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GOVERNMENT OF KERALA

Abstract

General Education- Recognition of 'Siksha Visarad' title awarded by Hindi Sahithya Sammelan, Allahabad- Common judgment Dated: 04/03/2009 of Hon'ble High Court in WP (C) No. 36084/2008 and connected cases - complied with - Orders issued

General Education (J) Department

GO(MS)No. 28/2010/G. Edn. Dated, Thiruvananthapuram, 09/02/2010

- Read:-
- (1) G.O (MS) No. 88/98/G.Edn. Dated. 17/03/98.
 - (2) G.O (MS) No. 180/08/G.Edn. Dated: 31/10/08
 - (3) Common Judgment Dated: 04/03/09 of the Hon'ble High Court in W.P(C) No. 36084/08 filed by Mahadevi Varma Memorial Educational Trust and others and judgments in connected cases.
 - (4) Letter received from the Register, Hindi Sahithya Sammelan, Allahabad on 4th August, 2009.

ORDER

As per the Government Order read as 1st paper above 'Siksha Visarad' title awarded by Hindi Sahithya Sammelan, Allahabad has been recognised as an alternative training qualification for appointment as Hindi teachers in aided Upper Primary/ High Schools. Subsequently on noticing wide spread complaints about the conduct of the course and authenticity of many of the certificates and also on the findings in a source report of the Vigilance Department and a letter Dated: 10/11/07 received from the Pareeksha Yojak, Hindi Sahithya Sammelan, Allahabad informing that the course has been conducted by the Sammelan only upto 2005 batch, Government examined the matter and as per the Government Order read as 2nd paper above the recognition given to 'Siksha Visarad' title, vide G.O. read as 1st paper above has been cancelled w.e.f. March 2006.

2. Several Writ Petitions were filed before the Hon'ble High Court challenging the Government Order read as 2nd paper above. The Hon'ble High Court, as per the common judgment and judgments in connected cases read as 3rd paper above has quashed the Government Order and directed Government to consider various aspects of the matter, hear the petitioners, ascertain the views of the 3rd respondent (Pareeksha Yojak, Hindi Sahitya Sammelan, Allahabad) officially and there after to take final decision in the matter.

3. Accordingly Government have contacted the 3rd respondent officially and heard the petitioners in Writ Petitions and other petitioners. The 3rd respondent as per the letter read as 4th paper above has informed that he had not written such a letter Dated: 10/11/07 mentioned in the Government Order read as 2nd paper above. It was also informed that the Sammelan is conducting the course and in fact the course is being conducted only in institutions having approval of N.C.T.E. At the time of hearing, the petitioners requested to resume the recognition of the course on specific condition that only students attending the course in N.C.T.E. approved institutions will be given recognition. The Department of Education, Government of Uttar Pradesh, was also consulted so as to ascertain the official position in the matter. In spite of repeated letters, they have not turned to reply.

4. During the course of hearing it has come to the notice that, institutions having none of the infrastructure facilities required for N.C.T.E. approval for conducting the course are claiming affiliation from the Hindi Sahitya Sammelan, Allahabad. In some of the institutions even regular classes are not conducted. It seems that bogus certificates in the name of the Sammelan are being issued from various centres. These certificates, when forwarded to the Sammelan are being received back authenticating their genuineness. As the Hindi Sahitya Sammelan, Allahabad claims that they are conducting examinations in the N.C.T.E. approved institutions only, the certificates being produced by candidates who attended other institutions in the field can be considered only as fake certificates. Since the Sammelan has claimed that they have no role in this

and they are conducting the examination in N.C.T.E. approved institutions only, it seems that there exist wide spread malpractice in the field as alleged in the source report of the Vigilance Department and other complaints. From the documents furnished by the parties who attended the hearing it was seen that, on the basis of similar allegations, the Hon'ble Allahabad High Court had also objected to the conduct of the course by the Sammelan in institutions that do not have N.C.T.E. approval, vide judgment Dated: 11/03/05 in civil MSC WP NO. 16630/05, on the basis of observations of the Division Bench of the Court in Uma Kant Zivari Vs State of Uttar Pradesh.

5. There are only three institutions in Kerala having N.C.T.E. approval to conduct the course. But several other institutions are also conducting the course and certificates of the Sammelan are issued to them. As the certificates of those who studied in institutions that do not have N.C.T.E. approval are also some how got authenticated from the Sammelan, distinguishing genuine certificates from that of others will be difficult. Recognizing such a 'Title' for appointment as H.S.A./ Language Teachers in the schools will adversely affect the student community in the State. Moreover there is no dearth of authentic institutions imparting valid courses in Hindi in the State and there are adequate number of qualified hands having B.Ed, D.L. Ed. (Hindi) etc. Therefore it is essential to restrict the conduct of such ignoble courses for better academic interest.

6. Government have examined all aspects with regard to the withdrawal of recognition of 'Siksha Visarad' title of Hindi Sahithya Sammelan, Allahabad based on the facts narrated above and are pleased to order as follows:

- (i) Recognition given to 'Siksha Visarad' title of Hindi Sahithya Sammelan, Allahabad as an alternative qualification for appointment as Language Teacher (Hindi)/ High School Assistant (Hindi) in the Primary and High school sections of aided and Government Schools is withdrawn w.e.f March 2006

itself as ordered in the Government Order read as 2nd paper above.

- (ii) The 'Siksha Visarad' title of Hindi Sahithya Sammelan, Allahabad acquired upto 31-12-09 from N.C.T.E. approved institutions will have recognition in exemption to the above condition.

7. This order is issued in compliance to the judgments of Hon'ble High Court read as 3rd paper above.

By Order of the Governor

ELSAMMA PHILIP
Additional Secretary

To

The Director of Public Instruction, Thiruvananthapuram
The Secretary Kerala Public Service Commission (with Covering Letter)
Accountant General (A&E/ Audit) Kerala, Thiruvananthapuram
All Deputy Directors of Education
All District Educational Officers | → through DPI
All Assistant Educational Officers |
The Director, Information & Public Relations Department, for vide publication
All sections/ Officers of General Education. Department
✓ The Executive Director IT @ School for vide publication through website
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Section Officer