

राष्ट्रीय अध्यापक शिक्षा परिषद
(एन सी टी ई) (एन सी टी ई का एक विभागीय समिति)
दक्षिण क्षेत्रीय समिति

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

F.No.APS04206/D.ELED/AP/2012-13/415538 Date: 18/05/2012
By Speed post

TO BE PUBLISHED IN GAZETTE OF INDIA PART-III SECTION 4

ORDER

WHEREAS, St. Joseph's Educational Society, Narasaraopet, Guntur Dist, Andhra Pradesh has submitted an application for DR.K.S.P.R College of Education, No.116/2001, Narasaraopet, Guntur District-522601, Andhra Pradesh for grant of recognition to D.Ed course in the office of SRC-NCTE, Bangalore vide dated 16.10.2004 under NCTE notification dated 03.01.2004 dispensed with the requirement of NOC of the State Government from the institutions running B.Ed College and invited applications for D.Ed course from different institutions for grant of recognition to Elementary Teacher Education courses under Sarva Shiksha Abhiyan (SSA).

AND WHEREAS, the application was under process and meanwhile, the Government of Andhra Pradesh of Hyderabad filed a Writ Petition No.22895 of 2005 in the Hon'ble High Court of Andhra Pradesh challenging the Notification of NCTE with regard to the dispensing with the requirement of NOC from the State Government. The writ petition was allowed by the learned single judge with the directions that the rule including the State Government is bad. Against said judgement a Writ Appeal No.892 of 2006 was filed in the Division Bench of Hon'ble High Court of Hyderabad. Many discussions took place between the State Government of Andhra Pradesh and SRC-NCTE. However, neither State Government withdrew the case filed by them nor the stay was vacated.

AND WHEREAS, some institutions went to the court and filed writ petitions individually, seeking directions for processing of their applications. In one of such Writ Petition No.6278 of 2008, the Hon'ble High Court decided that the applications of the institutions shall be processed as per the NCTE rules and regulations norms and standards existing as on date.

AND WHEREAS, as per the direction of Hon'ble High Court and decision of SRC for processing of pending D.Ed application as per new regulation of NCTE in its 164th meeting held on 20th September 2008, the SRC started to process the applications.

AND WHEREAS, in view of the above decision, a deficiency letter was issued to the institution vide letter dated 26.09.2008.

AND WHEREAS, SRC in its 135th meeting held on 21st-29th June 2007 had already decided to treat the applications which have not submitted compliance as closed after the expiry of 90 days of time as per the regulations of NCTE 2005. A letter dated 31.10.2008 was also received from NCTE, Hqs clarifying that all such cases where letter of deficiency has been issued but no reply has been received from the concerned institution within 90 days may also be closed in terms of Section 7(1) of the NCTE Regulations.

Contd...2

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WHEREAS, in this case too the institution has failed to submit the reply within 90 days. After consideration of facts and also non-submission of reply to the deficiency letter within the stipulated time, it is decided to close the application. As per the decision of SRC closure letter was issued on 02.03.2009.

AND WHEREAS, the institute has approached to Hon'ble High Court in W.P.No.4707/2011

AND WHEREAS, the Hon'ble High Court has passed an order on 09.03.2011 vide W.P.No.4707 of 2011 (Pisc) as hereunder:-

"It is to be noted that this Court disposed of similar matters granting some time to the institutions to comply the deficiencies and directing the authority concerned to consider the applications by applying the policy, which was in existence at that time.

In that view of the matter, as it is the case of the petitioner that it has not received letter, dated 26.09.2008 notifying the deficiencies, I issue it appropriate to set aside order, dated 02.03.2009 passed by F.SRC/NCTE/2008-09/9803, and permit the petitioner to comply the objections/deficiencies pointed out in letter dated 26.09.2008 within a period of two months from today. On such compliance, the petitioner has to submit a report to the first respondent. On submission of such report, the first respondent to consider the matter afresh and pass appropriate orders as expeditiously as possible.

Accordingly, letter dated 02.03.2009 is set aside and the writ petition is disposed of with the directions referred to above. No order as to costs".

AND WHEREAS, in this case the Hon'ble Court in Para 5 has referred to earlier orders in "similar matters granting some time to the institutions to comply the deficiencies and directing the authority to consider the applications by applying the policy which was in existence at that time".

AND WHEREAS, in this matter however, as per records it is not closed due to reason of being covered under change of policy by Government of Andhra Pradesh but due to non reply to deficiencies within stipulated time. The institution has waited for 3 years after issued of deficiency letter and 8 years after date of application for re-open the case.

AND WHEREAS, the SRC in its 203rd Meeting of SRC 31st March & 1st April 2011 considered the matter, decided to further process the application on submission of original application, and related supporting documents, within 60 days from the date of issue of order.

AND WHEREAS, the institution has submitted its original application and related supporting documents on letter dated 09.09.2011 referring to the minutes of 203rd meeting of SRC, 31st March & 1st April, 2011 from Website.

AND WHEREAS, inspection of the institution was conducted on 28.07.2011 & VI report was received to the SRC-NCTE on 28.07.2011. The management is also running B.Ed course in the same building.

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AND WHEREAS, the SRC in its 210th Meeting held on 22nd - 23rd August, 2011 considered the VT Report, VCD and all the relevant documentary evidences and it was decided to serve Show Cause Notice. As per direction of SRC Show Cause Notice was issued on 26.10.2011. The institution has already submitted reply vide letter dated 11.11.2011 on the basis of Minutes of 210th meeting of SRC downloaded from SRC NCTE website.

AND WHEREAS, the SRC in its 213th Meeting held on 06th-07th Nov 2011 considered the reply of the institution dt. 11.10.2011 and since all formalities have been completed, decided to issue LCI under Section 7 (9) to this institution.

AND WHEREAS, on careful perusal of the original file of the institution, court order dt. 13.07.2010 and other related documents, Act of NCTE 1993, the Regional Committee decided to issue Letter of Intent for grant of recognition to D.El.Ed. course of two year duration with an annual intake of 50 (Fifty only) (one unit) for the academic year 2012-13 subject to the appointment of State qualified staff through duly constituted selection committee as per the Norms of NCTE/State Government/Affiliating University and to be given effect before the commencement of the academic session.

AND WHEREAS, as per direction of SRC in its 213th meeting letter of intent prior to recognition was issued to applicant institution on 06.12.2011. In response to this office letter dt. 06.12.2011, the institution has submitted reply vide letter dt. 13.03.2012. The list of staff are signed as possessing qualification by Director SCERT, Hyderabad, Andhra Pradesh.

AND WHEREAS, on careful perusal of the original file of the institution and approved staff profiles from the affiliating body, submitted by the institution in response to the letter of intent, the SRC in its 220th Meeting held on decided that **Formal Recognition** be granted to the **D.El.Ed. course of two years duration with an annual intake of 50 (Fifty only)** students from the academic session 2012-2013 onwards, subject to the rectification of deficiencies in staff list, if any.

NOW, THEREFORE, in exercise of the powers vested under Section 14(3) (a) of the NCTE Act, 1993, the Southern Regional Committee, NCTE hereby grants recognition to DR.K.S.P.R College of Education, No.116/2001, Narasaraopet, Guntur District-522601, Andhra Pradesh for conducting **D.El.Ed. Course of two years duration from the academic session 2012-2013** under clause 7(1) of NCTE (Recognition Norms & Procedure) with intake of 50 Students Regulations, 2009 subject to fulfillment of the following conditions:

- The endowment fund of Rs.5 lakhs and reserve fund of Rs.3 lakhs kept in joint account with SRC, NCTE should be maintained always. Loan raising or mortgaging of FDRs shall not be done.
- The institution shall comply with the various other norms and standards prescribed in the NCTE regulations, as amended from time to time.
- The institution shall make admission only after it obtains affiliation from the examining body in terms of clause 8(12) of the NCTE (Recognition Norms & Procedure) Regulations, 2009.
- The institution shall ensure that the required number of academic staff for conducting the course is always in position.

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Further, the recognition is subject to fulfillment of all such other requirements as may be prescribed by other regulatory bodies like UGC, affiliating University/ Body, the State Government etc. as applicable.

The institution shall submit to the Regional Committee a Self Appraisal Report at the end of each academic year along the statement of annual accounts duly audited by a Chartered Accountant.

The institution shall maintain & update its Website as per provisions of NCTE Regulations and always display following as mandatory disclosure:-

- Copy of the Application Form
- Land and Building Particulars
- Staff Profile
- Recognition letter
- Information for having fulfilled the norms & standard and other required conditions

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

By Order,
Gangadharanath
Regional Director

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

To
Principal,
DR.K.S.P.R College of Education,
No.116/2001, Narasaraopet,
Guntur District-522601, Andhra Pradesh

Copy to:
1. The Secretary, Dept. of Elementary Education and Literacy, Ministry of Human Resource Development, Govt. of India, Shaastri Bhawan, New Delhi-110001
2. The Secretary School Education Department 'J' Block, 3rd Floor, Secretariat Building Hyderabad-500022, Andhra Pradesh.
3. The Director, SCERT Hyderabad, Andhra Pradesh
4. The Secretary, St. Joseph's Educational Society, Narasaraopet, Guntur Dist, 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.

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