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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 945/2013 & CM APPL. 1792/2013

THE INSTITUTION OF CIVIL ENGINEERS (INDIA)

..... Petitioner

Through: Mr. Pramod Jalan, Adv.

versus

UNION OF INDIA AND ANR Respondents

Through: Mr. Gaurav Sarin, Adv. for R-1
Mr. Anil Soni, Standing Counsel for AICTE
with Mr. Abhinav Tyagi, Adv.

Mr. Apoorv Kurup, Adv. with Mr. Avanish
Rathi and Ms. Nidhi Mittal, Advs. for R-3

+ W.P.(C) 3239/2013 & CM APPL. 6125/2013

THE INSTITUTION OF ELECTRONICS AND
TELECOMMUNICATION ENGINEERS (IETE)

..... Petitioner

Through: Mr. N.L. Bareja, Adv.

versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Kirtiman Singh, CGSC
with Mrs. Shruti Dutt and Mr. W A Noor,
Adv. for UOI

Mr. Anil Soni, Standing Counsel for AICTE
with Mr. Abhinav Tyagi, Adv.

Mr. Apoorv Kurup, Adv. with Mr. Avanish
Rathi and Ms. Nidhi Mittal, Advs. for R-3

+ W.P.(C) 3790/2013 & CM APPL. 7079/2013

THE INSTITUTION OF ENGINEERS (INDIA) Petitioner

Through: Mr. Anand Mishra, Adv. with
Mr. Amrendra Kumar Singh, Adv. for Mr.
R.S. Bains, Adv.

versus

UNION OF INDIA & ORS Respondents
Through: Mr. Ripu Daman Bhardwaj,
CGSC with Mr. T.P.Singh, Adv. for R-1
Mr. Anil Soni, Standing Counsel for AICTE
with Mr. Abhinav Tyagi, Adv.
Mr. Apoorv Kurup, Adv. with Mr. Avanish
Rathi and Ms. Nidhi Mittal, Advs. for R-3

+ W.P.(C) 1711/2015

THE COUNCIL OF ENGINEERING & TECHNOLOGY
(INDIA) & ANR Petitioners
Through: Mr. D. Bhattacharya, Adv. with
Mr. K.C. Sahoo

versus

ALL INDIA COUNCIL FOR TECHNICAL
EDUCATION & ANR Respondents
Through: Mr. Anil Soni, Standing
Counsel for AICTE with Mr. Abhinav
Tyagi, Adv.

+ W.P.(C) 3479/2013 & CM APPL. 6577/2013, CM APPL.
13816/2013

THE INDIAN INSTITUTION OF ENGINEERS (IIE)
..... Petitioner
Through: Mr. Subhash Budhiraja, Adv.

versus

MINISTRY OF HUMAN RESOURCE DEVELOPMENT
(MHRD) & ORS Respondents
Through: Mr. Anil Soni, Standing
Counsel for AICTE with Mr. Abhinav
Tyagi, Adv.
Mr. Apoorv Kurup, Adv. with Mr. Avanish

Rathi and Ms. Nidhi Mittal, Advs. for R-3

+ W.P.(C) 6226/2013 & CM APPLs. 13635/2013, 17140/2016,
8792/2018

INSTITUTION OF FIRE ENGINEERS(INDIA) Petitioner
Through: Mr. N.L.Bareja, Adv.

versus

UNION OF INDIA & ANR Respondents
Through: Mr. Manish Mohan, CGSC for
UOI with Ms. Manisha Saroha, Adv.
Mr. Anil Soni, Standing Counsel for AICTE
with Mr. Abhinav Tyagi, Adv.
Mr. M.K.Bhardwaj, Adv.

+ W.P.(C) 4830/2013 & CM APPL. 10954/2013

AERONAUTICAL SOCIETY OF INDIA Petitioner
Through:

versus

UNION OF INDIA & ORS Respondents
Through: Mr. Anil Soni, Standing
Counsel for AICTE with Mr. Abhinav
Tyagi, Adv.

+ W.P.(C) 4865/2013

THE INSTITUTION OF ELECTRIACAL
ENGINEERING (IEE) Petitioner
Through:

versus

UNION OF INDIA & OTHERS Respondents
Through: Mr. Anil Soni, Standing
Counsel for AICTE with Mr. Abhinav
Tyagi, Adv.

+ W.P.(C) 3154/2014 & CM APPL. 6569/2014
INSTITUTION OF SURVEYORS Petitioner
Through:

versus

UNION OF INDIA & ANR. Respondents
Through: Mr. Bhagvan Swarup Shukla,
CGSC for UOI with Mr. Kamaldeep, Adv.
Mr. Anil Soni, Standing Counsel for AICTE
with Mr. Abhinav Tyagi, Adv.

+ W.P.(C) 7840/2014 & CM APPLs. 18404-05/2014
INSTITUTION OF MECHANICAL ENGINEERS (INDIA)
..... Petitioner
Through:

versus

UNION OF INDIA & ANR Respondents
Through: Mr. Anil Soni, Standing
Counsel for AICTE with Mr. Abhinav
Tyagi, Adv.

CORAM:
HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER
% 15.11.2018

On 17th May, 2018, the following order was passed by this
Court:

“ On 07.03.2018, a statement was made by the learned
counsel for the respondent/AICTE that a Committee
appointed by the said respondent had already made certain
proposals, which were pending consideration with the
respondent/Union of India (UOI) and in these circumstances,
this Court had directed the respondent/UOI to take an
expeditious decision.

Today, learned counsel for the respondent/AICTE submits that the statement made, on 07.03.2018, was not correct and in fact the said Committee has been constituted only on 01.05.2018 and, therefore, there was no question of the Committee having given any proposal to the respondent/UOI at that point of time. He submits that the said statement was made under a bona fide mistake.

A perusal of the record shows that vide order dated 25.07.2017, this Court had specifically directed the respondent/AICTE to be ready with its policy guidelines on the subject that would have an impact on the petitioners' case, before the next date of hearing i.e. 15.11.2017. It is thus evident that the respondent/AICTE has finally constituted a committee only after almost 10 months of this Court's order dated 25.07.2017, which is highly unfortunate.

At this stage, learned counsel for the, respondent/AICTE submits that since the Committee has now been constituted and has also held its first meeting, the Committee will be requested to give its proposals in an expeditious manner, which will then be promptly forward the same to the respondent/UOI.

The respondent/AICTE is granted 8 weeks' time as a last opportunity to forward its proposal to the respondent/UOI. It is made clear that, in case, the Committee of the respondent/AICTE fails to forward the proposals to the O respondent/UOI within 8 weeks, the concerned Director of respondent/AICTE will remain present in the Court on the next date. It is also made clear that in case the proposals from the respondent/AICTE are received by the respondent/UOI within the time granted, the respondent/UOI will then take a final decision on the same within four weeks and place the same on record.

List on 23.08.2018.

Interim orders to continue.”

It appears that the proposals were forwarded by the AICTE to the Union of India, as far back as on 5th July, 2018.

The period of four weeks, therefrom, expired on 5th August, 2018 and, even today, there is no compliance, by the Union of India, with the directions issued in the above extracted order.

Mr. Gaurav Sarin, learned counsel appearing for Union of India submits that his instructions are that certain information has been sought from the Department of Legislative Affairs, Ministry of Law, which are awaited.

He has, therefore, prayed for eight weeks further time to take a final decision on the proposals forwarded by the AICTE, in accordance with the orders passed on 17th May, 2018.

As a last and final indulgence, the request of Mr. Sarin is acceded to, and the Union of India is granted eight weeks, and no more, to comply with the order dated 17th May, 2018, by taking a final decision on the proposals forwarded, to it, by the AICTE.

Let the decision taken on the said proposals be filed before this Court, as soon as it is taken, under a cover of an appropriate index, after furnishing a copy thereof to the other parties.

Renotify on 28th January, 2019.

A copy of this order be given *dasti* under the signatures of the Court Master.

C. HARI SHANKAR, J

NOVEMBER 15, 2018

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