

**PROCEEDINGS OF THE COMMISSIONER AND DIRECTOR OF SCHOOL
EDUCATION, ANDHRA PRADESH : HYDERBAD**

Rc.1379/D1-3/2010-2

Dated:09-04-2010

Sub:- APESS – Verification of fake certificates produced by certain incumbents in promotion counseling 2009 – Regarding.

Read:- Proc. Rc.No. 09/D1/D2/2009, dated 31-03-2010

The attention of all the District Educational Officers in the State is invited to the reference read above, and they are informed that the High Level Committee has observed that there are 14 discrepancies involved in obtaining the Degrees from the Out side of AP through Distance Mode. Accordingly, they have verified on the following points of certain teachers and found deserve to be reverted from promotion post. Further the District Educational Officers are requested to examine/verify all the certificates submitted by the teachers in the promotion counseling 2009 those who are come under purview of the discrepancies / irregularities from outside state of Andhra Pradesh.

1. Territorial jurisdiction

a) As per DEC guidelines under para 9.2 that the study centers shall be opened only in affiliated and constituent colleges, and in such other academic institutions which the parent institution may deem fit. The study centre should be located only within the jurisdiction of the parent institution after signing MOU. (with the institution where study centre is proposed to be opened) In case of deemed to be university the study centers should be only in the state where its Headquarters is located. Same provision is reiterated in DEC Guidelines 3.3.

Hence, the University (even Deemed University) cannot open its study centre outside the State. Further as per the decision of Hon'ble Supreme Court of India vide Judgment in WP Nos. 22922/2006 and batch.

b) The Universities are not authorized to open study centre/off campus centre beyond the territorial jurisdiction of the State.

2. Ex-post facto permission

"The Hon'ble Supreme Court of India has given judgment stating that The only point which survives for our consideration is as to whether the purported post facto approval granted to the appellant University of programmes offered through distance modes is valid. DEC may be an authority under the Act, but its orders ordinarily would only have a prospective effect. It having accepted in its letter dated 05.05.2004 that the appellant University had no jurisdiction to confer such degrees, in our opinion, could not have validated an invalid act. The degrees become invalidated in terms of the provisions of the UGC Act. When mandatory requirements have been violated in terms of the provision of one Act, an authority under another Act could not have validated the same an that too with a retrospective effect

3. Attendance of certain incumbents (Teachers) at School during examinations, (which they claim to have passed for promotion) found, though examinations are held at a

far off place from the place of school. One person cannot be present at two places at the same working time.

4. While there should be gap between one degree and another like degree and P.G. which is normally 2 years, certain candidates passed both degree and PG in the same year.

5. Certain candidates were given promotion well before receipt of relevant degree certificates by the District Educational Officer.

6. Examination dates and leave dates of the incumbent for the purpose of writing these examinations are different.

7. PG examination 1st and 2nd years examinations passed in one academic year only as fresh candidates

8. Unqualified teachers i.e. without English Methodology in B.Ed were promoted.

9. Maximum marks for B.Ed. course is different for different years of examination of same University.

10. P.G. 1st year was done in one University and 2nd year in another university under Distance Mode (not covered by DEC guidelines)

11. Original certificate was received in the convocation. Afterwards the University issued provisional certificate (Normally provisional certificate will be invalid after issue of Original certificate)

12. Certain Universities themselves are not recognised by U.G.C.

13. In respect of some candidates, the University has given certificates as regular candidates, while the candidates are in service (in the school).

14. One University has given for 550 Marks secured by a candidate as pass class, while for 491 marks 2nd class. There is a discrepancy.

Hence, all the District Educational Officers are requested to take immediate necessary action on the teachers those who have come under purview of discrepancies and identifying each candidate comes under which discrepancy and take action and submit report.

POONAM MALAKONDAIAH
Commissioner and Director of School Education

To
All the District Educational Officers in the State.
Copy to all the Regional Joint Directors of School Education in the State

//T.C.F.B.O.//

SUPERINTENDENT