

**GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:2062
ANSWERED ON:23.07.2014
RECOGNITION OF INSTITUTES BY AICTE
Thakur Shri Anurag Singh

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) whether the All India Council for Technical Education (AICTE) has the powers to take proper action against the fake Institutes;
- (b) if so, the details thereof and if not, the reasons therefor; and
- (c) the steps taken/proposed to be taken by the Government to empower AICTE to regulate/ monitor the functioning of technical institutes in the country?

Answer

MINISTER OF HUMAN RESOURCE DEVELOPMENT (Smt. Smriti Zubin Irani)

(a) to (b): AICTE issues notices to unapproved institutions available on record of the AICTE to close down the programs or to approach to the AICTE for seeking approval. The copy of notices is also endorsed to the concerned state authorities for information. To safeguard the interest of students the AICTE periodically sends the list of unapproved/ unregulated technical institutions , institutions offering technical courses and programmes without obtaining statutory approval of AICTE to the concerned State authorities for taking appropriate action against such institutions. Also, the AICTE issues public notices in newspapers cautioning the students not to take admission in such unapproved institutions. For the benefit of stakeholders, the AICTE updates the list of such fake institutions on AICTE website.

(c):All India Council for Technical Education(AICTE) is a statutory autonomous authority that exercises its powers under the AICTE Act, 1987. In exercise of its powers conferred under sub-section(1) of Section 23 read with Section 10 of the All India Council for Technical Education Act, 1987 (52 of 1987), AICTE has notified the following Regulations: "All India Council for Technical Education (Grant of Approvals for Technical Institutions) Regulations- 2012 vide notification no. 37-3/Legal/AICTE/2012 dated 27th September, 2012."

Based on these Regulations, the AICTE issued Approval Process Handbook 2012-13 and 2013-14 for approval of technical institutions.

The Hon'ble Supreme Court of India in the case of Bharthidasan University & anr. Vs. AICTE & ors. has held that although Universities do not require prior approval of AICTE to commence a new department or course and programmes in technical education, they have obligation or duty to conform to the standards and norms laid down by the AICTE for the purpose of ensuring coordinated and integrated development of technical education and maintenance of standards. The AICTE may cause an inspection of the University, which has to be as per the provisions under relevant rules/ regulations of the AICTE. Further, all institutions running technical education programmes in affiliation with any University requires prior approval of AICTE.

The Hon'ble Supreme Court of India vide its order dated 25.04.2013 in CA Management of Private Colleges vs. AICTE & ors., observed that the role of the AICTE must be advisory. Apropos to this observation of the Hon'ble Supreme Court, the AICTE did not issue the public notice for approval of technical institutions for the year 2014-15. Meanwhile, Hon'ble Supreme Court vide its order dated 09.05.2014 in SLP No. 7277/2014, clarified that prior approval of AICTE is compulsory and mandatory for the conduct of a Technical Course including the MBA/ Management Course by an existing affiliated Technical College and also new Technical College which will require affiliation by a University for conduct of its Technical Courses/ Programmes for the academic year 2014-15. Therefore, the AICTE issued a public notice on 10.05.2014 calling for approval of the existing as well as the new technical institutes for 2014-15 following the norms as laid down in the Approval Process Handbook for the year 2013-14.