

HIGH COURT OF SIKKIM
Record of Proceedings

WP(C) No. 60 of 2016

SIKKIM STUDENTS WELFARE ASSOCIATION
OF CHANDIGARH

PETITIONERS

VERSUS

STATE OF SIKKIM & ORS.

RESPONDENTS

Date: 17.03.2021

CORAM:

THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE

For Petitioners

Mr. Gulshan Lama, Advocate.

For Respondents
R-1, R-2 & R-6

Mr. Hissey Gyaltsen, Assistant
Government Advocate.

R-3 & R-9

Mr. Karma Thinlay, Central
Government Advocate.

R-4

Mr. A.K. Upadhyaya, Senior
Advocate.
Mr. Sonam Rinchen Lepcha,
Advocate.

R-5

Mr. Manish Kumar Jain,
Advocate.

R-7

Mr. Leonard Gurung, Advocate.

R-8

Mr. Karma Thinlay, Senior
Advocate.

O R D E R

1. Respondent No.4 has filed an Affidavit, dated 13.03.2021, submitting that the revised nomenclature pertaining to Master of Tourism and Travel Management ("MTTM") has been granted as per the Guiding Principles of Respondent No.8-University Grants Commission.

2. It is also submitted that Degrees for the remaining 8 (eight) students in B.Sc.(MCI) have been prepared and made over to them along with the revised nomenclature on each of their Mark Sheets.

3. Learned Senior Counsel for Respondent No.8 submits that, in fact, vide Letter dated 24.09.2020 and Reminder dated

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03.11.2020, issued by Respondent No.4 to Respondent No.8- University Grants Commission, the Respondent No.4 had sought recognition of two Degrees viz. Bachelor in Mobile Computing and Internet ["BMCI"] and M.Sc. in Airline Tourism and Hospitality Management ["M.Sc.(ATHM)"] with revised nomenclatures being B.Sc. (Mobile Computing and Internet) ["B.Sc. (MCI)"] and Master of Tourism and Travel Management ["MTTM"] from the Respondent No.8-University Grants Commission. That, in view of the Guiding Principles relied on by Respondent No.4, it is for them to take steps accordingly.

4. I have perused the communication, dated 24.09.2020, made by Respondent No.4 to Respondent No.8-University Grants Commission wherein it is *inter alia* submitted by Respondent No.4 to the "Secretary, University Grants Commission (UGC)," as follows;

"The University has issued fresh degrees as per the UGC Notification dated 5 July 2014 to the candidates/petitioners in the above said writ petition No.WP(C) 60 of 2016 pending before Hon'ble Sikkim High Court, now fixed for hearing on 28/09/2020, wherein the UGC is Respondent No.8:

Sl. No	Old Nomenclature	Revised Nomenclature	Number of candidates
1.	Bachelor in Mobile Computing and Internet (BMCI)	B.Sc. (Mobile Computing and Internet) B.Sc. (MCI)	13
2.	M.Sc. (Airline, Tourism and Hospitality Management) M.Sc. (ATHM)	Master of Tourism & Travel Management (MTTM)	16

The revised degree Master of Tourism & Travel Management (MTTM) and B.Sc. (Mobile Computing and Internet) abbreviated as B.Sc. (MCI), are as per specified nomenclature appearing at Serial No.53 & 54 as per UGC Notification of 2014.

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The list of candidates/petitioners in respect of the above courses is enclosed.

It is requested that the action of the University resulting in the award of fresh degree to the petitioners/candidates may kindly be approved, to safeguard the

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career of petitioners/ candidates and to end the pending litigation."

5. In the Reminder, dated 03.11.2020, the Respondent No.4 has again communicated to the Respondent No.8-University Grants Commission, *inter alia*, as follows;

"Reference to our earlier letter No.IKGPTU/REG/ACAD/4643 dt. 24-09-2020, the University has issued fresh degrees as per the UGC Notification dated 5 July 2014 to the candidates/petitioners in the above said writ petition No.WP(C) 60 of 2016 pending before Hon'ble Sikkim High Court, now fixed for hearing on 09/11/2020, wherein the UGC is Respondent No.8:

Sl. No	Old Nomenclature	Revised Nomenclature	Number of candidates
1.	Bachelor in Mobile Computing and Internet (BMCI)	B.Sc. (Mobile Computing and Internet) B.Sc. (MCI)	13
2.	M.Sc. (Airline, Tourism and Hospitality Management) M.Sc. (ATHM)	Master of Tourism & Travel Management (MTTM)	16

The revised degree Master of Tourism & Travel Management (MTTM) and B.Sc. (Mobile Computing and Internet) abbreviated as B.Sc. (MCI), are as per specified nomenclature appearing at Serial No.53 & 54 as per UGC Notification of 2014.

The list of candidates/petitioners in respect of the above courses is enclosed.

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It is once again requested that the action of the University resulting in the award of fresh degree to the petitioners/candidates may kindly be approved, to safeguard the career of petitioners/candidates and to end the pending litigation."

6. In the light of this circumstance, let Respondent No.4 clarify, on Affidavit, as to whether this matter has been settled with the Respondent No.8-University Grants Commission.

7. Learned Senior Counsel for Respondent No.8 shall, on Affidavit, inform of steps taken with regard to the above

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communications, by Respondent No.8-University Grants Commission.

8. Learned Senior Counsel for Respondent No.8 seeks time to take steps in terms of the Orders of this Court dated 09.11.2020, 11.11.2020 and 26.02.2021 for 13 (thirteen) other students who are yet to be awarded rectified Degrees of Bachelor of Hotel Management, Travel and Tourism ("BHMTT").

9. With regard to the 4 (four) students who did not seek to obtain Degrees, Learned Counsel Mr. Gulshan Lama seeks some time to file Affidavit in this regard.

10. Let steps be taken by all parties as directed hereinabove and list the matter on 23.04.2021.

Judge
17.03.2021