

F.SRO/NCTE/ APS03341/B.Ed/KA/2015-16/ 63522

Date: 27/04/2015

Speed Post

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

WHEREAS, B.E.A. College of Education, MCC 'B' Block, Davanagere-577004, Karnataka has been granted recognition for B.Ed. course vide Order No.F.KAR/B.Ed./15/SRO/NCTE/2000-2001/914 dated 10.7.2000 from the academic session 2000-2001.

AND WHEREAS, a request was received from the institution on 19/10/2011 regarding shifting the building to the permanent building. The institution had stated that they have constructed new building at S. Nijalingappa Layout, 2<sup>nd</sup> Main, 11<sup>th</sup> Cross, Davanagere-577004, Karnataka. A Demand Draft of Rs.40,000/- vide DD No. 303977 dated 8.8.2011 was submitted. The institution is also offering D.Ed. and M.Ed. courses. Hence, a draft letter was addressed to the institution on 19.12.2011 to submit inspection fee for both the courses. Now, the institution on 16.1.2012 has submitted inspection fee of Rs.80,000/- for both D.Ed. and M.Ed. courses.

AND WHEREAS, the institution had already submitted filled-in questionnaire for shifting to permanent premises on 19.10.2011.

AND WHEREAS, the SRC in its 217<sup>th</sup> meeting held on 8<sup>th</sup>-9<sup>th</sup> February 2012 considered the request of the institution dt. 19/10/2011 and other relevant documents and decided to cause Shifting inspection at the new premises at S. Nijalingappa Lay out, 2<sup>nd</sup> Main, 11<sup>th</sup> Cross, Davanagere-577004, Karnataka, to ascertain infrastructural and instructional facilities under Section 17 of NCTE Act.

AND WHEREAS, accordingly, an inspection of the institution is carried out on 10.03.2012.

AND WHEREAS, the SRC in its 222<sup>nd</sup> meeting held on 09<sup>th</sup> - 10<sup>th</sup> may 2012 considered the VT Report, VCD and all the relevant documentary evidences and it was decided to serve Show cause Notice under section 17 of NCTE Act.

AND WHEREAS, accordingly, notice was issued to the institution on 09.06.2012. The institution submitted reply vide letter dated 02.07.2012

AND WHEREAS, the SRC in its 237<sup>th</sup> meeting held on 5-6 January 2013 considered the written representation of the institution vide letter dt. 02.07.2012 and all the relevant documentary evidences and it was decided to serve Show cause Notice under NCTE Act.

AND WHEREAS, accordingly, a Show Cause notice was issued on 05.03.2013. The institution submitted a written representation on 03.04.2013

AND WHEREAS, the SRC in its 244<sup>th</sup> meeting held on 9<sup>th</sup>-11<sup>th</sup> 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 for the following reasons:-

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- Approved staff list from the University/affiliating body is not submitted.

**AND WHEREAS**, based on the above points the committee decides to withdraw the recognition of the B.Ed (APS03341) course run by the B.E.A College of Education, MCC 'B' Block, Davanagere-577 004, Karnataka 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**, accordingly, withdrawal order was issued to the institution on 17.06.2013.

**AND WHEREAS**, an e-mail is received on 26/06/2013 from Haranahalli and Patil dated 26/06/2013 regarding WP No.24414, 24415 and 24416/2013 filed by Bapuji Education Society and another.

**AND WHEREAS**, a letter dated 02/07/2013 received by this office on 03/07/2013 from the institution along with staff list approved by the Davangere University for B.Ed course and certified copy of interim order in W.P.Nos.24414, 24415 and 24416/2013.

**AND WHEREAS**, educational Qualification and experience certificate of faculty members not submitted to ascertain the eligibility as per norms. Approved staff list is required as per the regulation 2009.

**AND WHEREAS**, as advised, the advocate is informed that the court matter will be placed in the 248<sup>th</sup> meeting of SRC scheduled during 13<sup>th</sup> – 15<sup>th</sup> July 2013 vide email dated 05/07/2013.

**AND WHEREAS**, the Southern Regional Committee in its 248<sup>th</sup> meeting held during 13<sup>th</sup> to 15<sup>th</sup> July, 2013 considered the approved staff list interim order of Hon'ble High Court of Karnataka, dt. 1/07/2013, decided and advised Southern Regional Office to ask the lawyer to approach the Court with a request for vacation of the interim order and rejection of the petition on the following grounds:-

- i) There is no provision in the NCTE Act/Regulations for or system of giving personal hearing before derecognition.
- ii) There are many deficiencies; they have all not been removed.
- iii) The staff lists submitted by the institution should have been approved by the Registrar (in the case of the Davanagere University) and by the Director (in the case of DSERT). The staff list submitted by the institution is signed by the Principal and the Director, which is not permissible as per NCTE norms.

**AND WHEREAS**, in the meanwhile, a letter is received from Haranahalli and Patil, Advocates and Legal Consultants dated 5<sup>th</sup> August, 2013 received by this office on 20.08.2013.

**AND WHEREAS**, the SRC in its 252<sup>nd</sup> meeting held during 13-14 September, 2013 considered the Hon'ble High Court order dated 26-06-2013 and decided that, "the staff list earlier given was sent by the Principal. The staff list they have given to the Court is very different. SRC cannot accept such switching of essential documents. The Lawyer has to be informed immediately to file an appeal."

**AND WHEREAS**, as per the decision of SRC, letters were addressed to the advocate to file an appeal on 23.10.2013.

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**AND WHEREAS**, the SRC in its 255<sup>th</sup> meeting held on 13-15 November 2013 considered the matter, letter dated 5<sup>th</sup> Aug, 2013 (received in this office on 20.08.2013) from the Advocates Mr. Haranahalli and Patil, informing this office regarding interim order of the Hon'ble High Court Karnataka, Bangalore dated 26-06-2013, wherein the Court observed that the SRCNCTE is at liberty to hold inspection of the petitioner institution and in case of deficiencies persist and petitioner fails to remove the same, the SRC can withdraw the recognition for the academic year 2014-15 onwards.

**AND WHEREAS**, based on the above, the committee decided that, Southern Regional Committee cannot inspect at this stage as there is no provision for such inspection at this stage. Southern Regional Committee cannot give any more time for removal of deficiencies as the Regulations clearly forbid time for removal of deficiencies after V.T. Inspection.

**AND WHEREAS**, accordingly, a letter was issued to the institution on 11.02.2014 to inform the SRC 255<sup>th</sup> meeting decision.

**AND WHEREAS**, letters dated 15.07.2014, 12.09.2014 received by this office on 18.07.2014, 17.09.2014.

**AND WHEREAS**, the SRC in its 273<sup>rd</sup> meeting held on 29<sup>th</sup> 30<sup>th</sup> September 2014, considered the matter, Interim order of the Hon'ble High Court Karnataka, order dated 26.06.2013, representation of the institution dated 15.07.2014 & 12.09.2014, decided as under:

1. Court has not ordered re-inspection. They have only given SRC the options to re-inspect.
2. It is not for NCTE to prevail upon other authorities to allot students.
3. Advised Southern Regional Office to ask the Institution to give us the approved Staff list that they filed in the Court for verification.

**AND WHEREAS**, accordingly, a letter was sent to the institution on 20.11.2014.

**AND WHEREAS**, the institution has submitted its reply on 01.12.2014 along with photocopy of Staff list approved Davanagere University and Photocopy of Staff approval order dated 27.06.2012, and DSERT Staff List (Kannada Version) dated 30.04.2011.

**AND WHEREAS**, the matter was placed before SRC in its 278<sup>th</sup> meeting held on 25<sup>th</sup> January, 2015 considered the matter and the committee decided that:

- Approved staff list with subject specialization and percentage of marks. Issue show cause notice.

**AND WHEREAS**, before issuance of show cause notice the institution has submitted its written representation dated 10.02.2015 received by SRC on 11.02.2015 (with reference to website in the decision of 278<sup>th</sup> meeting of SRC) along with relevant documents.

**AND WHEREAS**, the SRC in its 280<sup>th</sup> meeting held on 12-14 February, 2015 considered the matter, reply from the Institution vide letter dated 01.12.2014 & 10.02.2015 and all the relevant documentary evidence and decided to serve Show cause Notice under NCTE act.

**AND WHEREAS**, as per the decision of SRC, show cause notice was issued to the institution on 27.02.2015. The institution has submitted its written representation along with relevant documents on 20.03.2015.

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**AND WHEREAS**, the SRC in its 284<sup>th</sup> meeting held on 09<sup>th</sup> -10<sup>th</sup> April, 2015 considered the written representation of the institution dated 20.03.2015 and all other relevant documents, and it has decided to **restore recognition and permit shifting**.

**NOW THEREFORE**, recognition accorded to **B.E.A. College of Education, MCC 'B' Block, Davanagere-577004, Karnataka** for **B.Ed** course is hereby **restored/continued till further orders and permitted to shift its premises to the new location/Building at S. Nijalingappa Layout, 2nd Main, 11<sup>th</sup> Cross, Davanagere-577004, Karnataka**.

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.

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

By order,

*P Revathi Reddy*  
(P. Revathi Reddy)  
Regional Director

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

To  
The Principal,  
B.E.A College of Education,  
S. Nijalingappa Layout, 2nd Main,  
11<sup>th</sup> Cross, Davanagere-577004,  
Karnataka.

Copy To:

1. The Secretary, Dept. of Elementary Education and Literacy, Ministry of Human Resource Development, Govt. of India, Shastri Bhavan, New Delhi – 110 001.
2. The Secretary, Higher Education, Government of Karnataka, M.S. Building, Dr.AmbedkarVeedhi, Bangalore, Karnataka.
3. The Registrar, Davanagere University, Davanagere/DSERT, Karnataka.
4. The Secretary, **Bapuji Educational Association, S. Nijalingappa Layout, 2nd Main, 11<sup>th</sup> Cross, Davanagere-577004, Karnataka**.
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.