

MAA VAISHNO DEVI MAHILA MAHAVIDYALYA	Petitioner
VERSUS	
THE STATE OF UTTAR PRADESH & ORS.	Respondents

This is an application maintained by National Council for Teacher Education (hereinafter referred to as 'NCTE' for brevity), wherein the prayer is as follows:

b. Pass such other and further orders which this Hon'ble Court deems fit and proper in the fact and circumstances of the case."

According to NCTE, there is a proposal to amend the Regulations which is produced before us and dated

15.12.2021. This application is necessitated, according to NCTE, on account of the observations made in the judgment of this Court in *Maa Vaishno Devi Mahila Mahavidyalaya v. State of U.P. and Ors.* (2013) 2 SCC 617.

The proposed changes in the time schedule are:

Sr. No.	Ref. Clause	Proposed Amendment to the Regulations 2014
1.	7(4)	The time period for forwarding the communication to the State Government or the Union Territory for their recommendation is proposed to be reduced from 30 days to 7 days.
2.	7(5)	The time frame for giving recommendations by the State Government or the Union Territories to the Regional Committees is proposed to be reduced from 45 days to 15 days.
3.	7(6)	The time frame given in the reminder letter issued by the Regional Committees to the State Government or the Union Territory Administration is proposed to be reduced to from 30 days to 7 days.

Here also, the NCTE submits that the amendment to the Regulations, which has not yet been notified will be notified after making a further change in the time schedule under Clause 7(5). In other words, under Clause 7(5) of the Regulations, the time frame for giving recommendation by the State Governments or the Union Territories to the Regional Committees will be reduced from 45 days to 30 days.

Except for the State of Meghalaya, none of the learned counsel representing the States have any objection to the proposed changes sought to be brought about in the time

schedule by the Regulations.

Though not parties in the Miscellaneous Application, we have also permitted Shri Sanjay Sharawat and Shri Amitesh Kumar, learned counsel to make their submissions in their capacity as counsel appearing in certain connected writ petitions which are pending consideration. They would point out that actually this application may be misconceived for the reason that prayer in the application is to place on record the modifications in the timeline laid down by order dated 13.12.2012 read with order dated 18.06.2013. No doubt, the prayer also refers to what is incorporated in the NCTE [Recognition Norms and Procedure] Regulations, 2014 for the purpose of implementation of NEP. What is pointed out by them is that after the order dated 18.06.2013, without reference to this Court, amendments were carried out to the Regulations which resulted in changes in the time schedule on 01.12.2014. The answer of the learned counsel for the NCTE is the order passed by this Court dated 10.09.2013. According to the NCTE, this was based on the reports of the Implementation Committee which has referred to order dated 10.09.2013. No doubt, there is dispute in this regard raised by Shri Amitesh Kumar and Mr. Sanjay Sehrawat, learned counsel. However, Shri Amitesh Kumar, learned counsel, does point out that this Court contemplated that even in the matter of changes brought about as a result of an amendment to the Regulations, it should be done under the

orders of the Court.

After hearing the learned counsel, we are of the view that we should take on record the proposed amendment sought to be brought about by notification dated 15.12.2021 in Clauses 7(4), 7(5) and 7(6) of the Regulations and nothing else. We are only concerned with the three amendments in question which relate to Clauses 7(4), 7(5) and 7(6) in view of the change that is proposed in the schedule.

Without expressing our view as such, we take on record the proposed amendment to the Regulations and on it being brought into force through publication in the Gazette as proposed, it would bring about an amendment to the time schedule as is existing as on today. We further make it clear that we have not expressed any view regarding any of the changes which have been proposed by the notification dated 15.12.2021. We lastly make it clear that this order will not have any bearing in litigation which are pending in any Court and those litigation will be decided on their own merits.

....., J.
[K.M. JOSEPH]

....., J.
[HRISHIKESH ROY]

New Delhi;
April 07, 2022.

ITEM NO.11

COURT NO.10

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition (Civil) No. 286/2021

ASSOCIATION OF NCTE APPROVED COLLEGES TRUST

Petitioner(s)

VERSUS

NATIONAL COUNCIL FOR TEACHER EDUCATION & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.32810/2021-APPROPRIATE
ORDERS/DIRECTIONS and IA No. 158057/2021 -
INTERVENTION/IMPLEADMENT)

WITH

W.P.(C) No. 1088/2021 (X)
(FOR ADMISSION and IA No.125044/2021-EXEMPTION FROM FILING O.T. and
IA No.125046/2021-APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 1089/2021 (X)
(FOR ADMISSION and IA No.125111/2021-CLARIFICATION/DIRECTION)

W.P.(C) No. 1228/2021 (X)
(FOR ADMISSION and IA No.144905/2021-APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 1193/2021 (X)
(FOR ADMISSION and IA No.140560/2021-EXEMPTION FROM FILING O.T. and
IA No.140559/2021-APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 1166/2021 (X)
(FOR ADMISSION and IA No.138002/2021-APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 1157/2021 (X)
(FOR ADMISSION and IA No.137008/2021-CLARIFICATION/DIRECTION)

W.P.(C) No. 1086/2021 (X)
(With IA No. 124892/2021 - EXEMPTION FROM FILING O.T.)

W.P.(C) No. 1179/2021 (X)
(FOR ADMISSION and IA No.139244/2021-APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 1185/2021 (X)
(FOR ADMISSION and IA No.139884/2021-APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 1178/2021 (X)
(FOR ADMISSION and IA No.139241/2021-CLARIFICATION/DIRECTION)

W.P.(C) No. 1160/2021 (X)
(FOR ADMISSION and IA No.137212/2021-APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 1162/2021 (X)
(FOR ADMISSION and I.R. and IA No.137669/2021-APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 1168/2021 (X)
(FOR ADMISSION and IA No.138052/2021-EXEMPTION FROM FILING O.T. and IA No.138051/2021-APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 1176/2021 (X)
(FOR ADMISSION and IA No.139030/2021-APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 1165/2021 (X)
(FOR ADMISSION and IA No.137738/2021-APPROPRIATE ORDERS/DIRECTIONS)

MA 116/2022 in W.P.(C) No. 276/2012 (X)
(FOR ADMISSION and IA No.170359/2021-CLARIFICATION/DIRECTION and IA No.170358/2021-APPLICATION FOR PERMISSION)

Date : 07-04-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.M. JOSEPH
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s)

Mr. Gaurav Agrawal, AOR
Mr. Chandra Prakash, AOR
Mr. Mritunjay Kumar Sinha, AOR
Mr. Sanjay Sharawat, AOR
Ms. Manisha T. Karia, AOR

For Respondent(s)

Ms. Manisha T. Karia, AOR
Mr. Siddharth Jain , AOR
M/S. Manoj Swarup And Co., AOR
Mr. Namit Saxena, AOR
Mr. Pashupathi Nath Razdan, AOR
Mr. Arjun Garg, AOR
Dr. Sushil Balwada, AOR
Mr. Abhimanyu Tewari, AOR
Mr. Sandeep Kumar Jha, AOR
Mr. Manish Kumar, AOR
Mr. Vmz Chambers, AOR
Ms. Deepanwita Priyanka, AOR
Dr. Monika Gusain, AOR
Mr. Sachin Patil, AOR
M/S. Venkat Palwai Law Associates, AOR

Mr. Aravindh S., AOR
Mr. Ankur S. Kulkarni, AOR
Ms. Ranjeeta Rohatgi, AOR
Mr. Prakash Kumar Singh, AOR
Mr. Mritunjay Kumar Sinha, AOR

Mr. Amitesh Kumar, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Miscellaneous Application No. 116/2022 in W.P. (C)No.
276/2012 is ordered in terms of the signed order.

List the writ petitions on 05th May, 2022.

(NIDHI AHUJA)
AR-cum-PS

(RENU KAPOOR)
BRANCH OFFICER