

F.No/SRC/NCTE/APS00288/B.Ed/ AP/2015-16/65836

Date: 29/05/2015

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

**PREAMBLE:-**

WHEREAS, Sangamitra Educational Society, Dr.No.8.20-25, Balaji Nagar, Vizianagaram, Andhra Pradesh had applied for grant of recognition to Gayathri College of Education, Naidu Colony, Thotapalem Post Office, Vizianagaram District, Andhra Pradesh for B.Ed Course of one year duration under Section 14(1) of the NCTE Act, 1993 to the Southern Regional Committee, on 31.12.2001.

AND WHEREAS, the application was processed and recognition was granted to Gayathri College of Education, Naidu Colony, Thotapalem Post Office, Vizianagaram District, Andhra Pradesh for B.Ed course of one year duration from the academic session 2002-03 with an annual intake of 100 students on 04.04.2003 with a condition to shift its own premises within three years from the date of recognition.

AND WHEREAS, the institution submitted a letter requesting shifting of premises from temporary to permanent building on 24.09.2007 and along with Demand Draft of Rs.40,000/-.

AND WHEREAS, a letter was issued to the institution on 25.05.2009 with a request to submit the relevant documents for shifting.

AND WHEREAS, the institution submitted relevant documents on 29.06.2009 and the original FDRs of Rs.5 lakh and Rs.3 lakhs.

AND WHEREAS, the institution submitted a written representation on 03.10.2013 stating as follows:-

*"as per the instructions specified in your office letter No.F.SRC/NCTE/2008-09/13071 dated 25.05.2009 and the follow up letter dated 03.06.2009. we have been sent original FDRs (Rs.5,00,000/- & Rs.3,00,000/-) to your office on 22.06.2010 by speed post. So far we did not receive the official acknowledgement of the original FDRs from your office. Since the original FDRs or the acknowledgement from your office is not in our records, we are unable to answer the university and state government officials in this issue. Hence I request you to issue the original FDRs to the bearer of this letter Sri.Y.S.P.N. Mangesh who is working as Principal, Ashoka College of Education, Jammu, Vizianagaram District, Andhra Pradesh. In this matter we corresponded your office several times."*

AND WHEREAS, the SRC in its 255<sup>th</sup> meeting held on 13<sup>th</sup>- 15<sup>th</sup> November 2013 and the written reply of the institution vide letter dated 29-06-2009 & 03-10-2013 on the above matter and also the relevant documents of the institution and decided to refuse shifting permission and withdraw recognition for the following reasons:-

- The clear title to the land is not established. The institution has not submitted certified copy of the land documents approved by competent authority.
- As per the Encumbrance certificate of the institution, the land is mortgaged to Vijaya Bank.
- FDR of Rs. 5 lacs towards endowment fund is expired on 23-05-2011.

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AND WHEREAS, based on the above points the committee decided to withdraw the recognition of the B.Ed course run by Gayathri College of Education, Naidu Colony, Thotapalem Post Office, Vizianagaram District, Andhra Pradesh from the academic year 2013-14, in order to enable the ongoing batch of students in B.Ed course, if any, to complete their course.

AND WHEREAS, as per the decision of the SRC, permission for shifting was refused and recognition of the institution was withdrawn vide order No.F.No.APS000288/B.Ed/AP/2013-2014/57420 dated 10/03/2014.

AND WHEREAS, aggrieved by the rejection order of SRC, the institution filed an appeal before the appellate authority, NCTE Hqrs.

AND WHEREAS, the appellate authority, vide order No. F.No.89-12/2014 Appeal/6<sup>th</sup> Meeting-2014 dated 29/05/2014 is received by this office on 16/06/2014 made the following observations :-

"Dr. C.H. Satya Rao, Principal, Gayatri College of Education, Vizianagaram, Andhra Pradesh presented the case of the appellant institution on 17-04-2014. In the appeal and during personal presentation it was submitted that "the clear title to the land is established by the certified land document from (a) The Joint Sub-Registrar, Land Registration, Vizianagaram (b) The Mandal Revenue officer, Bondapalli Mandal, Vizianagaram District (c) The Revenue Divisional Officer (RDO), Vizianagaram district. During the time of construction of permanent building at the site, the land was mortgaged to Vijaya Bank. But the land is released from its mortgage w.e.f. 12-05-2012 (Copy is enclosed). The Institution submitted all necessary documents along with a FDR of Rs.5.lakhs for the purpose of Endowment Fund to your good office on 29-06-2009 for shifting of premises from temporary accommodation to permanent accommodation. At the time the due date of FDR is 25-05-2011 which is in live. Subsequently the bank automatically renewed the FDR for next three years up to 23-05-2014 as per the endorsement no. 060920001000353 (Relevant document given by the bank enclosed)."

The Council noted that the appellant institution had submitted a proposal for shifting of premises from temporary to permanent building on 24-09-2007. The Southern Regional Committee (SRC) vide its letter dated 25-05-2009 sought certain documents from the appellant institution which were furnished by the appellant on 20/29-06-2009. Committee further noted that the SRC, after a lapse of more than four years dated 27-12-2013 refused the shifting permission and also withdrew recognition for B.Ed. course from the academic session 2013-2014. The Appeals Committee further noted that no show cause notice as required under proviso to

Section 17 (1) of the NCTE Act was issued seeking written representation from the appellant institution. Committee therefore, concluded to remand back the case to SRC with a direction to issue SCN and take further action as per Regulations. The Council also expressed its serious concern over the long delay caused in settling the request for shifting of the appellant institution.

After perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Council concluded that the appeal deserves to be remanded to SRC with a direction to issue SCN and take further action as per Regulations and also expresses its serious concern over the long delay caused in setting the request for shifting of the appellant institution.

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

AND WHEREAS, the above appellate authority order was placed before SRC in its 269<sup>th</sup> Meeting held on 1- 2 July, 2014 and the committee decided as under :

*NCTE (H'qrs) has directed that all appeal remand cases should be processed only after notification of the new Regulations.*

*Process Accordingly, and put up after notification of the new Regulations.'*

AND WHEREAS, further, on 16.07.2014, a corrigendum dated 02.07.2014 is received by this office from the appellate authority, New Delhi, vide letter No. F.No.89-12/2014 Appeal /6<sup>th</sup> Meeting - 2014.

AND WHEREAS, the Corrigendum dated 02.07.2014 is as under :-

*'The second last para of the Order F.No.89-12/2014 Appeal/6<sup>th</sup> Meeting - 2014 dated 29.05.2014 may be read as under :-*

*Appeal Committee on 30.06.2014 considered the request of the appellant for keeping the withdrawal order under abeyance till show cause notice under section 17(1) of the NCTE Act is issued and the reply of the appellant is processed by the SRC. The Committee observed that recognition for B.Ed course was granted in the year 2007 and the appellant made a request for shifting of premises from temporary to permanent building. The new address of the appellant institution has not yet been approved by SRC. It is not clear whether the appellant institution continues to function from its old premises or has already shifted to new premises. The withdrawal order dated 27.12.2013 issued by SRC is withheld on technical grounds i.e not giving opportunity to the appellant institution for making a written representation against the proposed grounds of withdrawal. If the appellant has already shifted to a new premises without formal approval of the Regional Committee, it cannot be allowed to conduct course from a place which has not yet been found suitable as per NCTE Regulations.*

*In case the institution is still functioning from its old premises where recognition was granted the withdrawal order may be kept in abeyance till such time that a Show Cause Notice is issued and its reply is processed and a decision is taken as per Regulations .*

The other contents of the said order will remain the same.

AND WHEREAS, the SRC in its 271<sup>st</sup> meeting held on 01<sup>st</sup> August, 2014 considered the matter and took note of the correction as per the Corrigendum dated 02.07.2014 received from NCTE (H'qrs), New Delhi.

AND WHEREAS, on 19.12.2014, a letter seeking willingness of the institution towards adherence to Regulations, 2014 was sent to the institution.

AND WHEREAS, on 28.01.2015, the institution has submitted an affidavit on Rs. 100/- stamp paper expressing willingness for the application to be processed as per Regulations, 2014.

AND WHEREAS, on 03.02.2015, a letter dated 29.01.2015 is received by this office from the Secretary & Correspondent, Sangamitra Educational Society, Naidu Colony, Thotapalem, Vizianagaram, Andhra Pradesh as under:-

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"In accordance with the reference 1<sup>st</sup> cited above ( F.SRO/NCTE/APS00288/B.Ed/AP/2014/60816 dated. 29.12.2015 of Regional Director, NCTE, Bangalore) I submit that the Gayatri College of Education, Balaji Nagar, Vizianagaram has been working since 2003. Since its inspection, it has been running in the temporary building. Now we wish to shift the B.Ed College Campus to permanent building situated at Jiyannavalasa (V), Gotlam (Panchyat), Bondapalli (Mandal), Vizianagaram (District), Andhra Pradesh.

For this purpose we already applied to you madam for grant of permission with all documents which is mentioned in the reference 1<sup>st</sup> cited above. It is now pending with your office. In view of grant of permission from you, we shall fulfill the needful things such as the document/documents and fee to be paid if any, at the time of the arrival of inspection committee, what we were not produced earlier. We also paid Rs.40000/1 as processing fee earlier in the form of Demand Draft vide DD No. 030518, dated 18.09.2007 which was drawn at Central Bank of India, Vizianagaram, as per the 2<sup>nd</sup> reference cited above (F.SRO/NCTE/2006-07/8268 dt:20.08.2007 of Regional Director, NCTE, Bangalore). As per new regulations of NCTE-2014 we also drawn FDR's for Rs.7.lakhs as endowment fund and FDR's for Rs. 5 lakhs as reverse fund.

At this juncture, I request you madam, please appoint & send Inspection Committee for this purpose at an early date for grant of permission to shift the Gayathri College of Education, Naidu colony, Thotapalem, Vizianagaram from temporary building to permanent building situated at Juyannavalasa Village, Gotlam Panchyat, Bondapalli Mandal, Vizianagaram District, Andhra Pradesh."

AND WHEREAS, the SRC in its 280<sup>th</sup> meeting held during 12<sup>th</sup> -14<sup>th</sup> February, 2015 considered the matter and decided as under:-

"Issue Show Cause Notice for land documents, Encumbrance Certificate and updated FDRs."

AND WHEREAS, before issuance of Show Cause Notice as per the website information the institution has submitted its written representation on 01.03.2015 and another representation on 16.03.2015.

AND WHEREAS, the SRC in its 284<sup>th</sup> meeting held during 9<sup>th</sup> -10<sup>th</sup> April, 2015 considered the matter, reply of the Institution dated 01.03.2015 and 16.03.2015 decided as under:-

"1. Cause Inspection 2. Collect inspection fee at the new rate"

AND WHEREAS, the inspection of the institution was conducted on 25.04.2015 and the VT Report was received by this office on 27.04.2015.

AND WHEREAS, the Southern Regional Committee in its 287<sup>th</sup> meeting held during 20<sup>th</sup> may, 2015 Considered the Visiting Team Report and decided to Restore recognition and permit shifting to new premises.

NOW THEREFORE, permission is hereby accorded by SRC to Gayathri College of Education, Naidu Colony, Thotapalem Post Office, Vizianagaram District, Andhra Pradesh to shift its premises to the new location / building at Gayathri College of Education, Gotlam Village, Bondapalli Mandal Vizianagaram District -535003, Andhra Pradesh .

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 03.02.2015 as per regulations 2014 and the revised order for the academic year 2015-16 is under:

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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, **Gayathri College of Education, Gotlam Village, Bondapalli Mandal Vizianagaram District -535003, 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, 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 create additional facilities that include (a) additional built-up area, (b) additional infrastructure, (c) additional funds, (d) additional staff as per Regulations, 2014 and inform Regional Committees with required documents by October 31, 2015.
- II. 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), 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.
- III. 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

4. NOW THEREFORE, in the light of the above and in terms of Section 14(3) of NCTE Act and in accordance with the Regulations, 2014, the Southern Regional Committee, NCTE hereby grants recognition to **Gayathri College of Education, Gotlam Village, Bondapalli Mandal Vizianagaram District -535003, Andhra Pradesh** for conducting B.Ed programme of two years duration with an annual intake of 100 students each for three basic units from the academic session 2015-16 subject to fulfilment of the conditions mentioned herein before 31.10.2015

5. 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.

6. 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.

7. The institutions 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 qualifications. 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 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.

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,  
Gayathri College of Education,  
Gotlam Village,  
Bondapalli Mandal Vizianagaram District -535003,  
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, 3<sup>rd</sup> Floor, Secretariat Building Hyderabad-500022, Andhra Pradesh
3. The Registrar, Andhra University, Vishakapatnam, Andhra Pradesh.
4. The Secretary/ Correspondent, Sangamitra Educational Society, Dr.No.8.20-25 Balaji Nagar, Vizianagaram-535002, Andhra Pradesh.
5. The Under Secretary (CS), National Council for Teacher Education, Hans Bhawan Wing-II, 1, Bahadurshah Zafar Marg, New Delhi – 110 002.
6. Office Order file/institution file.