

TO BE PUBLISHED IN GAZETTE ON INDIA PART III SECTION 4

F. No.SRC/NCTE/TN/APS08321/B.Ed./2020 /117-060

Date:

ORDER

27 AUG 2020

WHEREAS, Ponkaliamman College of Education, Thiruvalluvar Nagar, Bye-pass Road, Velayuthampalayam, Karur District, Tamilnadu-639117 has submitted an application for B.Ed. course on 14.02.2007. The institution was granted recognition on 19.03.2008 with an annual intake of 100 students.

2. AND WHEREAS, the SRC in its 239th meeting held on 26th & 27th February, 2013 considered the request of the institution vide letter dt. 24.12.2012 for causing inspection at the new premises and decided to cause Shifting inspection at the new premises and to ascertain infrastructural and instructional facilities under NCTE Act, subject to the condition that the deficiencies, if any were duly rectified by the institution, as per the norms. The institution is directed to submit all the documents pertaining to new premises. Accordingly, a letter was sent to the institution on dt. 18.03.2013. The institution submitted the documents dt. 05.04.2013.

3. AND WHEREAS, the SRC in its 244th meeting held on 09th to 11th May, 2013 considered the written reply of the institution on the above matter and also the relevant documents of the institution and decided to withdraw recognition under NCTE Act for the following reasons:-

- The institution does not have title to the land.
- In the affidavit submitted, total built up area for the course being run is not mentioned.
- In the approved copy of the building plan submitted, approving authority seal and signature is not clear, total earmarked built up area is not clear.
- Original building completion certificate in a proper format from competent Govt. Engineer is not submitted.
- Notarized English version of Up to date encumbrance certificate issued by sub-registrar is not submitted.

4. AND WHEREAS, based on the above points the Committee decided to withdraw the recognition of the B.Ed. course run by the Ponkaliamman College of Education, Thiruvalluvar Nagar, Bye-Pass Road, Velayuthampalayam, Karur District, Tamilnadu-639117 from the academic year 2013-2014, in order to enable the ongoing batch of students in B.Ed. course, if any, to complete their course.

5. **AND WHEREAS**, in the meantime, a Court Order dt. 15.05.2013 in M.P (MD) No. 2 of 2013 in W.P. (MD) No. 8351 of 2013 was received from institution as well as from the Hon'ble High Court on 17.05.2013 and 28.05.2013 obtaining stay prior to the confirmation of Minutes.

"...This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S B. Saravanam, Advocate for the petitioner, the Court made the following order:-

Notice of motion returnable in four (4) weeks. Post after four (4) weeks. Interim stay till then."

6. **AND WHEREAS**, a letter was sent to the Advocate on 31.05.2013 along with the brief of the institution to defend the case and vacate the stay. The SRC in its 246th meeting held on 02nd to 04th June, 2013 considered the matter and advised SRO to pursue the matter with the lawyer for getting the "stay" vacated. This office was in receipt of a notice from the Hon'ble High Court of Madras at Madurai on 10.06.2013 stating that the WP (MD) No. 8351 of 2013 is set down for hearing on 12.06.2013 for orders as to admission. A letter was addressed to Mr. Shivaji, Advocate on 18.06.2013 along with the brief of the case, followed by another letter on 12.07.2013 to get the stay vacated. A duly signed counter affidavit was sent to Mr. Ramakrishnareddy on 26.08.2013 in W.P No. 8351 of 2013 filed by the institution.

7. **AND WHEREAS**, on 22.10.2013, the institution submitted a copy of the Hon'ble High Court order dt. 10.10.2013 in MP (MD) No. 2 of 2013 in MP (MD) No. 8351 of 2013 stating as under:-

"This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S B. Saravanam, Advocate for the petitioner, the court made the following order: -

Interim order is extended till 31.10.2013, Post on 31.10.2013."

8. **AND WHEREAS**, a copy of the Court order dt. 28.11.2013 in MP (MD) No. 2 & 2/2013 in W.P (MD) No. 8351 & 10454/2013 was received from the Madurai Bench of Madras High Court, stating as under;

These petitions coming on for orders upon perusing the petitions and affidavits filed in support thereof and upon hearing the arguments of M/S Saravanam, Advocate for the petitioner in both miscellaneous petitions, the court made the following orders:-

At the request of the learned counsel for the respondent for filing counter in the writ petitions, wherein counter has not been filed so far, post the matter after four weeks.

9. **AND WHEREAS**, on 16.1.2014, the institution submitted a copy of the court order dt. 16.12.2013 in MP (MD) No. 2 & 2/2013 in W.P (MD) No. 8351 & 10454/2013 wherein the Hon'ble High Court extended the interim order already granted to 06.03.2014. A letter was addressed to the Mr. Shivaji, Advocate on 06.02.2014 with respect to the interim order of stay till

06.03.2014. The institution vide its letter dt. 06.01.2014 submitted the interim order dt. 16.12.2013 in W.P No. MP (MD) No. 2 & 2/2013 in W.P (MD) No. 8351 & 10454/2013 which read as under:-

"This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S B. Saravanan, Advocate for the petitioner, the court made the following order: -

Interim order already granted by this Court in WP (MD) Nos. 8351 & 10454 of 2013 is extended till 06.03.2014.

Post on 06.03.2014"

10. AND WHEREAS, this Office was in receipt of a court order dt. 06.03.2014 in MP (MD) No. 2 & 2/2013 in W.P (MD) No. 8351 & 10454/2013 filed by M/s. Ponkalamman College of Education, Thiruvalluvar and M.S. Arasu College of Education, Thiruvalluvar in the Madurai Bench of Madras High Court where in Chairman, SRC, NCTE is the 1st Respondent and the Regional Director, SRC, NCTE is the 2nd Respondent. The court order submitted by M/S Ponkalamman College of Education, Thiruvalluvar is as under:

Petitions praying that in the circumstances stated therein and, in the affidavits, filed therewith the High Court will be pleased to

a) grant an order of stay of the impugned proceedings of the 1st respondent in the 244th meeting of SRC-NCTE dt. 9th to 11th May, 2013 in respect of the petitioner at serial no. 7 in the impugned proceedings, pending disposal of the above writ petition MP (MD) Nos. 2/2013 in WP (MD) Nos. 8351 and 10454/2013.

b) Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue an order of interim stay of the operation and all further proceedings of the impugned decision of 247th meeting of the 01st respondent SRC-NCTE dt. 20th to 22nd June 2013 in respect of rejection of request for shifting and further to withdraw the recognition of the petitioner college (MP (MD) 2/2-13 in W.P No. 8351 and 10454/2013.

ORDER:

These Petitions coming on orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/s. Saravanan, Advocate, the court made the following order: -

'Learned counsel for the respondent seeks further time to file counter affidavit. Post after two weeks. Interim order already granted is extended till then.'

11. AND WHEREAS, a copy of the court order dt. 21.03.2014 in W.P No. 2 and 2/2013 in W.P. No. 8351 and 10454/2013 filed by M/s. Ponkalamman College of Education, Thiruvalluvar Nagar and Arasu College of Education for women, was received by this office on 01.04.2014.

ORDER:

These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/s. Saravanan, Advocate, for the petitioner in both miscellaneous petitions the court made the following order:-

'Post on 27.03.2014 for orders Interim order already granted is extended till then.'

12. **AND WHEREAS**, a copy of the description of documents submitted by M/S Poonkalamman College of Education, Thiruvalluvar Nagar, Bye-pass Road, Velayuthampalayam, Karur District to the High Court of Judicature at Madras, Madurai Bench in W.P. (MD) No. 16654 of 2013 filed by them was received by this office.

13. **AND WHEREAS**, the SRC in its 266th meeting held on 2nd May, 2014, considered the matter, Hon'ble High Court of Madras, Madurai Bench in interim order and advised Southern Regional Office to ask the Lawyer to report the present position of the case. And also to ask the lawyer to move for an early hearing and get the stay vacated. On 01.04.2014, a letter was received from Shri. A Shivaji, Advocate stating that interim stay has been vacated with a direction to communicate the order/decision taken by SRC with 3 weeks. Copy of the order will follow soon. Necessary remarks may be sent. On 07.04.2014, the Hon'ble High court of Judicature at Madras, Madurai Bench made the following order: -

"There is no detailed order available in all these writ petitions for the consideration of this Court. The order of interim stay already granted by this Court is modified to the effect that the interim order passed by this court will not prevent the second respondent from communicating the detailed order to the petitioner. Such exercise shall be done by the second respondent within a period of three weeks from today. After receiving such detailed order, the petitioner is at liberty to amend the prayer in these writ petitions."

14. **AND WHEREAS**, this office was in receipt of another interim order of the Hon'ble High Court of Madras at Madurai dt. 23.04.2014 received on 19.05.2014 received on 19.05.2014, stating as under:

"These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/s B. Saravanan, Advocate, for the petitioner in both miscellaneous petitions, the court made the following order:-

At the request of the learned Counsel for the respondent, post the matter after vacation. Interim order already granted is extended till 09.06.2014."

15. **AND WHEREAS**, the SRC in its 268th meeting held on 4-5 June 2014 considered the matter, Hon'ble High Court orders dt. 07.04.2014 & 23.04.2014 and directed Southern Regional Office to issue a formal order as decided by the High Court. Further, our Lawyer should be instructed to defend the case when the institution goes back to the High Court. Accordingly, as per the decision of SRC, withdrawal order was issued to the institution on 16.07.2014 and a letter was issued to Shri. A. Shivaji, Advocate on 16.07.2014 with the request to defend the case. In the meantime, the institution submitted its written representation on 18.07.2014 along with interim court order dt. 11.07.2014. The institution stated as under:-

"... a copy of the Hon'ble Madurai Bench of Madras High Court in MP (MD) No. 2 & 2 of 2013 in WP (MD) Nos. 8351 & 10454 of 2013 and the interim stay order already granted have been extended."

16. **AND WHEREAS**, this office was in receipt of interim order of the Hon'ble High Court of Madras at Madurai DT. 11.07.2014 on 22.07.2014, stating as under;

'These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/s Saravanan, Advocate, for the petitioner in both miscellaneous petitions, and of Mr. A. Sivaji, Advocate for the respondent 1 & 2 the court made the following order:-

The interim order already granted on 23.04.2014 to continue upto 25.08.2014. Post on 25.08.2014. Post on 25.08.2014 for filling counter.

Issue notice to the third respondent returnable by 25.08.2014."

17. **AND WHEREAS**, the SRC in its 271st meeting held on 01st August 2014 considered the matter, decided and advised Southern Regional Office to ask the Lawyer to pursue the case and get the 'stay vacated. Accordingly, a letter was sent to Shri. A Shivaji, Advocate on 21.08.2014 along with draft counter affidavit. An interim court order dt. 13.08.2014 in W.P No. 2 & 2 of 2013 in WP (MD) No. 8351 & 10454 of 2013 was received by SRC on 02.09.2014. The same court order was also submitted by the institution on 25.08.2014. ✖

" ORDER: These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/s. B. Sarvanan, Advocate for the petitioner in both miscellaneous petitions and of Mr. A. Shivaji, Advocate for the respondent 1 & 2 the court made the following order:-

Post on 03.09.2014 for filling counter.

Interim Order is extended until further orders."

18. **AND WHEREAS**, the SRC in its 272nd meeting held on 1st -2nd September 2014, considered the matter, Interim Court order dt. 13.08.2014 and advised Southern Regional Office to:

1. Ask our Lawyer to file counter on 03.09.2014.
2. Await Further orders from the Court.

19. **AND WHEREAS**, a letter was sent to the Advocate, Sri. A. Shivaji on 08.09.2014. On 31.12.2014, letters were issued to all existing institutions regarding notification of new Regulations, 2014 and seeking consent on their willingness for fulfilling the revised norms and standards before 31.10.2015. The institution submitted its willingness affidavit on 29.02.2015 as per Regulations, 2014 Accordingly, revised recognition order was issued to the institution on 27.05.2015 with an intake of two basic units of 50 students each, with the condition that the SRC has withdrawn recognition on 16.07.2014 and the Hon'ble High Court of Madras has ordered an interim stay of the withdrawal orders in MP (MD) No. 2 & 2 of 2013 in WP (MD) No. 8351 & 10454 of 2013.

20. **AND WHEREAS**, after the promulgation of NCTE Regulations, 2014 and as per affidavit submitted by the institution on dt. 23.01.2015 and the provisional revised recognition order was

issued on dt. 27.05.2015 to the institution for conducting **B.Ed. programme of two years duration with an annual intake of 100 students each for two basic units** from the academic session 2015-2016. The institution submitted written representation on 31.10.2015 along with documents. The institution submitted faculty list on 29.02.2016. The SRC its 314th meeting held on 27th & 28th May 2016 decided as under:

- "For cases of B.Ed. (2 units) in the existing institution, where RPRO, has been issued, we have to cause inspection to check adherence to the 2014 Regulations. This action will have to be completed by July 2016 so that revised Formal Recognition can be issued w.e.f. 2016-2017 to enable them to make admission in time.
- Action to check the documents in these cases (about 1885 in number) will take time. Instead of Waiting for that action to be completed for placing them before the SRC, to save time, VT Inspections can straightaway be ordered, VT Inspection Report can be considered along with examination of the documents.
- Regional Director is authorized to initiate action accordingly. The institution concerned may be alerted about such action so that they will be prepared to receive the Visiting Teams. They may also be advised to keep in readiness latest approved Faculty Lists for Submission to the VTs."

21. **AND WHEREAS**, inspection intimation was sent to the institution online. VT members names were generated through online VT module for inspection during the period 22.10.2016 to 10.11.2016. The institution filed in W.P. (MD) No. 20996 of 2016 & WMP (MD) No. 15006 of 2016 in Hon'ble High Court of Madras Madurai Bench against the inspection decided by the SRC. The Hon'ble High Court of, Madras, Madurai Bench, granted interim injunction for three weeks vide order dt. 02.11.2016 and set down the matter for hearing on 30.11.2016 for orders as to admission. Further, the NCTE-Hqrs had forwarded to SRC, the justification for framing of NCTE Regulations, 2014 defending such cases. These have been for included in the reply filed by SRC in such identical cases which have been filed by various institutions in the Hon'ble High Court of Madras and have obtained interim stay. A copy of justification sent by NCTE-Hqrs is also enclosed herewith, with a request to include the same while preparing draft reply to the writ petition.

22. **AND WHEREAS**, the matter regarding compliance by the institutions of the conditions of the revised recognition order, was placed before the SRC in its 369th meeting held on 28.01.2019 and the committee decided that Show Cause Notice be issued to all such institutions which have not submitted compliance. Accordingly, as per the decision a Show Cause Notice was issued to the institution on 14.10.2019. The institution submitted its reply vide letter dt. 12.11.2019 alongwith land & building documents having address as **S.F. No. 261/A22C (Block 2), Panduthakaranpudur, Punjai Kadambankurichi Village, Manmangalan (Tk), Karuru District, Tamilnadu** and staff list etc.

23. **AND WHEREAS**, the SRC in its 387th meeting held on 24th – 25th August, 2020 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:-

On the perusal of the reply submitted by the institution vide letter dt 12.11.2019, the Committee decided that the **continuation order** be issued to the Institution **Ponkaliamman College of Education, Thiruvalluvar Nagar, Bye-pass Road, Velayuthampalayam, Karur District, Tamilnadu-639117** for B.Ed programme for 2 basic units of 50 students each.

24. NOW THEREFORE, this order is issued permitting the institution i.e. **Ponkaliamman College of Education, S.F.No.261/A22C (Block 2), Panduthakaranpudur, Punjai Kadambankurichi Village, Manmangalam Taluk, Karur District-639006, Tamilnadu** for continuation of recognition for B.Ed. course of two year duration with an intake of 100 students (two units) subject to fulfillment of the following conditions:

- I. The Endowment fund of Rs. 5 lakhs and Reserve fund of Rs. 7 lakhs kept in joint account with Regional Director of NCTE should be maintained perpetually. Raising loan against the FDRs or mortgaging them shall not be done.
- II. The institution shall comply with the various other norms and standards prescribed in the NCTE Regulations, 2014 as amended from time to time.
- III. The institution shall make admissions only after it obtains affiliation from the examining body in terms of clause 8(10) of the NCTE (Recognition Norms & Procedure) Regulations, 2014.
- 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.

25. Further, the institution is required to fulfill all such other requirements as may be prescribed by other regulatory bodies like UGC, affiliating University/Body, the State Government etc as applicable.

26. 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.

27. The institution shall maintain its Website with hyperlink to the Council and the Southern Regional Committee, covering, inter – alia, the details of the institution, its locations, name of the programme(s) with intake; available of physical infrastructure, such as land, building, office, classrooms, and other facilities of amenities; instructional facilities, such as laboratory and library and the particulars of their teaching faculty and non-teaching staff with photographs, for information of all concerned. The information with regard to the following shall also be made available on the website namely:-

- a. Sanctioned programme(s) 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. Name 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.
28. The institution shall adhere to the mandatory disclosure in the prescribed format and display up-to-date information on its official website.
29. The institution shall make available the list of students admitted on its official website.
30. The institution shall fill the information on GIS Portal on the NCTE Website.

If the institution contravenes any of the above conditions or the provision of the NCTE Act, Rules, Regulations and orders made or issued there under, the institution will render itself vulnerable to adverse action including withdrawal of recognition by the Southern Regional Committee under the provision of Section 17(1) of the NCTE Act, 1993.

Also order that a copy of this Order be published in the official Gazette.

By Order,

 (Dr. Anil Kumar Sharma)
 Regional Director

The Manager
 Govt. of India Press
 Department of Publications, (Gazette Section)
 Civil Lines, Delhi – 110 054

Copy to:-

1. **The Principal,**
Ponkaliamman College of Education,
S.F.No.261/A22C (Block 2),
Panduthakaranpudur,
Punjai Kadambankurichi Village,
Manmangalam Taluk, Karur District-639006,
Tamilnadu.
2. **The Manager/Secretary,**
Dr. P.N. Educational and Charitable Trust,
Vishalnest Apartment, 1040,
Covai Road, Karur-639002,
Tamilnadu.
3. **The Principal Secretary, (Higher Education)**
School Education Department,
(In-charge Teacher Education),
Government of Tamilnadu,
Fort St. George, Chennai-600009,
Tamilnadu.
4. **The Registrar,**
Tamilnadu Teacher Education University,
Chennai, Tamilnadu.
5. **The Secretary,**
Department of School Education and Literacy,
Ministry of Human Resource Development,
Govt. of India, Shastri Bhawan,
New Delhi- 110001.
6. **The Under Secretary (IT and E-governance),**
National Council for Teacher Education,
Hans Bhawan Wing-II, 1, Bahadur Shah Zafar Marg,
New Delhi- 110002.
7. **Institution file**
8. **Guard file.**

Regional Director