College of Education on 10.08.2011. The operative part of the charge sheet as under:-

" the accused are from the State of Andhra Pradesh and have filed the writ Application petitioner No. 15372 of 2010, 15371 of 2010 and informed that their previous Administrative officer John Wesley has cheated them and had submitted the duplicate FDR copies to the NCTE office. For during the affiliation and after getting the same it is proved that the said FDRs are duplicate one. Thereafter the said person have left the job. The original FDR have been submitted in NCTE and there after the NCTE has cancelled their affiliation. Due to which the students have suffered and sustain loss to their future.

AND WHEREAS, the institution has requested to kindly restore the above said institution at an early date. Already we have lost one academic year 2010-11. batch take further favourable step in this regard.

AND WHEREAS, matter was again placed before 210th Meeting of SRC held on 22-23rd August , 2011 and decided to file an appeal. As per direction of committee a letter was also issued on 27.09.2011/19.10.2011 to NCTE Hq and request to legal counsel to file an appeal. Our legal counsel filled an appeal in in Hon'ble Division Bench wherein Division Bench of Hon'ble High Court of Andhra Pradesh dismissed the above writ Appeals.

AND WHEREAS, our legal counsel has informed that The Hon'ble High court, though the F.D.Rs produced are proved to be fake, without considering our contentions took lenient view towards the Management of the colleges, dismissed the Writ Appeal. Legal counsel has also given opinion that there are good grounds to go for further appeal against this order to the Hon'ble Supreme Court.

AND WHEREAS, in this regard a letter send to Member Secretary on 02.03.2012 with request to suggest suitable direction in the above matters. However the reply of the same not received.

AND WHEREAS, the institution has submitted fee of 50,000/- as directed by Hon'ble Court.

AND WHEREAS, the matter was placed before SRC in its meeting of 221st held on 19-20 April, 2012, the SRC Committee considered the matter and decided to await reply from council/ NCTE Head Quarters for the suitable direction in the above matters.

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AND WHEREAS, NCTE H'qrs letter dated 08.06.2012 directed to file the SLP immediately before the Hon'ble Supreme Court to avoid any further complications and under intimation to this office. In this regard SLP was filed by SRC on 26/09/2012 by diary no. 32281/2012 and allotted SLP CC No. 19442-44/2012.

AND WHEREAS, our advocate has intimated vide e-mail letter dated 08.11.2012, the Hon'ble Supreme Court of India has allow the NCTE to comply with this order and keep the contempt petition in abeyance for a period of Six weeks.

AND WHEREAS, NCTE H'qrs letter dated 15.11.2012 has send a letter to SRC with direction to implement the Court direction within the time frame provided by the Hon'ble Court under intimation to this office.

AND WHEREAS, the SRC in its 235th meeting held on 21st -22nd November, 2012 considered the Hon'ble High Court order, and other relevant documents, along with the original file of the institution and decided to restore recognition and continue recognition accorded to the institutions viz, 1) Coramandal B.Ed College, Guntur District, 2) Praveen B.Ed College, Prakasam District and 3) Ravi Teja College of Education, Prakasam District.

Now therefore the recognition accorded to **Coramandal College of Education, D.No.4-5-82/1, 5th lane, Koritapadu, Guntur District, Andhra Pradesh** (APS07345)for offering B.Ed course **is restored and continued, recognition continues till further orders.**

The institution shall maintain norms and standards as prescribed by NCTE for the course from time to time.

As per the decision of SRC, the recognition accorded to the institution by SRC-NCTE is continued.

By order,

21/12/12

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

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

To,

The Principal
Coramandal College of Education,
Door. No. 4-5-82/1, 5th lane,
Koritapadu,
Guntur – 522007,
Andhra Pradesh.

Copy to:

1. The Secretary, Dept. of Elementary Education and Literacy, Ministry of Human Resource Development, Govt. of India, Shastri Bhawan, New Delhi-110001
2. The Secretary School Education Department, 'J' Block, 3rd Floor, Secretariat Building Hyderabad-500022, AP.
3. The Director, SCERT, OPP LB Stadium, E Gate, Nampally, Hyderabad – 500 001, A.P.
4. The Secretary/Correspondent, Coramandal College of Education, Door. No. 4-5-82/1, 5th lane, Koritapadu, Guntur – 522007, Andhra Pradesh.
5. The Under Secretary (CS), National Council for Teacher Education, Hans Bhawan, Wing-II, Bahadurshah Zafar Marg, New Delhi – 110002.
6. Office Order file / Institution file.