

ITEM NO.4

COURT NO.5

SECTION PIL

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition (Civil) No.142 of 2006

VIPLAV SHARMA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln.(s) for directions and modification of Court's order dated 27.10.2014 and extension of time registered and urgency and office report)
(For final disposal)

WITH W.P. (C) No.349/2009

W.P. (C) No.30/2010

(With appln.(s) for early hearing and Office Report)

W.P. (C) No.152/2010

(With appln.(s) for directions and Office Report)

W.P. (C) No.156/2010

(With appln.(s) for permission to file synopsis and list of dates and appln.(s) for directions and appln.(s) for permission to file additional documents and Office Report)

W.P. (C) No.177/2010

(With appln.(s) for permission to file synopsis and list of dates and appln.(s) for directions and appln.(s) for permission to file additional documents and Office Report)

W.P. (C) No.191/2010

(With Office Report)

W.P. (C) No.194/2010

(With Office Report)

W.P. (C) No.217/2010

(With appln.(s) for permission to file additional documents and appln.(s) for directions and appln.(s) for permission and appln.(s) for permission to file rejoinder affidavit and Office Report)

W.P. (C) No.119/2011

(With appln.(s) for stay and appln.(s) for clarification of court's order and appln.(s) for directions and Office Report)

Date: 23/04/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE R.K. AGRAWAL
HON'BLE MR. JUSTICE PRAFULLA C. PANT

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WP 194/2010 Mrs. Kirti Renu Mishra, AOR

WP 217/2010 Mr. K.V. Vishwanathan, Sr. Adv.
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Mr. G. Ramakrishna Prasad, Adv.
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UPON hearing the counsel the Court made the following
O R D E R

It is submitted by Mr. Tushar Mehta, learned Additional Solicitor General appearing for the Union of India that the competent authority of the Union of India has consulted with all the statutory bodies, namely, All India Council for Technical Education (AICTE), National Board of Accreditation (NBA), National Assessment and Accreditation Council (NAAC) and University Grants Commission (UGC) and their inputs have been received for framing rules for the purpose of laying down the criteria for a deemed university to continue with university status and the accreditation of the universities. Learned Additional Solicitor General would submit that in the process, some of the universities may also lose their status of deemed university and the accreditation.

At this juncture, learned counsel appearing for the respondents-Universities and Mr. Sanjay R. Hegde, learned counsel appearing for the petitioner, have submitted that pending such an exercise, the earlier body that was constituted, namely, National Assessment and Accreditation Council (NAAC) should decide the accreditation so that the students can choose the universities.

In our considered opinion, the NAAC shall look into the matter and will decide the issue of accreditation and proceed as per law. If the NAAC desires to consult the University Grants Commission or consider the report submitted

by the U.G.C., it is free to do so. It is hereby made clear that any decision given by the NAAC shall be subject to the result of the writ petition, as well as the further deliberations in the backdrop of rules framed by the Union of India.

As the admission time in the universities is fast approaching, the NAAC shall decide the matter within two weeks hence. If the NAAC has already accredited a university, the same status shall remain with the university till the next date of deliberation. Needless to emphasize, NAAC while determining the accreditation, shall act with utmost objectivity.

Let the matter be listed on 18th August, 2015.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Court Master