

F.No.SRCAPP1069/D.Ed/AP/2013-14

53188

Date: 12/08/13

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PREAMBLE:

Nandamuri Educational Society, Plot No. 4-85, Shantinagar Street, Nalgodna Village, Post, Taluk and District, Pin-508001 Andhra Pradesh has applied for grant of recognition to KGN College of Elementary Education, Sy no. 786, Gandamvari Gudem Village, Nalgoda District, Pin-508001, Andhra Pradesh for D.Ed course on 23.09.2011 for two years duration under section 14 (1) of the NCTE Act, 1993 to the Southern Regional Committee, NCTE on 07.10.2011.

The NCTE- Hqrs had directed to process the applications in accordance with NCTE Regulations 2009 and amendment Notified on 26th November 2011 which reads as follows:-

2(B) for sub-regulation (1-A), the following shall be substituted, namely:- (I)The application shall be summarily rejected under one or more of the following Circumstances;

1. The processing fee, as provided under Rule 9 of the National Council for Teacher Education Rules, 1997 is not furnished on or before the date of submission of online application.
2. Hard copy in triplicate of the online application is not dispatched within 7 days of the submission of the online application.
3. Copy of the registered land documents issued by the competent authority indicating that the society. Institution applying for the course possessed land on the date of application is not dispatched within 7 days of the submission of online application.

The SRC considered the matter in its 213th Meeting held on 06th-07th November, 2011 and after careful perusal of the original file of the institution and other related documents, NCTE Act 1993, Regulations and guidelines from time to time laid on the table, the Regional committee has decided to reject the application on the following grounds:

- Not submitted within time frame as per Regulation 2009.

Accordingly, rejection order was issued to the institution on 20.03.2012.

The institution preferred an appeal to NCTE, Hqrs and the Appellate Authority vide order no. F.No. 89-115/2012 Appeal/4th Meeting-2012 dt. 11.05.2012 has stated that **"...the Council concluded that there was adequate ground to remand the case to the SRC for further processing of the application on merit as per Regulations.**

In pursuance to the appellate authority order the application was scrutinized and placed before SRC in its 227th meeting of SRC held on 18th and 19th July, 2012 and the committee considered the matter along with relevant documents and decided to cause inspection under section 14 (1) of NCTE Act, to examine whether the institution fulfils all the requirements as per the norms, for the proposed programme, subject to the condition that the deficiencies, if any, were duly rectified by the institution, as per the norms.

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The inspection of the institution has fixed between 11th-14th August, 2012. The same was intimated to the institution on 07/08/2012. The inspection of the institution was conducted on 13/08/2012.

The SRC in its 231st Meeting held on 22nd-23rd August, 2012 considered VT report, VCD & all the relevant documentary evidences and it was decided to serve Show cause Notice under section 14 (1) of NCTE Act, for the following:

1. Approved blue print of the building plan issued by competent civil authority is not submitted. In the building plan copy submitted, total built up area for the proposed course is not mentioned.
2. Building completion certificate from competent Govt. engineer submitted is in individual name, i.e, Mohd. Abdul Kreem, which is not permissible as per NCTE norms.
3. Notarised land usage certificate from the Revenue divisional office stating that the agriculture land converted to non-agriculture for the educational purpose is not submitted.
4. As per VT report, seating capacity in the library is not given.
5. As per VT report, total number of journals available in the library is not given.
6. As per website address is not given.
7. As per VCD, full view of the building is not shown.
8. The management has to given an affidavit with regard to multipurpose hall size as per NCTE norms availability and seating capacity in the library is also as per NCTE norms availability.
9. The size of each class rooms, multipurpose hall, and other details are to be submitted. Accordingly, by seeing the SRC website the institution has submitted the written representation on 31/08/2012 for the above deficiencies. The committee considered the replies of the institution in 233rd meeting held on 26th – 28th Sep 2012.

As per the information of the website, the institution has submitted its written representation on 31/08/2012.

The SRC in its 233rd Meeting held on 26th-28th September, 2012 considered the show cause notice reply and decided to issue Letter of Intent for grant of recognition to D.Ed course of two year duration with an annual intake of 50(Fifty only)(one unit) for the academic year 2013-14.

Accordingly, LETTER OF INTENT was issued to the institution on 04.10.2012 from the session 2013-14. The institution has submitted its reply on 16.10.2012.

Meanwhile, the institution has approached Hon'ble High court in W.P. No 32817 of 2012. As per the e-mail dt. 17.10.2012, received from Mr. Madhava Rao, NCTE Advocate stating that **"... the court has directed NCTE for granting recognition for 2012-13 and pass appropriate orders. Also the court has specifically directed that these institutions should also be included in the list of counseling for the present academic year (2012-13)"**.

The letter of intent reply was placed in 235th Meeting SRC held on 21st -22nd November, 2012 and the committee noted the matter and decided to File an appeal and apply for stay.

As per the decision of SRC, a letter was sent to advocate on 26/11/2012.

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The institution has submitted letters dated 31/01/2013 & 04/02/2013 "requesting to reconsider our proposal and issue formal recognition in the interest of Human or Legal or Natural Justice".

The SRC in its 240th Meeting held on 09th-11th March, 2013 considered the Institution's request vide letters dt. 31.01.2013 & 04.02.2013 for reconsideration of decision of granting LOI for the academic year 2013-14 and decided that reconsideration of the decision is not accepted. Further, the committee advised Southern Regional Office to pursue the case with our lawyer to file an appeal without further delay. While filing the appeal the lawyer should be informed to add a reference to the Supreme Court Order (Dt. 13.12.2012) in the memo of appeal.

As per the decision of SRC, a letter was sent to the advocate on 23/04/2013.

Meantime, the institution moved to the Hon'ble Supreme Court of India and an e-mail letter has been received from NCTE-Hqrs in its letter dated 8th August, 2013 stating that the matter is listed for hearing on 13.8.2013. The matter was placed before SRC in its 250th Meeting held on 11th-13th August, 2013 and the committee has decided as follows:

The case was processed in accordance with the norms and standards prescribed under the NCTE Regulations and the procedure followed by the SRC. Accordingly, the SRC decided to issue letter of intent (LOI) for 2013-2014.

The applicant institution requested for LOI/FR for 2012-13 which was not possible and, therefore, was not agreed to. The applicant institution approached the High Court which directed the SRC to consider the case for 2012-13.

The last date for issue of Formal Recognition (FR) for 2012-2013 was 31st August, 2012. In this case, the applicant institution's reply to the deficiency letter (DL) itself was received only on 31st August, 2012. A good deal of processing remained to be done thereafter that being so, issue of FR for 2012-13 was just not possible.

In the circumstances, the SRC decided to file an appeal against the High Court order. The Lawyer was requested on 26.11.2012 to take appropriate further action to file the appeal. In the meanwhile, the institution has approached Supreme Court in W.P. No. 431 of 2013.

In accordance with the Supreme Court direction received through the NCTE-Hqrs., the case was taken up and considered with reference to reply to the LOI by the applicant institution. The staff list was found to be acceptable. The Principal, whose qualifications/experience was found satisfactory, had also joined.

It was, therefore, decided to issue FR to the institution for the academic year 2013-14 onwards.

Hence the following order:

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ORDER

WHEREAS, in terms of Section 14(1) of the NCTE Act, 1993 Nandamuri Educational Society, Plot No. 4-85, Shantinagar Street, Nalgodna Village, Post, Taluk and District, Pin-508001 Andhra Pradesh has applied for grant of recognition to KGN College of Elementary Education, Sy no. 786, Gandamvari Gudem Village, Nalgoda District, Pin-508001, Andhra Pradesh for D.Ed course online on 23/09/2011 for two years duration under Section 14 (1) of the NCTE Act, 1993 and received in the Southern Regional Committee NCTE on 07/10/2011.

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

NOW, THEREFORE, in exercise of the powers vested under Section 14(3) (a) of the NCTE Act, 1993, the Southern Regional Committee, NCTE hereby grants recognition to KGN College of Elementary Education, Sy no. 786, Gandamvari Gudem Village, Nalgoda District, Pin-508001, Andhra Pradesh for conducting D.Ed course of two years duration with an annual intake of 50 students from the academic session 2013-14 under clause 7(11) of NCTE (Recognition Norms & Procedure) Regulations, 2009 subject, to fulfillment of the following conditions:

- I. The endowment fund of Rs.5 lakhs and reserve fund of Rs.3 lakhs kept in joint account with SRC, NCTE should be maintained always. Loan raising or mortgaging of FDRs shall not be done.
 - II. The institution shall comply with the various other norms and standards prescribed in the NCTE regulations, as amended from time to time.
 - III. The institution shall make admission only after it obtains affiliation from the examining body in terms of clause 8(12) of the NCTE (Recognition Norms & Procedure) Regulations, 2009.
 - IV. The institution shall ensure that the required number of academic staff duly approved by affiliating body for conducting the course should always remain in position.
 - V. Minority Certificate from the Principal Secretary, Department of Education, Government of Andhra Pradesh to be submitted within 3 months from the date of issue of this order.
2. Further, the recognition is subject to fulfillment of all such other requirements as may be prescribed by other regulatory bodies like UGC, affiliating University/ Body, the State Government etc, as applicable.
 3. The institution shall submit to the Regional Committee a Self-Appraisal Report at the end of each academic year along the statement of annual accounts duly audited by a Chartered Accountant.

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4. The institution shall maintain & update its Web-site as per provisions of NCTE Regulations and always display following as mandatory disclosure:-
- Sanctioned programmes along with annual intake in the institution;
 - Name of faculty and staff in full as mentioned in school certificate along with their qualifications, scale of pay and photograph;
 - Name of faculty members who left or joined during the last , quarter;
 - Names of students admitted during the current session along with qualification, percentage of marks in the qualifying examination and in the entrance test, if any, date of admission, etc.;
 - Fee charged from students;
 - Available infrastructural facilities;
 - Facilities added during the last quarter;
 - Number of books in the library, journals subscribed to and additions, if any, in the last quarter;
 - The institution shall be free to post additional relevant information, if it so desires
 - Any wrong or incomplete information on website shall render the institution liable for withdrawal of recognition.
5. If the institution contravenes any of the above conditions or the provisions of the NCTE Act, Rules, Regulations and Orders made or issued there under, the Regional Committee shall withdraw the recognition as under the provisions of Section 17(1) of the NCTE Act.

By Order,

(P.Sriraman)

Regional Director (I/c)

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

To,

The Principal
KGN College of Elementary Education
Sy no. 786, Gandamvari Gudem Village
Nalgoda District-508001
Andhra Pradesh.

Copy to:

- The Secretary, Dept. of Elementary Education and Literacy, Ministry of Human Resource Development, Govt. of India, Shastri Bhawan, New Delhi-110001
- The Secretary School Education Department, 'J' Block, 3rd Floor, Secretariat Building Hyderabad-500022, Andhra Pradesh.
- The Director, SCERT, OPP LB Stadium, E Gate, Nampally, Hyderabad – 500 001, Andhra Pradesh.
- The Correspondent, Nandamuri Educational Society, Plot No. 4-85, Shantinagar Street, Nalgodna Village, Post, Taluk and District, Pin-508001 Andhra Pradesh.
- The Under Secretary (CS), National Council for Teacher Education, Hans Bhawan Wing-II, Bahadurshah Zafar Marg, New Delhi – 110 002.
- Office Order file.