

F. No.SRC/NCTE/KA/APSO3745/B.Ed/2019/ 108811-8817

Date: 28 AUG 2019

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

WHEREAS, recognition was granted to the institution namely **Siddhartha College of Education, Kale Complex, Bus Stand Road, Jamkhandi, Bagalkot District, Karnataka** run by **Siddarth Vidyavardak Sangh ® Jamkhandi** vide SRC (NCTE) order No. F.SRO/NCTE/B.Ed/2005-2006/4989 dated 26.12.2005 for conducting Secondary (B.Ed) course of one year duration with annual intake of 100 students.

AND WHEREAS, the institution vide letter dated 6.10.2009 submitted a proposal for shifting of premises along with Rs.40, 000/- towards shifting of premises. The inspection was carried out on 17th October, 2010.

AND WHEREAS, the inspection report along with VCD was placed before the SRC in its 198th meeting held on 24-26 November, 2010 wherein it was decided to issue Show Cause Notice under section 17 of NCTE Act for the following:-

1. The institution was granted recognition in temporary premises to run B.Ed. course on 26.12.2005 with a condition that it should shift to its own permanent premises in three years. I.e., on or before 25.12.2008. The institution is still running in temporary premises and not shifted to new premises even after a lapse of stipulated 3 years i.e., after a lapse of more than 4 years and 11 months now.
2. As per VT report and VCD, the building is still in the initial stage of construction only.
3. Land documents with survey Nos. of the land where the institution is to be shifted are not submitted.

AND WHEREAS, a Show cause Notice was issued to the institution on 11.01.2011. The institution submitted its written representation on 10.2.2011.

AND WHEREAS, the matter was placed before 201st meeting of SRC held on 22-23 February, 2011 and it was decided to cause re-inspection to the institution along with re-inspection fee of Rs.40,000/-. Accordingly, re-inspection was carried out on 30-31 March, 2011. The inspection report was considered by SRC in its 204th meeting held on 27-28th April, 2011 wherein it was decided to issue Show Cause Notice. Accordingly, Show Cause Notice was issued to the institution on 01.06.2011. The institution submitted its written representation on 26.06.2011 along with DD bearing No.363392 of Rs.40,000/-.

AND WHEREAS, the SRC in its 210th meeting held on 22-23 August, 2011 considered the reply and all other relevant documents and decided to cause re-inspection of the premises Under Section 17 of NCTE Act. Accordingly, re-inspection of the institution was conducted on 6.10.2011.

AND WHEREAS, the SRC in its 215th meeting held on 12th – 13th December, 2011 considered the VT Report, VCD and all the relevant documentary evidences and decided to serve Show cause Notice under Section 17 of NCTE Act. Accordingly, a Show Cause Notice was issued to the institution on 14.2.2012. The institution submitted its written representation on 5.3.2012.

AND WHEREAS, the SRC in its 224th meeting held on 14th – 17th June, 2012 considered the written reply of the institution dt. 05-03-2012 to the show cause notice and also the relevant documents of the institution and decided to withdraw the recognition. Accordingly withdrawal order was issued to the institution vide No. APS03745-B.Ed./KA/ 2012-2013/43632 dated 09.07.2012.

AND WHEREAS, as per the decision of 235th meeting of SRC, letters were addressed to the advocate for filing appeal and apply for stay to the Court order dated 30.10.2012 vide this office letters dated 29.11.2012, 27.12.2012, 23.1.2013, 23.4.2013 and 1.6.2013.

AND WHEREAS, the SRC in its 253rd meeting held during September 30th and 1st October, 2013 considered the matter, and advised Southern Regional Office to write to the Lawyer to report the correct facts.

AND WHEREAS, the SRC in its 257th meeting held on 20th-22nd December 2013 considered the matter, Hon'ble High Court order dated 18/11/2013 noted that:

- 1) Our order was quashed by the High Court in July 2013. An appeal was filed on 8/03/2013 against the High Court order, the Committee wanted to know what happened to the appeal and why the stay was not obtained.
- 2) Southern Regional Office to ask our Lawyer to check on these and advice.
- 3) If no appeal was filed, the Court to be requested for condemnation of delay in filing the appeal and to be filed now.

Further, the Committee decided that, by - way of abundant caution, the case to be reopened for further processing. The institution to be asked to submit all necessary documents so that the Committee can consider for causing inspection.

AND WHEREAS a letter was sent to the institution on 25.02.2014. The institution replied to the letter and submitted documents on 24.03.2014.

AND WHEREAS, the SRC in its 267th meeting held on 12-13 May 2014 considered the matter, decided that the staff list submitted by the institution is not in the approved/prescribed format. Also, subject specializations and qualifying marks have not been detailed. Eligibility cannot be ascertained. Advised Southern Regional Office to ask the institution to submit a proper staff list in the prescribed format. Accordingly a letter was sent to the institution on 04.07.2014.

AND WHEREAS the institution submitted its written representation on 04.08.2014 along with submission of original staff list approved by Rani Chennamma University, Vidyasangama, Belagavi and also submission of original affidavits of staffs.

AND WHEREAS, the SRC in its 272nd meeting held on 1-2 September 2014 considered the matter and decided to remind the appellate authority to return our case file so that we can comply with the court order.

AND WHEREAS, a letter was sent to Member Secretary, NCTE-Hqrs on 04.12.2014 and original file was returned to SRC on 15.12.2014 but appellate authority order was not received. Again a letter was sent to Member Secretary to send a copy of appellate authority order on 06.01.2015.

AND WHEREAS, the SRC in its 279th meeting held on 1st February 2015 considered the matter and decided that: 1. Obtain Inspection fee first. 2. Obtain Affidavit. 3. Obtain all documents including FDRs and approved staff list for processing towards inspection. Again, the matter was placed before SRC in its 280th meeting held on 12-14 February 2015 and the committee considered and decided as follows:-

1. *The case file is still with the appellate authority. Remind them. The court had quashed our order. There is, therefore, no cause of action any more for the appeal. The party should actually withdraw the appeal.*
2. *I) Be that as it may, our order of withdrawal of recognition was quashed; in other words recognition automatically stood restored.
II) Nevertheless, in compliance of the specific court order, Issue an order restoring recognition at the original premises.*
3. *Process afresh for permitting shifting.*

AND WHEREAS, The SRC in its 282nd meeting held on 26 February 2015 considered the matter and decided as under:-

As directed by Court without prejudice to protection of the interests of SRC, NCTE in the matter, shifting permitted to new address subject to condition that the institution shall submit approved staff list in prescribed format filling all the details as per the NCTE regulations (recognition norms and standards) 2014 within 21 days. Further, the institution is required to conform to the new requirements as prescribed in NCTE (Recognition Norms and Procedure) Regulations 2014 and submit compliance before 31.10.2015.

The institution submitted its written representation on 17.03.2015 along with original willingness affidavit and approved staff list from Rani Chennamma University dated 16.03.2015.

AND WHEREAS the Committee considered the matter, written representation from the institution vide their letter dated 17.03.2015 and all the relevant documentary evidences and decided to serve Show cause Notice Under NCTE Act for the following :-

- *The staff list submitted by the institution is not as per new (or, even the) old norms.*

AND WHEREAS as per the decision of SRC, a Show Cause Notice was issued to the institution on 27.04.2015. Reply was received from the institution on 19.05.2015 along with approved staff list from Rani Chennamma University, Belgavi.

AND WHEREAS revised order for 2 units of B.Ed course was issued on 31.05.2015 subject to submission of staff list by the institution.

AND WHEREAS SRC in its 289th meeting held on 23rd June, 2015, considered the matter reply letter from the institution dated 27.04.2015 and all the relevant documentary evidences and decided to serve under NCTE Act for the following :-

1. ***The institution has not appointed Lecturer in Bio-Science.***

AND WHEREAS as per the decision of SRC, a Show Cause Notice was issued to the institution on 23.07.2015. The institution submitted reply to the show cause notice on 14.03.2015.

AND WHEREAS SRC in its 292nd meeting held during 29th to 30th September, 2015 considered the matter, reply to the show cause notice vide letter dated 14.03.2015 from the institution and all other relevant documents of the institution and decided as under:

- "1.Appointment of Lect. (Bio Science) is checked.***
- 2.Close the case."***

AND WHEREAS SRC in its 303rd meeting held on 15th February 2016 considered the matter and decided as under:-

- "1.SRC restored recognition.***
- 2.The same already been informed to the Court***
- 3.Advocate may be informed to withdraw the Writ Appeal."***

AND WHEREAS the decision of SRC was conveyed to the advocate vide this office letter dated 25.02.2016. On 29.03.2016, this office received a court order dated 3rd March, 2016 in W.A.No.2012 of 2013 which is as under:-

"Miss. Ankitha .G.Shelke , learned advocate appearing for Mr. Pramod Kathavi , learned advocate for the appellants , moves the memorandum seeking to withdraw the writ appeal

- 2. The writ appeal is barred by limitation by 99 days***

- 2. Thus, the application for condonation of delay is dismissed as withdrawn. Consequently, as prayed for, the writ appeal is, also, dismissed as withdrawn"***

AND WHEREAS SRC in its 309th Meeting held during 12th to 14th April, 2016 took note of the same.

AND WHEREAS on 24.02.2016, the institution submitted a representation requesting for one unit of 50 students and the SRC considered the matter in its 373rd meeting and decided the following:-

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. The Committee noted that the Institution has

requested for reduction of intake from 2 units to 1 unit and the following observations were made:-

- The institution is required to submit certified copy of land documents. (If the same are in Regional Language the institution is also required to submit notarised copy of English version of land documents)
- Land Use Certificate issued by the Competent Authority.
- Non Encumbrance Certificate issued by the Competent Authority.
- A copy of the approved Building Plan (if institution is running more than one Teacher Education programme, it shall be required to submit an exclusive earmarked building plan for each of the recognised Teacher Education programme)
- Building Completion Certificate as per prescribed Format.
- Staff list duly approved by the affiliating body as per the prescribed Format.
- FDRs for Endowment Fund and Reserve Fund.

The Committee decided to issue Show Cause Notice on the above grounds.

AND WHEREAS, the Show Cause Notice was issued to the institution on 03.04.2019. The institution vide letter dated 17.04.2019 submitted a Xerox copy of the interim order of stay dated 22.04.2019 and also the institution has submitted reply on 27.06.2019 and 1.7.2019 in respect of Show Cause Notice issued on 03.04.2019.

AND WHEREAS, the SRC considered the matter in its 378th meeting of the SRC held from 25th & 26 July, 2019 and decided the following:-

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 noted that the Institution filed a Court cases and the matter is sub-judice. However the institution filed a Memo for withdrawal of the case before the Hon'ble Court.

Therefore, the Committee decided that the case will be considered only either on final disposal of the case or withdrawal of the case by the Management from the Hon'ble Court.

AND WHEREAS, on 14.08.2019, an e-mail was received from the Siddharth College of Education Jamakhandi, enclosing therewith a copy of the order passed by the Hon'ble High Court of Karnataka W.P. No. 109262/2019 dated 01.08.2019 as under:-

"Petitioner had challenged the show cause notice issued. It is stated that the petitioner will appear before the authority and submit his reply. In light of the same, memo is filed seeking permission to withdraw the petition. Liberty is sought to be reserved to approach the Court, if circumstances so arise in connection with the impugned order.

3. In light of the memo and submission made, petitioner is permitted to withdraw the petition. Liberty as sought for is reserved to approach the Court, if circumstances so necessitate as regards the subject matter of the present petition."

AND WHEREAS, the matter was considered by the SRC in its 379th meeting held from 21st & 22nd August 2019 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 original documents and records made available in the file. The Committee decided that the **continuation order be issued to Siddartha College of Education, Kale Complex, Bus Stand Road, Jamkhandi, Bagalkot District, Karnataka for B.Ed programme for 1 unit of 50 students.**

NOW THEREFORE, this order is issued permitting the institution Siddartha College of Education, Sy.No.257/A (CTS No.5359/A/3),Jamkhandi, Bagalkot District, Karnataka run by Siddarth Vidyavardak Sangh @ Jamkhandi for continuation of conducting B.Ed course of two years duration with an intake of 50 students (one basic 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 form 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.

6. 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.

7. The institution shall submit to the Regional Committee as Self – Appraisal Report at the end of each academic year along with the statement of annual accounts duly audited by a Chartered Accountant.

8. 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 of 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.
9. The institution shall adhere to the mandatory disclosure in the prescribed format and display up-to-date information on its official website.
10. The institution shall make available the list of students admitted on its official website.
11. 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 thereunder, 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

(108817)

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6. **The Under Secretary (IT and E-governance),**
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(108816)

7. **Institution file**

8. **Guard file.**

Regional Director
21/8/19