

TO BE PUBLISHED IN GAZETTE ON INDIA PART III SECTION 4

F.No.SRC/NCTE/APSO3826/B.Ed/KA/2019/109445-109451

Date: 3 SEP 2019

ORDER

The D.M.S. Karnataka Social Educational and Cultural Centre, No. 1382/7, 2nd Cross, Saraswathi Nagar, Davangere District, Karnataka was granted following programmes:-

- (i) The SRC granted recognition to KSS College of Education, #1949/3, D.M.S. "Sadhana", Last Bus Stop, Vidyanagar, Davangere District - 577005, Karnataka run by D.M.S. Karnataka Social Educational and Cultural Centre, No. 1382/7, 2nd Cross, Saraswathi Nagar, Davangere District, Karnataka for Secondary (B.Ed) course of one year's duration with an annual intake of 100 students and was granted recognition on 04.01.2006 with a condition to shift its own premises / building within three years from the date of recognition (in case the course is started in rented premises).
- (ii) The SRC granted recognition to Dalitha Mahasabha Davangere, Karnataka Social Educational & Cultural Centre, No. 1949/3, "Sadhana" Vidyanagar Main Road, Davangere-577005, Karnataka run by Karnataka Social Educational & Culture, Davangere District, Karnataka vide SRC (NCTE) order no. F.No.NCTE/APSO8208/M.Ed/2006-2007/16037 dt. 18.12.2007 for conducting M.Ed course of one-year duration with an annual intake of 25 students.
- (iii) The SRC granted recognition to K.S.S College of Education, No. 1949/3, DMS Sadhana, Last Bus Stop, Vidya Nagar, Davanagere District-577005, Karnataka run by D.M.S.K.S.E.C, Center, Davanagere District, Karnataka vide SRC (NCTE) order no. F.No.NCTE/APSO5474/D.Ed/2006-2007/732 dt 12.04.2007 for conducting D.Ed course of two-year duration with an annual intake of 50 students.

The SRC vide order No. F.No.APSO5474/D.Ed/APSO3826-B.Ed/APSO8208-M.Ed/KA/2011/30104 dated 05.09.2011 recognition granted to KSS College of Education, # 1949/3, D.M.S. "Sadhana" Last Bus Stop, Vidyanagar, Davanagere- 577005, Karnataka for D.Ed. & M.Ed courses is withdrawn.

AND WHEREAS, as the records of the SRC in respect of B.Ed. programmes reveals the following:-

- (i) the institution had approached the Hon'ble High Court of Karnataka in W.P. No. 3176 of 2010 and hence the withdrawal order could not be issued to the institution. Subsequently a letter has been received on 24.02.11 from Sri. Ashok

- Karanahalli Advocate enclosing a copy of the order available on the High Court website for immediate compliance. The order dated 02.02.2011.
- (ii) The order withdrawing recognition was issued to the institution on 03.03.2011 for B.Ed course. The Hon'ble High Court of Karnataka in W.P. 3176 of 2010 dated 11.03.2011 has passed the order. The 2nd respondent is directed to inspect the new premises of the college in question within a period of four weeks from today and submit the report to this court.
- (iii) As per the direction of the Hon'ble High Court of Karnataka the institution in its letter dated 16.03.2011 has submitted Rs. 40,000/- vide DD No. 249036 dated 15.03.2011 towards shifting fee. The institution also submitted another letter dt. 18.03.2011 by submitting another Demand Draft of Rs. 40,000/- bearing No. 121074 dated 18.03.2011 towards inspection fee. In this regard, it has been pointed out that the institution has submitted two Demand Drafts of Rs. 40,000/- each. Inspection for shifting is to be conducted for three courses i.e. D.Ed, B.Ed and M.Ed and the institution was requested to submit the DD of Rs. 40,000/- more.
- (iv) A composite inspection of the institution was carried out for D.Ed, B.Ed and M.Ed courses on 29-30 March 2011, as per the Court Orders. The inspection report along with VCD was forwarded to the advocate placing before the Hon'ble High Court of Karnataka along with the detailed analysis.
- (v) The SRC in its 204th meeting held on 27th – 28th April, 2011 considered the VT Report, VCD and all the relevant documentary evidence and decided to issue Show Cause Notice under Section 17 of NCTE Act.
- (vi) A Show Cause Notice was issued to the institution on 01.06.2011 for all the courses. The institution submitted its written representation on 23.06.2011 which was placed in 208th meeting held on 13th – 14th July, 2011 and the SRC decided to withdraw the recognition of the institution for all the courses i.e. D.El.Ed (APSO5474), B.Ed (APSO3826) and M.Ed (APSO8208) courses on certain grounds. The committee decided to withdraw recognition of D.Ed course from the academic year 2012-2013 so as to enable the ongoing batch of students in D.Ed course if any to complete their final year course. \
- (vii) As per the decision of SRC withdrawal order was issued to the institution vide order No. **F.No.APSO5474/D.Ed/APSO3826-B.Ed/APSO8208-M.Ed/KA/2011/30104** dated **05.09.2011** for recognition granted to **KSS College of Education, # 1949/3, D.M.S. "Sadhana" Last Bus Stop, Vidyanagar, Davanagere- 577005, Karnataka** for D.Ed. & M.Ed courses is withdrawn.
- (viii) Aggrieved by the withdrawal order, the institution preferred an appeal dated 07.09.2011 before the appellate authority which was heard on 03.11.2011.
- (ix) The Appellate Authority after perusal of documents, memorandum of appeal, Affidavit, VT report and after considering oral arguments advanced during the hearing, the council reached the conclusion that there was adequate ground to accept the appeal and reverse the SRC's order dated 05.09.2011 vide Appellate authority order No. **F.No.89-360/2011 Appeal/7th Meeting-2011** with a direction to

the SRC for re-examination of the matter in totally, taking into consideration the observation of the council and for taking appropriate decision thereafter. Accordingly, the appeal was accepted and the order of SRC dated 05.09.2011 was reversed.

- (x) The Secretary, KSS Foundation Davangere submitted its representation along with documents, appeal order to SRC vide its letter dt. 29.12.2011. The representation along with details were placed in 218th meeting of SRC held on 28th February, 2012 the Committee considered the appellate authority order and reply of the institution and decided to issue show cause notice.
- (xi) A SCN was issued to the institution on 02.04.2012. The institution submitted reply vide letter dated 23.04.2013. The SRC in its 237th meeting held on 05th – 6th Jan, 2013, considered the reply of the institution vide letter dated. 23.01.2012 and all relevant documentary evidence and decided to serve final show cause notice under NCTE Act.
- (xii) A final SCN was issued to the institution 08.03.2013. The institution submitted a written representation on 28.03.2013. The institution has submitted its reply on 28.03.2013 in respect of Final SCN issued on 08.03.2013. The SRC in its 243rd meeting held on 29-30 April, 2013, considered the reply of the institution on above matter and also the relevant documents of the institution and decided to withdraw recognition.
- (xiii) A court notice in **WP No. 20868/2013 (EDN-REG-P)** filed by KSS Foundation vs. SRC-NCTE and NCTE Hqrs received by SRC on 17.05.2013. The SRC in its 246th meeting held on 02nd to 04th June 2013 considered the matter and decided to get the 'stay' vacated through our advocate and also to inform the advocate to move for dismissal of petition filed by the petitioner.
- (xiv) A letter was addressed to the advocate to vacate the interim stay granted to the institution was sent on 27.05.2013 along with brief of the institution. A letter dated 21.06.2013 received from NCTE hqrs on 26.06.2013 with request to furnish the present status of the case and outcome of the hearing dated 12.06.2013 further it was requested to vacate the interim stay granted by the court. A court notice in **WP No. 20868/2013 (EDN-REG-P)** filed by KSS Foundation Vs. SRC-NCTE and NCTE Hqrs received by SRC on 28.06.2013. Accordingly, a letter was issued to the advocate Shri. Ashok Haranahalli on 20.07.2013.
- (xv) A letter dated 15.07.2013 from NCTE Hqrs on 19.07.2013 with a request to furnish the present status of the case and action taken to vacate the interim stay granted by the court. A letter was sent to the advocate Shri P.S. Dinesh Kumar on 13.01.2014. On 05.02.2015, the institution has submitted an affidavit for offering B.Ed course with an intake of 100 students. Accordingly, a revised order was issued to the institution on 20.05.2015. The institution has submitted a reply to the Revised Order on 30.10.2015. The SRC in 314th meeting held on 27th – 28th May, 2016 considered the reply of the Revised Order and decided. As per the decision of SRC, inspection intimation was sent to the institution on 13.06.2016. Accordingly, inspection of the institution was conducted on 20.10.2016 and VT report was received by this office on 25.10.2016. A letter

dated 15th December 2017 received from NCTE Hqtr (Legal Section) on 21.12.2017.

- (xvi) A draft letter to Shri T.M. Venkata Reddy, Central Government Counsel, Karnataka is lying in file. However, it is not clear whether the letter has been sent to the Counsel or not. The file was sent to the Legal Counsel who has informed.

"The petitioner TEI preferred a WP. No. 20892 of 2013, wherein the Hon'ble High Court vide order dated 10.12.2013 (Corres. Pg. 1168 – 1172) directed that "The impugned orders in the respective petitions are hereby quashed. The Southern Regional Committee, National Council for Teacher Education which is one of the respondents in each of these petitions, shall in the event that it seeks to proceed against the respective institutions, issue appropriate notice to the petitioners and after affording them an opportunity of hearing as against any such notice, pass appropriate orders, in accordance with law. The petitions stand disposed of accordingly.

The institution further filled a WP No. 49437 of 2017 challenging the amended Regulations 8(a)(3) of the National Council for Teacher Education (Recognition Norms and procedure) Regulations, 2014 as amendment Regulations, 2017, is under challenge (QCI).

Since, the matter pertains to QCI, the Hon'ble High Court vide order dated 09.10.2018 adjourned the matter till the final disposal of the relevant cases by the Delhi High Court as directed by the Hon'ble Supreme Court of India".

- (xvii) SRC in its 376th meeting held on 11th – 12th June, 2019 considered the matter and 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:-

The Committee decided to issue Show Cause Notice u/s 17 of NCTE Act, 1993 before withdrawal of the recognition on the following grounds to all the existing courses being run by the Society.

1. 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).
2. Land Use Certificate issued by the Competent Authority.
3. Non Encumbrance Certificate issued by the Competent Authority.
4. 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).
5. Details of Teacher Education programme/other programme (if any) being run by the institution in the same campus

Name of the Institution & Course	NCTE Code No.	Intake/unit(s)	Year starting of	Affiliating body
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6. Building Completion Certificate as per prescribed Format.
7. Staff list duly approved by the affiliating body as per the prescribed Format.
8. Original FDR of Rs. 7 lakh and 5 lakh, totaling Rs. 12 lakh towards Endowment Fund & Reserve Fund into joint account for a duration of 5 years.

AND WHEREAS, as per the decision of SRC, a show cause notice was issued to the institution on 17.06.2019. The institution vide letter dated 10.07.2019 submitted its reply to the show cause notice. The SRC in its 379th meeting held on 21st – 22nd August, 2019 considered the matter and 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:-

- (i) The Committee observed from the records that the D.Ed. & M.Ed. programmes, the Davangere University & Govt. of Karnataka has stopped the admissions from the academic year 2013. Further the management also requested the SRC to withdraw the recognition for the D.Ed & M.Ed. programmes. While agreeing for withdrawal of recognition for D.Ed. & M.Ed. programmes and on perusal of the documents submitted in response to SCN issued, the Committee decided to continue recognition for 2 units for B.Ed. programme.

In view of the above Committee decided to :-

- (i) Withdraw the recognition granted to KSS College of Education, #1949/3, D.M.S. "Sadhana", Last Bus Stop, Vidyanagar, Davangere District - 577005, Karnataka for conducting D.Ed & M.Ed. course w.e.f. the next academic session under clause 17(1) of NCTE Act, 1993 on the grounds mentioned above.
- (ii) Issue continuation order to KSS College of Education, #1949/3, D.M.S. "Sadhana", Last Bus Stop, Vidyanagar, Davangere District - 577005, Karnataka for B.Ed programme for 2 units (50 students each unit).

NOW THEREFORE:-

- (i) The recognition granted to M.Ed. & D.El.Ed. programmes being run by the Institution
 - (i) Dalitha Mahasabha Davangere, Karnataka Social Educational & Cultural Centre, No. 1949/3, "Sadhana" Vidyanagar Main Road, Davangere-577005, Karnataka run by Karnataka Social Educational & Culture, Davangere District, Karnataka vide SRC (NCTE) order no. F.No.NCTE/APSO8208/M.Ed/2006-2007/16037 dt. 18.12.2007 for conducting M.Ed course of one-year duration with an annual intake of 25 students and (ii) K.S.S College of Education, No. 1949/3, DMS Sadhana, Last Bus Stop, Vidya Nagar, Davanagere District-577005, Karnataka run by D.M.S.K.S.E.C, Center, Davanagere District, Karnataka vide SRC (NCTE) order no. F.No.NCTE/APSO5474/D.Ed/2006-2007/732 dt 12.04.2007 for conducting D.Ed course of two-year duration with an annual intake of 50 students shall stand

remain withdrawn as per Order No. F.No.APSO5474/D.Ed/APSO3826-B.Ed/APSO8208-M.Ed/KA/2011/30104 dated 05.09.2011

- (ii) The order is issued permitting the institution i.e. **KSS College of Education, Sy No. 12/1A3, No. 1382/5, 6 2nd Cross, Saraswathinagar, Davanagere-577004, Karnataka** run by **D.M.S. Karnataka Social Educational and Cultural Centre, No. 1382/7, 2nd Cross, Saraswathi Nagar, Davangere District, Karnataka** for continuation of recognition for B.Ed course of two years duration with an annual intake of 100 students (two units) of 50 each 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 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.

1. 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.

2. 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.

3. 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 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 or 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.
4. The institution shall adhere to the mandatory disclosure in the prescribed format and display up-to-date information on its official website.
 5. The institution shall make available the list of students admitted on its official website.
 6. 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 there under, 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

109451 - The Manager,
Govt. of India Press,
Department of Publications, (Gazette Section),
Civil Lines, Delhi-110054.

Copy to:-

- 109445 - 1. **The Principal,**
KSS College of Education,
Sy No. 12/1A3, No. 1382/5,
6 2nd Cross, Saraswathinagar,
Davanagere-577004,
Karnataka.
- 109446 - 2. **The Secretary,**
D.M.S. Karnataka Social Educational and Cultural Centre,
No. 1382/7, 2nd Cross, Saraswathi Nagar,
Davangere District,
Karnataka.

109447-3. **The Principal Secretary, (Higher Education)**
School Education Department,
(In-charge Teacher Education),
Government of Karnataka,
M.S. Building, Dr. Ambedkar Veedhi,
Bangalore - 560001,
Karnataka.

109448-4. **The Registrar,**
Davangere University,
Shivagangothri, Davangere- 577002.
Karnataka.

109449-5. **The Secretary,**
Department of School Education and Literacy,
Ministry of Human Resource Development,
Govt. of India, Shastri Bhawan,
New Delhi- 110001.

109450-6. **The Under Secretary (IT and E-governance),**
National Council for Teacher Education,
G-7, Sector-10, (Near Sector-10 Metro Station),
Dwarka, New Delhi- 110075.

7. **Institution file**

8. **Guard file.**

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6/11/19
Regional Director