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F.SRO/APS00049/B.Ed/AP/2015-16/ 65885

Date: 29/05/2015
Speed Post

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

WHEREAS, Hannamma Christian College of Education, Y.M.R. Colony, Proddatur, Cuddapah-516361, Andhra Pradesh was granted recognition for conduct of B.Ed course from the academic session 2004-05 with annual intake of 120 students ,vide order dated 19.09.2004.

AND WHEREAS ,NCTE Hqrs. had forwarded a copy of complaint dated 05.03.2006 received from Shri.B.S. Lambert, Correspondent of Vijay Vidyodaya Samajam Proddatur-516361, Cuddapah (Dist.) Andhra Pradesh along with its enclosures against Hannamma College of Education, Proddatur-Kadapa, Dist., Andhra Pradesh with request to take appropriate necessary action.The complainant had raised grievances against the insititution as under:-

"Not having approved teaching & non teaching staff. They are managing with the Govt. Employees in running the college as teaching staff. Filling others certificates & photos to inspiring authority. Not having their own building registered in the name of college.

In as much as they do not have any infrastructure for the college it is only proper to withdrawal the recognition.

The Government of Andhra Pradesh has already declared the trust of this Hannamma College i.e.. Douglas as "Bogus" and with this stigma how the management can further continue to run the B.Ed., College."

AND WHEREAS, the SRC in its 195th meeting held during 17-18 August, 2010 considered the matter and decided to issue Notice under section 17 of NCTE. Accordingly, a Notice was issued to the institution on 18.11.2010. The institution submitted its written representation 21.12.2010.

AND WHEREAS, the SRC in its 201st Meeting held on 22nd-23rd February, 2011 considered the reply to Show Cause Notice, VT Report, VCD and all the relevant documentary evidences and it was decided to serve Final show cause notice Under Section 17 of NCTE Act.

AND WHEREAS ,accordingly, a final show cause notice was issued to the institution on 18.03.2011. The institution submitted its written representation on 25.04.2011.In the meantime, a letters dated 15.06.2013 & 03.07.2013 were received from the institution stating that

"...Hannamma Christian College of Education, Proddatur, Kadapa District, Andhra Pradesh, humbly submit that we have submitted the original Joint account F.D's (i.e. Endowment Fund and Reserve Fund) and obtained receipt from your office on 28.08.2009. I am herewith enclosing a copy of the said receipt for ready reference

MR

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. Now I request you Sir, the F.D. of Endowment fund for Rs. 5,00,000-00 due date is on 06.09.2012 and the said FD has to be renewed for further period of 6 months. Hence kindly arrange to sent it back the said FD for further renewal and I also request you Sir. I may kindly be permitted to withdraw the INTEREST amount, so as to enable me to utilize the same for salary purpose of the staff. Since so for the A.P. Govt. has not sanctioned reimbursement (Scholarships to the B.Ed., students, I will again re-submit the said FD immediately after done with.

AND WHEREAS, inadvertently, the reply for final show cause notice for section 17 submitted by the institution was not placed before SRC. It is seen from the file, that after issuance of final show cause notice under section 17, reply is received and further no action has been taken and the reply has not been placed before the SRC meeting.

AND WHEREAS, the Southern Regional Committee in its 257th Meeting held on 20th – 22nd December, 2013 considered the matter on the above subject reply of the institution to the show cause notice issued to the institution vide our letter dated 24/04/2011, and also the relevant documents of the institution and decided to withdraw recognition for the following reasons:-

The institution has not submitted any documentary proof for the following documents

- The institution has not submitted building plan duly approved by the competent civil authority.
- Building completion certificate submitted by the institution is not in proper format.
- Land usage certificate submitted by the Institution is not in proper format.

AND WHEREAS, based on the above points the Committee decided to withdraw the recognition of the B.Ed course run by Hannamma Christian College of Education, Y.M.R. Colony, Proddatur, Cuddapah-516361, Andhra Pradesh from the academic year 2014-15 in order to enable the ongoing batch of students in B.Ed, course, if any, to complete their course. As per the decision of SRC, a withdrawal order was issued to the institution vide F.No. APS00049/B.Ed/AP/2013-14/50542 dated 24.01.2014.

AND WHEREAS, aggrieved by the withdrawal order of SRC, the institution preferred an appeal before the Appellate authority, New Delhi and accordingly, the original file of the institution along with comments was sent to NCTE –Hqrs on 08.05.2014.

AND WHEREAS, on 02.09.2014, a Court order dated 25.08.2014 issued from the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and Andhra Pradesh in W.P.No. 24738 of 2014 is received by this office. The writ petition is filed by Hannamma Christian College of Education, Proddatur, Kadapa wherein NCTE-Hqrs is the first respondent and SRC, NCTE is the second respondent.

The institution has prayed that in the circumstances stated in the Affidavit filed herein, the High Court may be pleased to call for the records relating to order bearing F.No. APS00049 B.Ed / A. P/2013-14 /56542 dated 24.01.2014 wherein the recognition granted

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to the petitioner college by the NCTE, Southern Region, Bangalore is withdrawn with effect from 2014-15 against which the appeal filed by the petitioner on 21.03.2014 is pending before the 1st respondent (NCTE-HQ) and consequently issue a writ of mandamus or any other appropriate writ, order or direction quashing the same with a consequential direction in continue the recognition granted by the 2nd (SRC.NCTE) respondent from the academic year 2001-2002 to the academic year 2013-14 for 2014-15 also.

AND WHEREAS, the Hon'ble High Court order dated 25.08.2014 is as under :-

" By an order passed on 24.01.2014 the Southern Regional Committee, National Council for Teacher Education , Bangalore has withdrawn the recognition accorded to the writ petitioner for running B.Ed course from the academic year 2014-15.

It is not in dispute that the recognition has been accorded during the academic session 2004-05 with annual intake of 120 students by an order passed on 14.09.2004. The reasons for withdrawing the recognition are recorded as under : (1) The institution has not submitted building plan duly approved by the competent civil authority.(2)Building completion certificate submitted by the institution is not in proper format.(3)Land usage certificate submitted by the institution is not in proper format.

These reasons appear, prima-facie too technical.

It is the case of the petitioner herein that an appeal has been preferred to the National Council for Teacher Education , New Delhi against the said order on 21.03.2014 and the said appeal is still pending with the National Council for Teacher Education, New Delhi. Now the new academic session 2014-15 is likely to be commenced and the admission process to the B.Ed Course will also commence for the current academic session .Therefore, pending disposal of the appeal, the decision taken by the Southern Regional Committee, National Council for Teacher Education, Bangalore, dated 24.01.2014 may not acted upon by the respondent No.3 (Govt. of Andhra Pradesh)and 4 (Yogi Vemana University) for a period of three months from today.

Notice before admission returnable in six weeks.

Learned Counsel for the Petitioner is permitted to take out notice to the respondents by registered post with acknowledgement due by supplying the entire paper book in the writ petition and file proof of service into the Registry.

Post after six weeks."

AND WHEREAS ,on 22.09.2014, as per the Court order dated 25.08.2014 in W.P.No. 24378 the Counsel for the Petitioner ,Shri. M.N.Narasimha Reddy .G.Ramachandra Reddy has issued a personal notice which is as under :-

" The writ petition referred to above is filed by Hannamma Christian College of Education, Prodattur,Kadapa District represented by the Chairman and Correspondent,

Vijayakumar Watkins, challenging the order of withdrawal of recognition granted to the petitioner college by the NCTE, Southern Region, Bangalore in its order bearing F.No. APS00049/B.Ed./A.P/2013-14/ 56452 dated 24.01.2014 with effect from 2014-15. The Hon'ble Court while ordering notice before admission on 25-8-2014 returnable in six weeks, was pleased to permit us to take out personal notice to you and file proof of service. Accordingly the notice is being sent to you.

The writ petition would be listed for further hearing on **06.10.2014** or on any other subsequent day. You are requested to appear in person through an advocate on the date of hearing on 06-10-2014, failing which the matter would be heard ex parte.

AND WHEREAS, the Southern Regional Committee in its 273rd meeting took note of the Court order to the University for not altering status quo ante. As per the decision of SRC, a letter was addressed to the advocate Shri. Ramakanth Reddy on 21.11.2014 requesting to defend the case on behalf of NCTE..

AND WHEREAS, on 26.11.2014, an e-mail was received from the advocate, Shri. Ramakanth Reddy enclosing a draft counter to be filed in W.P.No. 24378 of 2014 by NCTE. A duly signed Counter affidavit to be filed in W.P.No. 24378 of 2014 was sent to the advocate on 03.12.2014

AND WHEREAS, on 05.12.2014, the appellate authority order no. F.No.89-254/2014 Appeal / 12th Meeting – 2014/A 78885 dated 25.11.2014 is received by this office which is as under :-

"The Correspondent, Hannamma Christian College of Education (hereinafter referred to as the appellant), preferred an appeal dated 21.05.2014 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

Hannamma Christian College of Education, Proddatur, Kadapa, Andhra Pradesh was asked to present the case of the appellant institution on 08.09.2014 but nobody appeared. The Council decided to give the appellant another opportunity i.e. the second opportunity to present their case before the Council. Sh. Vijay Kumar, Chairman, Trust of Hannamma Christian College of Education, Kadapa appeared before the Council on 13.10.2014 and submitted that "the appellant college had constructed the building after obtaining approval of the Municipality. The construction of the building was in two stages: ground floor was completed in 1975 and first floor completed in 2009. Land use certificate was also submitted to SRC".

Appeal Committee noted that a Show Cause Notice was issued to the appellant institution on 18.03.2011 and the appellant had furnished a point wise reply dated 15.04.2011 to the SCN. Committee further noted that enclosures stated to have been enclosed with the reply to SCN, are not found available on the relevant file. The Regional Committee also did not make any effort to bring this fact to the notice of appellant institution. Committee further noted that SRC has failed to take any action for almost three years after issue of the SCN. After going through the available record, Council observed that SRC started analyzing the case on receipt of a complaint dated

05.03.2006 raising concerns over the (i) appellant's institution not having approved teaching & non-teaching staff: (ii) managing with government employees in ruining the college as teaching staff: (iii) filling other certificates & photos to inspire authority: (iv) not having own building registered in name of college.

The appellant during the course of appeal hearing has furnished land use certificate dated 8.12.2010 issued by Tahsildar, PRODDATUR MANDAL Y.S.R. (Dist) certifying that and in Sy. 304/ 2A (0.69 acres)is under possession of Hannamma College of Education and conversion from Agriculture to Non agriculture was allowed vide certificate no .R.D.S.A./597/2008 dated 04.07.2008. Certificate issued by Municipal Administrative Dept., Proddatur indicate that Municipal taxes are being collected for building constructed bearing no.3/418. Committee also noted that the appellant institution was granted recognition in 2004 and the withdrawal of recognition in 2014 on grounds of approved building plan, building completion certificate, land use certificate is not justified unless and until the institute proposes to shift to a new premises or has inadequate instructional space as per prevalent Regulations. The more relevant point to be examined by SRC would therefore, have been that whether the institution is having adequate and professionally qualified faculty to run the course. Keeping in view the Circumstances of the case, Committee decided to remand back the case to SRC to examine the building related documents required and relevant as per NCTE Regulations prevalent at the time of grant of recognition in 2004.

On perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Council concluded to remand back the case. The appellant should furnish to SRC within a period of 30 days copies of the relevant certificate of building completion and land use certificate. The withdrawal order 24.01.2014 is kept in abeyance till revised orders are issued.

The Council hereby remands back the case of Hannamma Christian College of Education, Kadapa, Andhra Pradesh to the SRC, NCTE, for necessary action as indicated above."

AND WHEREAS, a letter seeking consent on the willingness of the institution for considering their application as per Regulations 2014 was sent to the institution on 19.12.2014. In response to this office letter dated 19.12.2014, the institution has submitted a reply on 29.12.2014 and 02.01.2015 along with an affidavit on Rs.100/- stamp paper expressing their willingness for the application to be processed as per Regulations,2014 along with relevant documents

AND WHEREAS, as per the withdrawal order of SRC and the observations of the appellate authority, the documents submitted by the institution are examined

AND WHEREAS, the Southern Regional Committee in its 276th Meeting held on 07-09 January, 2015 considered the matter, reply of the Institution dated 29.12.2014 & 02.01.2015 along with affidavit expressing their willingness to process their application as per Regulations 2014, decided to issue show cause notice:

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AND WHEREAS, the Committee considered the Court order dated 25.08.2014, Appellate Authority order dated 25.11.2014 and all the relevant documentary evidences and it was decided to serve Show cause Notice Under NCTE Act for the following :

- *The Building Plan submitted by the institution is not clear, only class rooms are shown, the institution to submit legible copy of building plan with all details.*

AND WHEREAS, the institution vide letter dated 19.01.2015 regarding:-

"I Mr. W. Vijayakumar presently the chairman and correspondent of Hannamman Christian College of education running under Douglas Memorial Education trust Established during the year 1986 under societies registration Act with Reg No. 102/1981. I humbly submit that I personally met the Municipal Commissioner Proddatur To obtain approved building plan copy of Door No. 3/418, building. He has taken much time to trace out the plan all his efforts are in vain. I requested him atleast to counter sign the plan (which was drawn by the same syndicate planners) but he humbly stated that unless the plan was not traced in this office I cannot counter sign the same. If the plan is not approved we could not have levied the property tax, from that date. you are paying property tax for the building No. 3/418. Basing on this Municipal Commissioner has furnished a letter in this regard. Now I am herewith submitting the Municipal Commissioners letter along with municipal Sanitary Certificate, Property Tax Demand Notice and tax payment receipts for Door No.3/418 in which Hannamma Christian College of Education is running since 1986.

Therefore I humbly request you madam kindly consider the submitted plan which has no any deviation. It has certified by the syndicate planners as a chairman & correspondent I also certified the same. "

AND WHEREAS, in the meantime On 19.01.2015 before issuance of Notice to the institution, on seeing website, a reply to the Notice received by this office from The Correspondent Hannamma Christian College of Education, Y.M.R. Colony, Proddatur, Cuddapah-516 361 Andhra Pradesh .

Building plan is not approved by Government Engineer.

AND WHEREAS, the Southern Regional Committee in its 279th meeting held on 1st considered the matter, reply from the institution on 19.01.2015, decided as under:

1. *Affidavit received*
2. *This is a case of an institution that came into being before NCTE was set up. The Municipality refuses to Building Plan afresh. Let us accept the faint copy of old Building Plan submitted. Other deficiencies have been corrected.*
3. *Advised Southern Regional Office to Restore recognition.*

NOW THEREFORE, the recognition granted to Hannamma Christian College of Education, Y.M.R. Colony, Proddatur, Cuddapah-516361, Andhra Pradesh for offering B Ed course is restored

If the institution contravenes any of the 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.

Further, the institution has submitted affidavit on 27.01.2015, as per regulations 2014 and the revised order for the academic year 2015-16 is under:

TO BE PUBLISHED IN GAZETTE OF INDIA PART III SECTION 4

ORDER

WHEREAS, in exercise of the powers conferred by sub-section(2) of Section 32 of the National Council for Teacher Education Act. 1993(73 of 1993), and in supersession of the National Council for Teacher Education [Recognition Norms and Procedure] Regulations, 2009, the National Council for Teacher Education has notified the Regulations 2014 on 1.12.2014.

2. **AND WHEREAS**, the institution, **Hannamma Christian College of Education, Y.M.R. Colony, Proddatur, Cuddapah-516361, Andhra Pradesh** has by affidavit consented to come under New Regulations and sought for two basic units in B.Ed., which require additional facilities.

3. **AND WHEREAS**, on scrutiny it is found that the institution has not maintained / revalidated the Fixed Deposit Receipts towards Endowment and Reserve Funds

4. **AND WHEREAS**, it has been decided to permit the institution to have two basic units of 50 students each subject to the institution fulfilling following conditions namely.

- (i). The institution shall submit revalidated FDRs of the enhanced values, in joint account with the SRC before 30 June, 2015 failing which the recognition will be withdrawn.
- (ii). The institution shall create additional facilities that include (a) additional built-up area, (b) additional infrastructure, (c) additional staff as per Regulations, 2014 and inform Regional Committees with required documents by October 31, 2015.
- (iii). The applicant-institution for additional unit will be required to submit the required documents such as land documents, Encumbrance Certificate(EC), Land Use Certificate(LUC) and the Building Plan (BP) and the Approved Staff List in the specified proforma available on the website to the Regional Committee in proof of having provided additional facilities before October 31, 2015. Building Completion Certificate (BCC) may be given along with other documents if available, otherwise it can also be given to the Visiting team at the time of inspection.
- (iv). The Regional Committees shall arrange for verification of documents, inspection of these premises and check adherence to these conditions by 20 Feb. 2016. If it is found by the Regional Committee that the institution fails to comply with these requirements, the institutions shall not be permitted to admit students for the academic year 2016-2017.

5. **NOW THEREFORE**, in the light of the above and in terms of Section 14(3) (a) of NCTE Act and in accordance with the Regulations, 2014, the Southern Regional Committee, NCTE hereby grants recognition to **Hannamma Christian College of Education, Y.M.R. Colony, Proddatur, Cuddapah-516361, Andhra Pradesh** for conducting B.Ed programme of two years duration with an annual intake of 100 for two basic units of 50 students each from the academic session 2015-16 subject to submission of revalidated FDRs of the enhanced value in joint account with the SRC before 30 June, 2015 and fulfilment of the conditions mentioned at II & III herein before 31.10.2015.

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

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

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

- a) Sanctioned programmes along with annual intake in the institution;
- b) Name of faculty and staff in full as mentioned in school certificate along with their qualifications, scale of pay and photograph.
- c) Name of faculty members who left or joined during the last quarter;
- d) 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.;
- e) Fee charged from students;
- f) Available infrastructural facilities;
- g) Facilities added during the last quarter;
- h) Number of books in the library, journals subscribed to and additions, if any, in the last quarter;
- i) The affidavit with enclosure submitted along with application.
- j) The institution shall be free to post additional relevant information, if it so desires.
- k) Any false or incomplete information on website shall render the institution liable for withdrawal of recognition

If the institution Contravenes any of the above conditions or the provision of the NCTE Act, Rules, Regulations and Orders made and issued there under, the institution will render itself liable to adverse action including withdrawal of recognition by the Regional Committee under the provisions of Section 17(1) of the NCTE Act

By Order,

P Revathi Reddy

(Dr.P.Revathi Reddy)
Regional Director.

The Manager

Government of India Press
Department of Publications (Gazette Section)
Civil Lines, New Delhi – 110054.

To:

The Principal,
Hannamma Christian College of Education,
Y.M.R. Colony,
Proddatur,
Cuddapah-516361.
Andhra Pradesh

Copy to:

1. The Secretary, Dept. of School Education and Literacy, Ministry of Human Resource Development, Govt. of India, Shastri Bhavan, New Delhi – 110 001.
2. The Education Secretary, In-charge of Higher Education Department, 'J' Block, 3rd Floor, Secretariat Building Hyderabad-500022, Andhra Pradesh.
3. The Registrar, Sri Venkateswara University, NH 05 ,Tirupathi, Andhra Pradesh- 515702.
4. The Secretary/Correspondent, Douglas Memorial Education Trust, Y.M.R. Colony, Proddatur, Cuddapah-516361, Andhra Pradesh
5. The Under Secretary (CS), National Council for Teacher Education, Hans Bhawan, Wing-II, Bahadurshah Zafar Marg, New Delhi – 110 002
6. Office Order file/institution file.