

F.SRO/NCTE/APSO0005/B.Ed/AP/2019 107382-7387 Date: 24 JUL 2019

**TO BE PUBLISHED IN GAZETTE OF INDIA PART III SECTION 4
WITHDRAWAL ORDER**

WHEREAS, Sri Vidyodaya College of Education for Women, 2-2-232, Brundavan Road, Tirupathi – 517507, Andhra Pradesh applied for grant of recognition to B.Ed course of one year duration from the academic session 2002-2003 to the Southern Regional Committee on 08.09.2000.

AND WHEREAS, the institution was refused recognition vide order dated 30.07.2003. Aggrieved by the refusal order of SRC, the institution filed an appeal before the appellate authority. On 7.8.2014 a fax is received by this office regarding the Appellate Authority order reversing the rejection order of SRC dated 30th July, 2003.

AND WHEREAS, the matter was taken up by the SRC in its various meetings and after long deliberation the SRC in its 366th meeting held on 03rd & 04th December, 2018 considered the matter and decided as under;

1. This is an extraordinary case of 2003.
- 2.1 They had applied for starting a B.Ed programme in 2003.
- 2.2 SRC had rejected their application.
- 2.3 They appealed against that (Rejection) order.
- 3.1 There is nothing on record to show what happened thereafter.
- 3.2 In August 2014, SRO received by FAX an order supposed to have been passed by the Appellate Authority on 17.12.2003.
- 3.3 It was not clear from the FAX who sent it. Even the genuineness of the document could not be conclusively established.
- 3.4 Only the applicant was claiming knowledge of it and continued action thereafter to run the B.Ed Course on the strength of that order.
- 3.5 All references to the NCTE (HQ) also failed to get any response.
- 4.1 It was difficult for the SRC to proceed with action on the basis of the FAX for the following reasons:
 - 1) It is not clear who sent the fax.
 - 2) It is not clear whether the Appellate Authority had entertained the appeal and decided the case:
 - 3) It is not clear whether the Appellate Authority passed the order in reference.
 - 4) Even if the said order was indeed passed, how could the Appellate Authority "GRANT" recognition when under law they could only 'reverse' our order and remand case with or without directions.
 - 5) In any case, why was the (alleged) order not communicated to SRO.
 - 6) If the Appellant College had received it, why did they not contact the SRO/SRC.

- 7) How could the applicant college proceed with action to start the course when there were objections about their not having title to the lands, parts of the roofing being of the “ (highly hazardous and strictly prohibited) ’asbestos’ materials.
 - 8) How could the college commence classes without having an approved team of Faculty.
 - 9) How did the university affiliate the programme without recognition from the SRC.
- 4.2 In view of the forgoing, it will be difficult for the SRC to further consider the case without appropriate classifications from the NCTE (HQ).
 - 4.3 SRC cannot be accused of not following ‘judicial discipline’ because the genuineness of the Appellate order is in doubt.
 - 4.3.2 It has also to be recognized that complying with the said order will involve (incidental) violation of some regulation (eg. Not having proper title to the lands; use of the strictly prohibited ‘asbestos’ roofing; not having a team of approved faculty; etc)
 5. That being so, the SRC has no option but to approach the NCTE (HQ) again for appropriate clarifications, certification of facts, advice on the line of action to be pursued, etc. Until this happens, we may have to keep the case pending.
 6. The applicant college can not indulge in emotional pressuring by citing the uncertain future of the students. The Hon’ble Supreme Court has clearly directed that institutions should behave responsibly and the students, being adults, should know what they are accepting.
 7. Please send a copy of this decision to NCTE (HQ) and seek specific advice.

AND WHEREAS, the SRC taken in its 366th meeting, a letter was sent to the Member Secretary, NCTE Hqrs. on 24.01.2019. A letter dated 03.02.2019 is received from the NCTE, Hqrs. stating the following: -

“...appeal matter under reference is almost 15 years old (year 2003) for which the records are not traceable / available in the Section.”

AND WHEREAS, the SRC in its 371st meeting held on 25th & 26th February, 2019 considered the matter and decided as under;

The original file of the Institution along with other related documents, NCTE Act, 1993, Regulations Guidelines issued by NCTE from time to time and documents furnished by the institution were carefully considered by SRC and the following observation were made :-

The Committee resolved to direct the Correspondent & Principal of the Institution to appear before the Committee along with all the relevant documents (such as NCTE order, State Govt order / University order) along with any other information, The RD is, therefore, directed to inform about the decision of the SRC accordingly.

AND WHEREAS, as per the decision of SRC in its 371st meeting a letter issued to the institution on 27.02.2019. The SRC in its 372nd meeting held on 3rd March, 2019 considered the matter and decided as under;

The original file of the Institution along with other related documents, NCTE Act, 1993, Regulations Guidelines issued by NCTE from time to time and documents furnished by the institution were carefully considered by the SRC and the following observations were made:-

As prescribed in the Show Cause Notice the Secretary and the Principal are present with the documents available in the College. In the process of interaction with the Correspondent, it is observed that the Sri Vidayodaya College of Education for Women, Tirupathi, Andhra Pradesh made an appeal to the HQ. in 2003. The Appellate Committee through their Order No. dated 17.12.2003 accorded recognition to the College for B.Ed. course with an annual intake of 100 students from the academic session 2003-04. Based on this Appellate Order, the Committee was told by the Management that they obtained affiliation from S.V. University and permission from the State Government to run the B.Ed. course. Further, it is also observed that the SRC, Bangalore has not issued any order based on the Appellate Order. Since then, the Management is running the institution with the students allotted by the State Level Convener as directed by the Government. University conducted the examinations and issued the certificates. It was in the year 2014-15 the Management admitted 70 students as allotted by the Convener. The remaining seats were filled by the Management which were also approved by the State Council for Higher Education of Andhra Pradesh. The affiliating university i.e. S.V. University, Tirupathi conducted examinations for all the 100 students and declared the results, issued the certificates. The candidates who joined against the management quota were permitted by the Government of AP mostly coming from the neighbouring states approached the SRC, NCTE for clarification that whether this college is recognized by the NCTE or not. The SRC, NCTE replied in response to the RTI application stating that this college is not recognized by the NCTE. In view of such a reply, the students who passed out from that institution lost their opportunity to serve as teachers and hence they approached the Management for clarification. The Management corresponded with SRC and the matter is pending with SRC since last 3-4 years. The Committee perused the file and made the following observations:-

- (i) It is an existing institution running from the academic session 2003-04.
- (ii) As per the statement of the Management, since then the government is allotting the students and the University is conducting the examinations.
- (iii) No time SRC, NCTE informed the institution withdrawal of the recognition.
- (iv) Suddenly furnishing such an information to the individual under RTI Act saying that this institution is not recognized by NCTE will create an havoc not only for those 25 students but also all the students who obtained B.Ed. degree being the bonafide students of that institution.
- (v) The Committee asked the Management to furnish all the orders from the government, affiliating body and to there are any supporting papers from the academic session 2003-04 to 2014-15 for consideration

In view of the above, the Committee decided to build the file with all the papers available either with the Government, affiliating university or NCTE to take an appropriate decision. Further, since the academic session 2014-15 the college is not functioning as the Founder Correspondent expired suddenly and there is no one who is interested to run the institution. In our discussion the representative of the institution conveyed their decision to close down the institution and take back their deposit if there is any.

AND WHEREAS, as per the decision of SRC in its 372nd meeting a letter issued to the institution on 19.03.2019.

The institution has submitted its reply vide letter dated 25.03.2019 and stating as under:-

“...Herewith sending scanned copies of the Affiliation given by Sri Venkateswara University, Tirupati, to our college, Sri Vidyodaya College of Education for Women, Tirupati, from 2003-2004, as per the requirement of the SRC, NCTE meeting on 03-03-2016. The copy of Affiliation for 2014-2015 has already been submitted to you sir.”

AND WHEREAS, the SRC in its 373rd meeting held on 26th – 27th March, 2019 considered the matter and decided as under;

The original files of the Institution alongwith other related documents, NCTE Act, 1993, Regulations Guidelines issued by NCTE from time to time and documents furnished by the institution were carefully considered by the SRC and the following observations were made:-

- An application for closure of the Institution as per the prescribed Format.
- The institution shall be required to submit an Affidavit alongwith a Resolution of the Management to the extent for closure of the Institution.
- No Objection Certificate from the affiliating University for closure of the Institution.
- Specific request from the Management to the SRC, NCTE about the issue of recognition.

Hence the Committee decided to issue SCN on the above points.

AND WHEREAS, as per the decision on SRC show cause notice was issued to the institution on 09.04.2019. However, the SCN issued to the institution returned back undelivered.

AND WHEREAS, the SRC in its 377th meeting held on 03rd – 04th July, 2019 considered the matter and decided as under;

The original files of the Institution alongwith other related documents, NCTE Act, 1993, Regulations Guidelines issued by NCTE from time to time and documents furnished by the institution were carefully considered by the SRC and the following observations were made:-

- (i) On perusal of records the Committee noted that the institution is non-functional since last 5-6 years.
- (ii) Further on behalf of the late correspondent the Management agree to give in writing that they cannot run the institution.
- (iii) A SCN dated 9.4.2019 was issued to the Institution. However the same returned back undelivered.

The Committee decided to withdraw the recognition granted to the institution for conducting B.Ed. course under clause 17(1) of NCTE Act, 1993 on the grounds mentioned above.

NOW, THEREFORE, in exercise of the powers vested u/s 17(1) of the NCTE Act, 1993, the Southern Regional Committee hereby withdraws recognition of **Sri Vidyodaya College of Education for Women, Sy. No. 327, 2-2-232, Brundavan Road, Salivahana Nagar, Tirupathi – 517507, Andhra Pradesh** run by **Sri Vidyodaya Educational Society, 2-2-232, Brundavan Road, Shalivahana Nagar, Tirupathi – 517501, Andhra Pradesh** for conducting B.Ed programme of two years duration with an annual intake of 100 students (2 units) on the grounds mentioned above.

Further, the institution offers and affiliating body is hereby informed about the following provision of Section 17(4) of NCTE Act:-

"If an institution offers any course of 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 of after undertaking a course or training in such institution, shall not be treated as a valid qualification for purpose 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."

Further, if the institution is not satisfied with the Order, it may prefer an Appeal under Section 18 of the NCTE Act, 1993 through "online mode" available on NCTE's website www.ncte-india.org within 60 days from the date of issue of this order. The guidelines for filing appeal may be seen on NCTE's website.

By Order,


(Dr. Anil Kumar Sharma)
Regional Director

To,

(107387)
The Manager,
Govt. of India Press,
Department of Publications (Gazette Section),
Civil Lines, Delhi-110054.

Copy to:-

- (1) **The Principal,**
(107382) Sri Vidyodaya College of Education for Women,
2-2-232, Brundavan Road, Salivahana Nagar,
Tirupathi - 517507,
Andhra Pradesh.
- (2) **The Secretary,**
(107383) Sri Vidyodaya Educational Society,
2-2-232, Salivahana Nagar (Behind Manchaneellagunta),
Tirupathi, Andhra Pradesh.
- (3) **The Registrar,**
(107384) Sri Venkateswara University, Tirupati,
Andhra Pradesh 517502.

(4) **The Principal Secretary,**
School Education Department,
(In-charge Teacher Education),
Government of Andhra Pradesh,
Building # 1, 1st Floor, A.P. Secretariat,
Velagapudi, Guntur,
Andhra Pradesh-522503.

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(5) **The Under Secretary (IT and E-governance),**
National Council for Teacher Education,
Hans Bhawan Wing-II, 1, Bahadur Shah Zafar Marg,
New Delhi- 110002.

(107386)

11/11/11
Regional Director