

F. No.SRC/NCTE/KA/APSO4694/B.Ed./2020/122725-2531 Date: 08 JAN 2021

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

**WHEREAS**, the institution **Vathsalya College of Education, Sri Nataraja Prathishtana, Sri Hosamutt, No. 140, Shankarnutt Road, Mysore-4, Karnataka** was granted recognition vide SRC (NCTE) order no. F.SRO/NCTE/B.Ed./2005-2006/4930 dated 24.12.2005 for conducting B.Ed. course of one year' duration with an annual intake of 100 students from the academic session 2005-2006.

**AND WHEREAS**, as per the direction given by SRC in its 175<sup>th</sup> meeting held on 13<sup>th</sup> and 14<sup>th</sup> May 2009 the office of SRC reviewed the files of the institution who have been granted recognition either in a rented premise pending construction of own building or in leased premises pertaining to the B.Ed. course in the State of Karnataka.

**AND WHEREAS**, Gist of such institutions was prepared and placed before SRC in its 176<sup>th</sup> meeting held on 27<sup>th</sup> and 28<sup>th</sup> May 2009. It was decided that the institutions which have not shifted to the permanent premises even after expiry of three years' time limit be issued notice. As per the decision of SRC, notice was issued to the institution on 08.09.2009 to submit the 10 essential documents.

**AND WHEREAS**, as the institution did not care to respond to the notice issued to the institution, for their failure to shift to permanent premises, even after the lapse of three years stipulated period permitted in their conditional orders of recognition, the matter was placed before SRC.

**AND WHEREAS**, the SRC in its 196<sup>th</sup> meeting held on 15<sup>th</sup> -16<sup>th</sup> September 2010 considered the matter and decided to issue Show Cause Notice. Accordingly, Show Cause Notice issued to the institution on 25.10.2010. Again, the institution did not care to respond to the Show Cause notice issued to the institution even after a lapse of 4 moths.

**AND WHEREAS**, the SRC in its 201<sup>st</sup> meeting held on 22<sup>nd</sup> and 23<sup>rd</sup> February 2011 considered the non-response by the institution to the Show Cause Notice dated 25.10.2010 and decided to withdraw recognition.

**AND WHEREAS**, order of withdrawing recognition was issued to the institution on 23.03.2011.

**AND WHEREAS**, aggrieved by the withdrawal order of SRC, the institution preferred an appeal to NCTE-Hqrs. and the appellate authority vide order dated 6.7.2011 confirmed the order appealed against.

**Cont.2..**

**AND WHEREAS**, as requested by the SRC Counsel, this office has forwarded duly signed counter affidavit in response to W.P. No. 28449 of 2011 filed by Vatsalya College of Education, Mysore on 13.09.2011 to Advocate Shri Ashok Haranahalli to defend the matter.

**AND WHEREAS**, the institution vide letter dated 23.09.2011 enclosed a copy of judgment dated 16.09.2011 in W.P. No. 28449 of 2011 filed by the institution in the Hon'ble High Court of Karnataka at Bangalore.

**AND WHEREAS**, the matter was placed before SRC in its 212<sup>th</sup> meeting held on 24<sup>th</sup> October 2011 considered the request of the management and directions of court order and decided that the facts of the case do not warrant an appeal against the court order. That being so, the office should cause an inspection as per normal procedure.

**AND WHEREAS**, in obedience to the court order, the inspection of the institution was carried out on 23.1.2012.

**AND WHEREAS**, the SRC in its 218<sup>th</sup> meeting held on 18<sup>th</sup> February 2012, considered the VT report, VCD and all the relevant documentary evidence and decided to serve Show Cause Notice under Section 17 of NCTE Act.

**AND WHEREAS**, Show Cause Notice was issued to the Institution on 02.04.2012. The institution submitted its reply to the Show Cause Notice on 19.04.2012.

**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 written reply vide letter dated 19.04.2012 and all the relevant documentary evidence and decided to serve Final Show Cause Notice.

**AND WHEREAS**, a Final Show Cause Notice was issued on 07.06.2012. The institution submitted reply vide letter dated 27.06.2012.

**AND WHEREAS**, the SRC in its 234<sup>th</sup> meeting held on 17<sup>th</sup> -18<sup>th</sup> October 2012, considered the reply of the institution vide letter dated 27-06.2012 and all the relevant documentary evidence and it was decided to serve Notice under NCTE Act.

**AND WHEREAS**, notice was issued on 23.11.2012. The institution submitted a reply to the notice on 26.11.2012.

**AND WHEREAS**, the SRC in its 237<sup>th</sup> Meeting held on 5<sup>th</sup> -6<sup>th</sup> January 2013 considered the reply of the institution vide letter dated 26.11.2012 and all the relevant documentary evidence and it was decided to serve Final Show cause Notice under the NCTE Act.

**AND WHEREAS**, a final Show Cause Notice was issued to the institution on 08.03.2013. The institution submitted as written representations on 28.03.2013 and 20.04.2013.

**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.

**AND WHEREAS**, as per the decision of SRC, recognition of the institution was withdrawn on 07.06.2013.

**AND WHEREAS**, the institution has filed an appeal under Section 18 of NCTE Act, before the Appellate Authority, NCTE, New Delhi against the withdrawal order of SRC.

**AND WHEREAS**, on 02.08.2013, a copy of the memorandum of the writ petition no. 33511/2013 filed by institution in the Hon'ble High Court of Karnataka, praying for an interim order of stay, staying the operation of withdrawal order of SRC, NCTE dated 07.06.2013, is received by this office.

**AND WHEREAS**, on 22.08.2013, the institution submitted a written representation addressed to the Member Secretary, NCTE, New Delhi to this office. A copy of the appeal (appl 1495 dated 14.08.2013) and a copy of the order of Hon'ble High Court of Karnataka dated 5<sup>th</sup> August 2013 in W.P. No. 33511/2013 was enclosed.

**AND WHEREAS**, in the meantime, the appellate authority order was received by SRC on 29.11.2013 vide F.No. 89-552/2013 Appeal /15<sup>th</sup> Meeting 2013 dated 12.11.2013 confirms the order appealed against.

**AND WHEREAS**, the SRC in its 256<sup>th</sup> meeting held on 4-6 December 2013, considered the appellate authority order dated 12.11.2013 and the committee has noted the matter.

**AND WHEREAS**, in the meantime, a court notice in W.P. No. 2397/2014 dated 27.01.2014 was received by SRC on 03.02.2014.

**AND WHEREAS**, a letter was sent to Shri P.S. Dinesh Kumar on 24.04.2014 along with copies of court notice in W.P. No. 2397/2014 dated 27.01.2014.

**AND WHEREAS**, the certified court order in W.P. No. 2397 of 2014 (EDN-REG-P) Order dated 27.08.2014 received from Shri. P. S. Dinesh, Advocate by SRC on 26.09.2014.

**AND WHEREAS**, the SRC in its 273<sup>rd</sup> meeting held on 30<sup>th</sup> September & 01<sup>st</sup> October 2014 considered the matter and took note of the Court Order dated 27.08.2014 as directed to the Appellate Authority.

**AND WHEREAS**, Revised Order was issued to the institution on 30/05/2015.

**AND WHEREAS**, a corrigendum is issued to the institution on dt. 07.07.2015 for permit the institution to have one basic unit of 50 students for B.Ed. course.

**AND WHEREAS**, the appeal of the institution was again confirmed vide their order dated 27.02.2018.

*An email dated 21.09.2018 was received from Sh. M. Vinod Kumar Standing Counsel Bengaluru in the above captioned matter. A draft counter affidavit has been prepared by the counsel. In the above-mentioned case SRC granted recognition to petitioner for B.Ed course for 100 students for academic session 2004-05 subject to the condition that the petitioner will own its own building and also the requirement of the regulation with regard to the built-up area to be satisfied with three years period. After several notice petitioner did not respond and NCTE. Withdraw the recognition of institution on 23.03.2011.*

**AND WHEREAS**, on email dated 28.02.2019 received from Advocate Sh. M. Vinod Kumar in the present matter which is reproduced below: -

*"In the instant case the conditional recognition was granted to petitioner institution on 24.12.2005 subject to the requirement of own building.*

*The Hon'ble Court vide order dated 18.02.2019 directed "The learned counsel for the petitioner submit that shorn off all unnecessary pleadings of both the sides, if a fresh spot inspection is undertaken by the respondents, the truth as to correct measurement would be revealed, especially in view of rectification Deed dated 15.11.2017 which would put the issue at rest. The learned panel counsel for the respondents initially having opposed the writ petition now fairly submits that this innocuous arrangement is agreeable, provided petitioner bears the expenses. The stand of the parties is fair and reasonable. In the above circumstances, this writ petition succeeds in part; the impugned order dated 07.06.2013 at Annexure-B and 27.02.2018 at Annexure-L stand quashed by Certiorari; a Writ of Mandamus issues to the respondents to undertake a fresh spot inspection with the participation of the petitioner for ascertaining the dimension of the property in question, within period of three months. Petitioner-College shall credit a sum of Rs. 25,000/- within two weeks with 2<sup>nd</sup> respondent as being the likely expenses for the mandated exercise."*

**AND WHEREAS**, the institution vide letter dated 06.03.2019 received on 13.3.2019 has submitted a DD No. 551972 dated 6.3.2019 for Rs. 25000/- which is not in order as it is in torn condition. In the first instance we may request the institution to furnish the fresh DD so that the matter can be processed further.

**Cont.5..**

**AND WHEREAS**, the SRC in its 373<sup>rd</sup> Meeting held on 26<sup>th</sup> and 27<sup>th</sup> March 2019 considered the matter and decided as under: -

**The committee considered the judgement pronounced by Hon'ble High Court of Karnataka in case of Vathsalya College of Education, Sri Nataraja Prathishtanam, Sri Hosamutt, No. 140, Shankarmutt Road, Mysore- 570004, Karnataka and decided to go for appeal as it involves the interpretation of NCTE Act as such.**

**AND WHEREAS**, a letter was sent to Sh. M Vinod Kumar, Standing Counsel, Sanjay Nagar Bangalore regarding WP no. 11365/2018 on 05.04.2019 and 04.10.2019.

**AND WHEREAS**, a W.A. No. 1424 of 2019 titled as National Council for Teacher Education and others Vs. Vathsalya College of Education and others was filed before the Hon'ble High Court of Karnataka at Bangalore. The Legal Counsel, SRC, NCTE submitted the following: -

*FR is an email dated 24.01.2020 received from Advocate Shri. M. Vinod Kumar Standing Counsel intimating that matter was listed for hearing. However, despite efforts, the Bench declined to admit the Appeal observing that the order passed by the single judge is an equitable order and there is no ground to interfere and rejected the writ Appeal.*

*2. The order copy of afore mentioned order is yet to be received in the office. Therefore, in view of above it is suggested since the Hon'ble Court has no decline to grant relief in compliance of order directed by Hon'ble single judge matter may be referred to concerned section to be placed in upcoming meeting, if approved please. "*

**AND WHEREAS**, the matter was placed before the Committee on 384<sup>th</sup> Meeting of SRC held on 12<sup>th</sup> & 13<sup>th</sup> February 2020 and decided to constitute the Visiting Team for inspection of infrastructure & instructional facilities etc., for shifting of premises of Vathsalya College of Education, Sree Natraja Prajishjanam, Karnataka for the existing courses.

**AND WHEREAS**, the institution was submitted a written representation on dt. 15.10.2020 & 23.11.2020.

**AND WHEREAS**, the institution has submitted compliance on dt. 31.12.2020 & 04.01.2021.

**AND WHEREAS**, the inspection of the institution was conducted on 23.12.2020 and inspection report was received on dt. 05.01.2021.

**AND WHEREAS**, the compliance submitted by the institution on dt. 31.12.2020 & 04.01.2021 and the matter was considered by the SRC in its 393<sup>rd</sup> Meeting held on 05<sup>th</sup> & 06<sup>th</sup> January 2021 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: -

The Committee on the perusal of the reply submitted by the institution, the Committee decided that the **continuation order** be issued to the Institution **Vathsalya College of Education, Mysore 570004, Karnataka** for B.Ed programme for **1 basic unit of 50 students**. In addition to the above, the **Shifting of premises of the institution to its own new permanent building at is also hereby permitted.**”

**NOW THEREFORE**, the SRC decided to permit the institution i.e., **Vathsalya College of Education, No. 140, Sree Nataraja Prathistana Sree Hosamath, Shankarmath Road, Fort Mohalla, Mysore-570004 for B.Ed. course run by Vathsalya Mahileyara Mttu Makkala Ashraya Samsthe, Mysore, Karnataka** for continuation of recognition for **B.Ed. course of two years duration with an annual intake of 50 students (one basic unit)** subject to fulfilment 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.
  - V. 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.
46. Further, the institution is required to fulfil all such other requirements as may be prescribed by other regulatory bodies like UGC, affiliating University/Body, the State Government etc. as applicable.
47. 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.

-:8:-

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, Vathsalya College of Education, 140/1AF3/1A, Ward No. 01, Sree Hosamath, Shankarmath Road, Fort Mohalla, Mysore-570004, Karnataka.
2. The Secretary, Vathsalya Mahileyara Mattu Makkala Ashraya Samsthe, No. 140, Sri Hosamutt, Shankarmutt Road, Fort Mohalla, Mysore, 570004, Karnataka.
3. The Principal Secretary, (Higher Education), Room No: 110, Gate II, M S Building, Ambedkar Veedhi, Bengaluru, Karnataka 560001.
4. The Registrar, University of Mysore, Crawford Hall, VISHWAVIDYANILAYA KARYA SOUDHA, K.G Koppal, Saraswathipuram, Mysuru, Karnataka 570005.
5. The Secretary, Department of School Education and Literacy, Ministry of Education, Govt. of India, Shastri Bhawan, -New Delhi- 110001.
6. The Under Secretary (IT and E-governance), National Council for Teacher Education, G-7, Dwarka, Sector – 10, New Delhi-110075.
7. Institution file
8. Guard file.

  
Regional Director