

F.No.SRO/NCTE/SRCAPP2940/B.Ed/TS/2019/ 106952 - 6954 Date: 17 JUL 2019

FINAL SHOW CAUSE NOTICE U/S 17

WHEREAS, recognition was granted to the institution namely **Raacharla College of Education, Plot. No.384 Gollapally Village & Post, Sircilla Taluk, Karimnagar District-50535, Telangana** run by **Racharla Educational society, Plot. No 10-30, Main Road, Boppapur Village & Post, Sircilla Taluk, Karimnagar District-50535, Telangana** vide SRC (NCTE) order no. F.SRO/NCTE/SRCAPP2940/B.Ed/TS/2016-2017/84132 dt. 12.04.2016 for conducting B.Ed. course of two year duration with an annual intake of 100 students (2 units).

2. **AND WHEREAS**, a D.O. letter No.6559/SE. Trg/A2/2016-3, dated 17.04.2018 received on 26.04.2018 was received from Smt. Ranjeev R. Acharya, I.A.S, Special Chief Secretary to Govt., Education Department, Government of Telangana and stating as under:

".....the National Council for Teacher Education (Southern Regional Committee), Bangalore, granted recognition to **Raacharla College of Education, Gollapally Village & Post, Sircilla Taluk, Karimnagar District, Telangana**, for conducting B.Ed Programme of (2) years duration, with an annual intake of 100 students (2 units), from the academic session of 2016-2017, subject to the fulfillment of certain conditions.

2) Further, the recognition was subject to the 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) In the Memos 2nd cited, the Director of School Education, Telangana, Hyderabad requested to furnish and regulations of 2014, to the Government immediately.

4) It is also to inform that the NCTE (Southern Regional Committee) Bangalore, granted recognition to certain B.Ed/B.P.Ed/M.P.Ed Colleges for conducting B.Ed course of (2) years duration from the A.Y.2016-2017. While these colleges were being inspected before issue of permission by the State Govt. for starting these new colleges in the state, 12 colleges approached the Hon'ble High Court to direct the State Government to grant permission to them expeditiously. On the Hon'ble High Court **Common Order dt 16.09.2016** in W.P.Nos.26870 and batch cases, wherein the Hon'ble Court directed to give permission to these 12 Colleges, the State Government has filed Writ Appeals No. 1047/2017 and batch as the State Government found that these Colleges had deficiencies in the staff appointments because they did not have the experience as required under the NCTE norms. Moreover, the Director of School Education in his letter dt: 27.07.2016 and Spl.CS(E) in D.O. letter dt: 21.09.2016 addressed to the Regional Director, NCTE, Southern Regional Committee, Nagarabhavi, Jnana Bharathi Campus, Bangalore and in the D.O.letter of Spl.CS(E) of 27.01.2017 addressed to the NCTE, New Delhi, had already informed the NCTE that the State of Telangana does not require any more new B.Ed Colleges because already the State has (223) Colleges with 22,450 intake and the demand for B.Ed Teachers in only about 5,000 in Government Secondary Schools

and that more than 2.5 lakh qualified candidates are already available in the State, for whom sufficient placements are not forthcoming and any new Colleges/intake will make the existing Colleges also unviable.

5) On the Common Orders of the Hon'ble High Court, dt: 06.01.2017 in W.A.No. 1047/2016 and batch which was in favor of the 12 Colleges, the Government of Telangana filed Special Leave Petitions in the Hon'ble Supreme Court in SLP (C) No. 3708-3716/2017 on 30.01.2017.

6) The Hon'ble Supreme Court on **04.08.2017** while disposing the SLP No. **3708-3716/2017**, has passed the following order;-

- "we are not inclined to interfere with the judgment of the High Court. Needless to say, if at any point of time the NCTE feels that the regulations have been violated, it can take appropriate steps against the Colleges. The NCTE may also take note of assertions made by the State Government relating to any deficiency, but that will not effect the 'No Objection Certificate' issued by the State Government and the recommendation granted by the NCTE. The purpose of stating the same is only for future.

Mr. Talukdar, learned counsel appearing for the N.C.T.E., has assured the Court that the N.C.T.E shall carry out its function in accordance with the National Council For Teacher Education Act, 1993 and the regulations framed there under and also see that the institutions that have been granted recommendation are properly functional. Our so saying would not mean that the judgment of the High Court shall not be given effect to. When we say that the High Court order shall be given effect to, all the parties to the litigation shall give effect to the judgment of the High Court and act with quite promptitude."

7) **Raacharla Educational society Karimnagar district**, as mentioned at para (1) above, has filed W.P.No. 11685/2018 to expedite the permission of the State Government. This College kept quiet for two years so far, after receiving NCTE recognition. In the reference 4th cited, the Commissioner and Director of School Education, Telangana, Hyderabad, has given a report in respect of Raacharla College of Education, Gollapally, yellareddypet Mandal, RajannaSircilla District, that ICTE Resource center (including Yoga Education) is under construction; Canteen is not provided; Open space or land for additional accommodation is not available; Hostels for male and female students (1+1) are not started; Details of Residential Quarters are not provided; Teacher Learning Resource Center for Art and Wok experience is under construction and simple Musical Instruments are yet to be provided. Moreover, no faculty member is having 3 years of teaching experience in a secondary School as per NCTE norms. Built up area 1500 Sq. Mtrs for one unit and for two units 2000Sq.Mtrs is required, but this College has provided built up area of 1305.52Sq.mtrs only. Class rooms for every 50Students should be five Rooms, but they have provided three Rooms only without furniture and two Rooms are under furniture. Library cum reading room with 1000 titles is and 3000 books is required, but they provided only 30 titles and 700 books. No material and resource are provided for the curriculum Laboratory.

8) Thus, Raacharla College of Education Raacharla Gollapallyyellareddypet Mandal, Rajanna Sircilla District, has not fulfilled the NCTE norms at all. In the recognition order of the NCTE received vide reference 1st cited, it is mentioned that "If the institution Contravenes any of the above conditions or the provisions of the NCTE Act, Rules, Regulations and orders made of issued there under, the institution will render itself vulnerable to adverse action including withdrawal of recognition by the regional committee under the provisions of Section 17(1) of the NCTE Act."

9) It is also to mention that in the orders of the Hon'ble Court in the W.A.No. 1047/2016 (mentioned at para (5) of this letter) at Para 45(iv) the Hon'ble Court observed as follows:-

"Even if the State intends to express any grievance as to non-compliance of any one of the conditions required under the Norms, the State ought to have brought the same to the notice of the NCTE and ought to have sought appropriate action against the society/college, which the State has not resorted to."

10) Even in the orders of the Hon'ble Supreme Court (mentioned at para 6 of this letter) the Hon'ble Court has observed as follows:-

"Having heard learned counsel for the parties at length, we are not inclined to interfere with the judgment of the High Court. Needless to say, if at any point of time, the NCTE feels that the regulations have been violated, it can take appropriate steps against the Colleges. The NCTE may also take note of assertions made by the State Government relating to any deficiency."

11) Therefore, based on these observations of the Hon'ble Courts and the NCTE norms, it is felt appropriate that before issuing any permission to start the new B.Ed college in respect of Raacharla College of Education Raacharla Gollapallyellareddypet Mandal, Rajanna Sircilla Distric, the State Government must address NCTE indicating the deficiencies as mentioned at para (7) of this letter, for their necessary action, as mentioned at para (8) of this letter.

12) Therefore, considering all the above facts, it is requested to kindly withdraw the Recognition given to Raacharla College of Education Raacharla Gollapallyellareddypet Mandal, Rajanna Sircilla District , for conducting B.Ed programme of (2) years.

3. **AND WHEREAS**, the matter was placed before SRC 360th meeting on 23rd&24th, May, 2018 SRC decided as under:-

1. In this case FR was issued for B.Ed. (2 units) w.e.f. 2016-17.
2. The case has gone to HC and SC because of objections from the State Govt. during issue of permission under the State Act for opening new colleges.
3. The Sup. Court has not interfered with the H.C. order. They have only directed all the parties to carefully adhere to norms/standards.
4. The State Govt. has raised 5 objections :
 - i. The State Govt. objected to any new B.Ed. courses in Telangana. The SRC could not consider such 'banning provisions'. The Telangana Govt. Should have taken it up with the NCTE (HQ) when they issued the Ban order Notification.
 - ii. The SRC has not considered the State Govt's objections about 7 colleges. The SRC had sought State Govt's NOC in each case. The State Govt. should have given objections in each case citing the reasons. An over arching objection for multiple cases can not be legally considered by SRC. This position was confirmed to the State Govt. by NCTE (HQ) also.
 - iii. The College does not have adequate built-up area. This observation of the State Govt. is not supported by the documents on record. The BP.BCC, and VTI report all give a figure of 2010 sqmts which is adequate for B.Ed. (2 units).
 - iv. The Faculty Members do not have 3 years experience. This observation of the State Govt is based on a misconception. The Regulations prescribe a 10-year

experience only for Principals. No experience is prescribed for Faculty Members. There is, however, a prescription that for Faculty Members in the Perspective Group the requirement of M.A +M.Ed can be equated with M.A +B.Ed + 3 years teaching experience. Possibly, this has caused some confusion.

- v The amendment dated 9.6.17 has not been complied with. This objection can not govern our decision since FR was granted on 3.3.16. We will, however, insist that any new recruitments must cover the requirement of NET clearance or Ph.D.

5.1 In the result, and for the reasons given above, there is no need to meddle with the FR given.

5.2 Ask the college to ensure that all new recruitments conform to the amended Regulation.

5.3 Inform the State Govt. accordingly.”

4. **AND WHEREAS**, a letter no. F.No.SRO/NCTE/SRCAPP2940/B.Ed/TS/2018-19/97501 dated 31.05.2018 was sent to the institution. Also a letter dated 31.05.2018 was sent to the Special Chief Secretary to Govt., Education Department, Government of Telangana.

5. **AND WHEREAS**, the SRC in its 364th meeting held on 28th – 29th September considered the matter and decided as under:-

1. We have to consider 4 points raised by the Telangana Government.

2.1 The issue about giving direction (supported by reasons) in each case was settled long ago by NCTE (Hq.) in its letter to them. We can-not reopen that issue.

2.2 The Telangana Govt. have given specific information about inadequacy of built-up area and other deficiencies. Issue a SCN on that basis. Reproduce that State Govt.'s objections.

2.3 The point about the '3-year experience' was clarified by us on 23-24 May in our 360th meeting. Maybe it did not reach them. Send a copy.

6. **AND WHEREAS**, as per the decision of SRC, a Show Cause Notice issued to the institution on 15.10.2018. No reply to SCN has been received so far.

7. **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) The institution namely **Raacharla College of Education, Plot. No.384 Gollapally Village & Post, Sircilla Taluk, Karimnagar District-50535, Telangana** for B.Ed course was **granted recognition on 12.04.2016** with an intake of **100 students (2 units)** from the academic session **2016-2017**. Till date the Management has not obtained permission from the Govt and affiliation from the affiliating University. However the Govt. of Telanagna caused physical inspection of the infrastructure & instructional facilities and observed that the Institution is not adhering the NCTE/Govt. norms requirements. As such in absence of the Govt. Order the affiliating body also

not consider the request of the Management for affiliation. As the institution not functional since last 3 years. It is doubtful that they are able to sustain the facility including the staff they appointed till date.

- (ii) Further it is also observed that the Institution has not responded to SCN issued on 15.10.2018.

Therefore, the Committee decided to issue **Final Show Cause Notice u/s 17 of NCTE Act, 1993** before withdrawal of the recognition on the grounds mentioned above to the institution. The institution is required to submit the documents **within 21 days** from the date of issue of **Final Show Cause Notice.**"

8. Accordingly, the Southern Regional Committee decided that a Final Show Cause Notice u/s 17 of the NCTE Act issued to the institution to submit its representation/reply to the observations noted by the Regional Committee

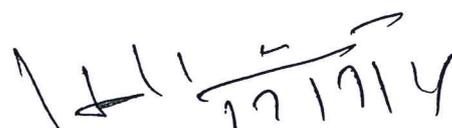
9. **NOW, THEREFORE,** the institution is required to submit the representation/compliance accompanied with an affidavit from the authorized representation of the Management. The representation along with an affidavit must reach this office within the time specified at the end.

10. In case the reply submitted is incomplete or factually incorrect or not received in this office by the date mentioned at the end of this letter, then proceedings under Section 17(1) of the NCTE Act shall be brought to logical conclusion without any further opportunity provided in the matter whatsoever.

11. It is expected that your reply shall reach this office through Courier/Registered AD/Speed Post only. NCTE does not expect applicants to personally visit the RC Office for any reason whatsoever.

12. Your reply, complete in all respects must reach this office **within 21 days** of the issue of this **Final Show Cause Notice.**

13. Receipt of this Notice may please be acknowledged.


(Dr. Anil Kumar Sharma)
Regional Director

To,

(106952) **The Principal,**
Raacharla College of Education,
Plot. No.384 Gollapally Village & Post,
Sircilla Taluk, Karimnagar District-50535,
Telangana.

Copy to:

(106953) 1. **The Secretary,** Racharla Educational society, Plot. No 10-30, Main Road, Boppapur Village & Post, Sircilla Taluk, Karimnagar District-50535, Telangana.

(106954) 2. **The Registrar,** Satavahana University, Karimnagar, Telangana.