

## IN THE SUPREME COURT OF INDIA

## CIVIL APPELLATE JURISDICTION

I.A. NO. 2  
IN  
CIVIL APPEAL NO. 9078 OF 2012

| WELTECH COLLEGE OF EDUCATION AND ANOTHER | ... | PETITIONER(S) |

Versus

| STATE OF U.P. AND ORS. | ... | RESPONDENT(S) |

## O R D E R

We have heard Mr. Amitesh Kumar, learned counsel for the National Council for Technical Education (NCTE) on whose behalf this I.A. has been filed.

2. By a judgment of this Court in Maa Vaishno Devi Mahila Mahavidyalaya vs. State of U.P. and others (2013)2 SCC 617, a schedule for recognition and affiliation for various courses to which the NCTE Act, 1993 applies, was fixed by this Court in para 87.1.

3. In this I.A., a prayer has been made to permit the NCTE to draw up its own internal schedule enabling thorough processing of each application for recognition and to re-fix the schedule in accordance with the internal schedule prepared by the NCTE.

4. The NCTE was give some time to work out the internal schedule and submit the same before this Court and, accordingly, the NCTE has furnished the following revised schedule for processing applications for recognition.

No.	Sl. PROCESSES	SCHEDULE PROPOSED BY THE NCTE
1.	Submission of applications	1st April to 30th April of the calender year immediately preceding the calendar year in which the relevant academic year commence
2.	Communication of deficiencies in terms of Regulation 7.1	Within 30 days from the date of receipt of the application.
3.	Removal of such deficiencies by the applicant	Within 45 days from the date of receipt of the communication
4.	Forwarding the application to State Government/UT for its recommendations/comments in terms of Regulation 7.2	Within 30 days from the receipt of application
6.	Reminder letter to the State Government/UT for its recommendations/comments	Within seven days from the date of expiry of the period of 30 days of earlier letter
5 & 7	Recommendations from the State Government	Within 30 days from the date of issue of first letter or within 15 days from the date of receipt of the reminder
8.	Intimation regarding inspection by the	Within 45 days from the date of removal of deficiencies which

	Regional Committee to the applicant under Regulation 7(4)	includes the time taken to process the reply regarding deficiencies, consideration by Regional Committee (RC) and to contact/intimate the visiting team members and institution.
9.	Report of the Inspection Committee under Regulation 7(5)	Within 35 days from the date of intimation which includes notice period to the institution, conduct of inspection and submission of the Visiting Team Report.
9A	Scrutiny of Visiting Team Report (VTR)	Within 35 days from the date of receipt of the Visiting Team Report which includes the process of scrutiny of the Visiting Team Report and consideration by the RC
10	Issuance of LOI under Regulation 7(9)	Within 5 days from the date of consideration by the RC
11	Time to comply with the certain conditions in terms of Regulations 7(10) and 7(11)	Within 2 months from the date of communication of LOI
12.	Issuance of formal order of recognition under Regulation 7(11)	By 3rd March of each year.

5. The NCTE has been conferred with the statutory power under Section 32 of the NCTE Act, 1993 (for short "the Act") generally to make regulations, not inconsistent with the provisions of the Act and Rules made thereunder to carry out the provisions of the Act and by such regulations in particular, provide for the form and the manner in which an application for recognition is to be submitted under subsection (1) of Section 14 of the Act.

6. Therefore, in modification of the Schedule for Recognition in para 87.1 of the judgment of this Court in Maa Vaishno Devi Mahila Mahavidyalaya (supra), we direct that the time schedule now suggested by the NCTE and extracted above would stand substituted for item Nos. 87.1.1. to 87.1.12 of the Schedule for Recognition and Affiliation. The NCTE will incorporate the new schedule as suggested by it and extracted above in its Regulations and publish the same as expeditiously as possible and the new time schedule will apply for the academic year 2014-2015 onwards.

7. In the proposed schedule sought to be incorporated in the Regulations of the NCTE, the time for submitting applications is Ist April to 30th April of the calendar year immediately preceding the calendar year in which the relevant academic year commences and the aforesaid period, so far as the academic year 2014-2015 is already over. Hence, we allow submission of applications for the academic year 2014-2015 during the period 1.7.2013 to 31.7.2013.

8. We make it clear that we have not passed any order modifying the schedule for affiliation. If an application for modification of the time schedule for affiliation is filed either by any University or any State Government, the same will be considered on its own merits.

9. I.A. No. 2 stands disposed of accordingly.

.....J.  
(A.K. PATNAIK)



[SIGNED ORDER IS PLACED ON THE FILE]