

F.SRO/NCTE/APS02174/B.Ed/KA/2020 115815 - 5821 Date: 06 MAR 2020

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

**WITHDRAWAL ORDER**

**WHEREAS**, the recognition was granted to the institution namely **Amitha B.Ed. College, C.A.No.2, 3<sup>rd</sup> Main, West of Chord Road, 2<sup>nd</sup> Stage, Mahalakshmpuram, Bangalore-560086, Karnataka run by Ambedkar Memorial Society, Bangalore, Karnataka vide SRC (NCTE) order no. F.SRO/NCTE/B.Ed./2004-2005/8636 dated 25.11.2004 for conducting B.Ed. course of one-year duration with an annual intake of 100 students.**

**AND WHEREAS**, the SRC in its 248<sup>th</sup> meeting held during 13<sup>th</sup> to 15<sup>th</sup> July, 2013 considered the matter, Hon'ble High Court Interim order and all the relevant documentary evidences and decided to serve Show cause Notice under NCTE Act, for the following: -

- **The Institution was granted recognition in temporary premises to run B.Ed course on 25-11-2004 with a condition that it should shift to its own permanent premises in 3 years. i.e., on or before 25.11.2007. The Institution is still running in temporary premises and not shifted to new premises even after a lapse of stipulated 3 years and after lapse of time period of more than 8 years and 07 months.**

**AND WHEREAS**, the institution has not shifted to the new premises after grant of conditional recognition. As per the decision of SRC, Show Cause Notice was issued to the institution on 27.8.2013. The institution has submitted its written representation on 18.9.2013.

**AND WHEREAS**, the Committee in its 254<sup>th</sup> Meeting held on 25<sup>th</sup> – 27<sup>th</sup> October, 2013 considered the matter, decided that in the first instance, the Court case concerns Government of Karnataka and Bangalore University.

**AND WHEREAS**, the Committee advised Southern Regional Office to examine w.r.t. show cause notice reply dated 18-09-2013 in the shifting matter and report in the 255<sup>th</sup> meeting scheduled on 13-15<sup>th</sup> Nov, 2013. Accordingly, the matter was examined and placed before SRC.

**AND WHEREAS**, the Committee in its 257<sup>th</sup> Meeting held on 20<sup>th</sup>–22<sup>nd</sup> December, 2013 considered the matter, and also decision taken in the 254<sup>th</sup> SRC meeting held on 25<sup>th</sup> – 27<sup>th</sup> October, 2013, since the case is related to Government of Karnataka and Bangalore University, decided to await the orders of Court in the matter.

**AND WHEREAS**, it was decided by the Committee advised Southern Regional Office to examine in detail the reply to show cause notice from the institution vide letter dated 18/09/2013 and report in the format given by the Committee in the 258<sup>th</sup> meeting.

**AND WHEREAS**, the SRC in its 259<sup>th</sup> meeting held on 17<sup>th</sup> – 19<sup>th</sup> January 2014 considered the written reply of the institution to the show cause notice, and all the relevant documentary evidences and it was decided to serve Show cause Notice Under NCTE Act for the following –

- **The Building completion certificate submitted by the institution is not approved by the competent authority, and a Iso is not in the prescribed format.**

**AND WHEREAS**, as per the decision of SRC a Show Cause Notice was issued to the institution vide letter No.F.NO.APS02174/B.Ed/KA/2013-14/56668 dated 06/02/2014. The institution has not submitted any reply to the Show Cause Notice till date.

**AND WHEREAS**, the Southern Regional Committee in its 268<sup>th</sup> meeting held during 4<sup>th</sup> to 5<sup>th</sup> June, 2015 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:-

- **The institution was served with a show cause notice on 06.02.2014 to reply within 21 days from the date of receipt of the notice along with necessary certificates /documents, But, the institution failed to reply to the show cause notice even after a time period of more than four months since issuing of show cause notice on 06.02.2014.**

**AND WHEREAS**, based on the above points the committee decided to withdraw the recognition of the B.Ed course run by AmithaB.Ed College, C.A. No.2, 3<sup>rd</sup> Main, West of Chord Road, 2<sup>nd</sup> Stage, Mahalakshmpuram, Bangalore-560086, Karnataka, from the academic year 2015-16, in order to enable the ongoing batch of students in B.Ed, course, if any, to complete their course. Accordingly as per the decision of SRC, recognition of the institution was withdrawn vide this office order dated 07.08.2014.

**AND WHEREAS**, aggrieved by the withdrawal order of SRC, the institution filed an appeal before the appellate authority . On 07.10.2015, the appellate order No. F.No. 89-104/2015 Appeal /8<sup>th</sup> Meeting 2015 dated 23.09.2015 is received by this office.The appellate authority order dated 23.09.2015 is as under :-

***“ Shri. M. Nagaraj, Administrator , Amitha college of education , 2,3<sup>rd</sup> Main West of Chord Road, 2<sup>nd</sup> Stage, Mahalakshmpuram, Bangalore Urban District, Karnataka –560086 presented the case of the appellant institution on 04.09.2015.In the appeal and during personal presentation it was submitted that “ in the city of Bangalore , being a Metropolitan City, the building Completion Certificate should be taken from the PWD Engineer who works in the State Secretariat after the approval of the Bangalore Metropolitan city Corporation .It is a lengthy process wherein the Commissioner of the Corporation should approve and depute Executive Engineer for issuance of Building Completion Certificate .As you are aware ,Bangalore is a Metro City and getting a specific certificates from the Public authorities .We wish to submit that we have made attempt to submit the Appeal through online mode in the NCTE website immediately after the withdrawal order from SRC, NCTE .However , we tried repeatedly , the submit button has not worked in the website .We tried several times .Hence we have taken raw application entered in the website and taken print out and the same was submitted to NCTE, New Delhi.***

***AND WHEREAS*** there is a delay of about 10 months in preferring appeal. Appellant during the course of appeal presentation stated that initially there were some problems in submitting online appeal and hence delay occurred .Committee decided to condone delay in preferring appeal and decide the case on merits.

**AND WHEREAS, Committee further observed that SRC had issued a Show Cause Notice (SCN) to the appellant institution on 27.08.2013 on the grounds that the appellant institution has not shifted to the new premises after grant of conditions recognition. Another SCN was issued to the appellant institution on 06.02.2014 on the ground that "Building Completion Certificate (BCC) submitted by the institution is not approved by the competent authority and also is not in the prescribed format. Committee examined the relevant records and observed that recognition for conducting B.Ed course was granted to the institution on 25.11.2004 with the institution address as C.A.No. 2/3<sup>rd</sup> Main West of Chord Road, 2<sup>nd</sup> Stage, Mahalakshipuram, Bangalore - 560086, Before grant of recognition, inspection under section 14 of the NCTE was also conducted at the same site.**

**AND WHEREAS as per terms for grant of recognition mentioned in para 3(C) of the recognition order dated 25.11.2004 " the institution shall shift to its own premises / building within three years from the date of recognition (in case the course is started in a rented premises) Committee further observed that the appellant institution continues to function from the same address. Site of the institution is held on Government lease from Bangalore Dev Authority for a period of 30 years . Committee therefore, is of the opinion that institution was under no obligation to shift premises as government lease of land was allowed as per 2007, 2009 regulations and is also permissible as per 2014 Regulations. Since shifting of premises is not required the requirement of a revised BCC also becomes redundant. The appellant however, furnished a BCC issued by Competent authority before the Appeal Committee.**

**AND WHEREAS , the Appeal Committee keeping in view of the above status , decided to reverse the impugned order dated 07.08.2014.**

**AND WHEREAS, after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded to reverse the impugned order dated 07.08.2014 issued by SRC."**

**AND WHEREAS, the Southern Regional Committee in its 293<sup>rd</sup> Meeting held during 29<sup>th</sup> to 30<sup>th</sup> October, 2013 consider the matter, Appellate Authority order dated 23.09.2015 and advised Southern Regional Committee to process. As per the direction of the committee, the application is processed.**

**AND WHEREAS, the Southern Regional Committee in its 298<sup>th</sup> meeting held during 08<sup>th</sup> to 10<sup>th</sup> January, 2016 considered the matter, all relevant documents of the institution and decided as under:**

- 1. Appellate Authority's 'reversal' of our order automatically restored recognition of the programme.**
- 2. Subsequent processing has revealed that the built-up area is inadequate for B.Ed and D.El.Ed.**
- 3. Their application refers only to B.Ed. But, our M.I.S. shows they have a D.El.Ed. also.**
- 4. Issue SCN for inadequate built-up area for the two courses.**

**AND WHEREAS, on 10.02.2016, letter is received from the Principal, Amitha B.Ed. College, C.A.No.2, 3<sup>rd</sup> Main, West of Chord Road, 2<sup>nd</sup> Stage, Mahalakshipuram, Bangalore - 560086, Karnataka.**

**AND WHEREAS, on 17.02.2016, letter is received from the Principal, Amitha B.Ed. College, C.A.No.2, 3<sup>rd</sup> Main, West of Chord Road, 2<sup>nd</sup> Stage, Mahalakshipuram, Bangalore - 560086, Karnataka.**

**AND WHEREAS**, the Revised Order was issued to the institution on 17.02.2016 subject to the decision of SRC on the show cause notice reply by the institution dated 17.02.2016.

**AND WHEREAS**, the SRC in its 304<sup>th</sup> meeting held during 19<sup>th</sup> to 20<sup>th</sup> February, 2016 considered the matter and decided as under;

1. They have requested for closure of D.El.Ed. permit closure. Withdrawn recognition w.e.f. 2015-16.
2. Recognition for B.Ed was withdrawn for not shifting. The appellate authority has held that they are operating in their own premises and that the shifting condition was unwarranted.
3. Accordingly the shifting condition is withdrawn and recognition is restored to the B.Ed course.
4. Inform the affiliating body accordingly and request for restoration of allocation of students.

**AND WHEREAS**, as per the decision of SRC a Restoration vide Order no. F.No.SRC/NCTE/APSO2174/B.Ed/KA/2016/87325 dated 13.07.2016 was issued to the institution.

**AND WHEREAS**, the as per the decision of the SRC taken in its 369<sup>th</sup> meeting held on 28.01.2019, a SCN was issued to the institution on 27.03.2019 seeking information about infrastructure & instructional facilities in compliance of the RPRO order dated 17.2.2016. The institution vide letter dated 15.05.2019 submitted its reply to the show cause notice. The reply of the institution was considered by the SRC in its 379<sup>th</sup> meeting of SRC held on 21<sup>st</sup> and 22<sup>nd</sup> and decided to issued a Final Show Cause Notice on 28.08.2018. The institution submitted its reply to Final Show Cause Notice on 17.09.2019 along with the documents.

**AND WHEREAS**, the SRC in its 384<sup>th</sup> meeting held on 12<sup>th</sup> -13<sup>th</sup> February, 2020 considered the matter and decided as under:-

The Management of the Institution had not submitted required documents in response to letter issued to the Institution on 27.03.2019. Another opportunity was given to the institution by serving a Final Show Cause Notice (FSCN) dated 28.08.2019. The institution vide letter dated 17.09.2019 submitted its reply/representation in response to Final Show Cause Notice (FSCN). On perusal of the same the Committee found the following defects / shortcomings / deficiencies as per provisions of the NCTE Regulations, 2014 which are as under :-

1. The institution has not submitted LUC duly approved by the competent authority.
2. The institution has submitted Building Plan which is not approved by the competent authority not legible.
3. The institution submitted a letter from university regarding to the staff (1+7) which is insufficient as per NCTE Regulations, 2014.
4. The institution has not submitted Form A in respect of FDR of Rs 12 lakh as per NCTE Regulations.

Hence, the Committee decided to **withdraw the recognition granted to Amitha B.Ed. College, C.A.No.2, 3<sup>rd</sup> Main, West of Chord Road, 2<sup>nd</sup> Stage, Mahalakshmpuram, Bangalore-560086, Karnataka** for conducting B.Ed course w.e.f. the next academic session under clause 17(1) of NCTE Act, 1993 on the grounds mentioned above.

**NOW THEREFORE**, in exercise of the powers vested u/s 17(1) of the NCTE Act, 1993, the Southern Regional Committee hereby withdraws recognition of **Amitha B.Ed. College, C.A.No.2, 3<sup>rd</sup> Main, West of Chord Road, 2<sup>nd</sup> Stage, Mahalakshmpuram, Bangalore-560086, Karnataka** run by **Ambedkar Memorial Society, Bangalore, Karnataka** for conducting **B.Ed.** programme of two year duration with an annual intake of 50 students (1 unit) from the next academic session starts after issuance of this order.

Further, the institution and affiliating body is hereby informed about the following provision of Section 17(4) of NCTE Act:-

**"If an institution offers any course or training in teacher education after the coming into force of the order withdrawing Recognition under sub-section (1) or where an institution offering a course or training in teacher education immediately before the appointed day fails or neglects to obtain recognition or permission under this Act, the qualification in teacher education obtained pursuant to such course or training or after undertaking a course or training in such institution, shall not be treated as a valid qualification for purpose of employment under the Central Government, any State Government or University, or in any school, College or other Educational Body aided by the Central Government or any State Government."**

Further, if the institution is not satisfied with the Order, it may prefer an Appeal under Section 18 of the NCTE Act, 1993 through "online mode" available on NCTE's website [www.ncte-india.org](http://www.ncte-india.org) within 60 days from the date of issue of this order. The guidelines for filing appeal may be seen on NCTE's website.

By Order,

  
(Dr. Anil Kumar Sharma)  
Regional Director

To,

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

Copy to:-

- (1) **The Principal,**  
Amitha B.Ed. College,  
C.A.No.2, 3<sup>rd</sup> Main, West of Chord Road,  
2<sup>nd</sup> Stage, Mahalakshmpuram, Bangalore-560086,  
Karnataka

- (2) **The Secretary,**  
Ambedkar Memorial Society,  
Bangalore, Karnataka.
- (3) **The Registrar,**  
Bangalore University,  
Bangalore, Karnataka.
- (4) **The Principal Secretary, (Higher Education)**  
Govt. of Karnataka, M.S. Building,  
Dr. Ambedkar Veedhi, Bangalore-560001,  
Karnataka.
- (5) **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.
- (6) **The Computer Programmer (IT Cell)**  
Southern Regional Committee  
National Council for Teacher Education,  
G-7, Sector-10, (Near Sector-10 Metro  
Station),  
Dwarka, New Delhi- 110075.
- (7) **Guard file**

With the direction to make necessary  
changes as per the directions contained in  
the order in the website data of the SRC.

6/3/26  
Regional Director