

27.04.2017

LEGAL OPINION

Querist: Singhania University Students and Staff Welfare Association

My opinion has been sought by the querist on the following important legal questions:

- (1) Whether Singhania University requires approval/ recognition by AICTE, NCTE, DCI, MCI, VCI, Indian Nursing Council /Homeopathy Council, Indian Medical Council or any other State Council, State/ Central Govt. or any other Authority to impart education/ provide instructions in any education course and award degree/ diploma or any other qualification to its students?
- (2) In case no approval is required, then in that case whether degree/diploma/ certificate or other qualification holder from Singhania University will be entitled to be enrolled/ Registered in the professional bodies and whether also the degree/ diploma or any other qualification awarded by Singhania University shall be entitled to be recognized for State/Central or Public Sector employment?

Answer to First Query

Whether Singhania University requires approval/ recognition by AICTE, NCTE, DCI, MCI, VCI, Indian Nursing Council / Homeopathy Council, Indian Medical Council or any other State Council, State/ Central Govt. or any other Authority to impart education/ provide instructions in any education course and award degree/ diploma or any other qualification to its students.

1. I have studied the following Legislations/Regulations/Rules along with all connected amendments till date:
 - 1.1. Advocates Act, 1961
 - 1.2. Circular Notification No 18-27/70 –T.2 dated 20.11.1970, Government of India
 - 1.3. Constitution of India
 - 1.4. Indian Medical Council Act, 1956
 - 1.5. Indian Nursing Council Act
 - 1.6. National Council for Teacher Education Act, 1993
 - 1.7. National Council for Teacher Education Regulations, 2014
 - 1.8. Regulations of The Dental Council of India, 1956

- 1.9. The All India Council for Technical Education Act 1987
 - 1.10. The Dentist Act, 1948
 - 1.11. The Homoeopathy Central Council Act, 1973
 - 1.12. The Indian Bar Councils Act, 1926
 - 1.13. The Indian Medicine Central Council Act, 1970
 - 1.14. The Indian Veterinary Council Act, 1984
 - 1.15. The Pharmacy Act, 1948
 - 1.16. The University Grants Commission Act, 1956
2. Having perused each section of the above laws, I have come to the conclusion that none of the laws require a university established by a State Act and recognized under section 2(f) of the UGC Act, to take approval from any authority to impart education in any course.
 3. The relevant extracts of each of the above laws relating to approvals or permission are reproduced in **Annexure I**.
 4. A university is a separate and distinct class from a college or an institution. A university is established either through a Central or a State legislation whereas, a college or an institution is a non-statutory body set up under a trust or a society. Thus, a university is an autonomous statutory body having been established by the Government itself and a State under Article 12 having law making power. It is pertinent to mention that even the Constitution of India, treats university as a separate class and contains specific provisions related to the university.
 5. From plain reading of all the laws, it is clear that while there is requirement of obtaining approval/ permission by a college or an institution, from the relevant body, none of the above laws specify that a university is required to obtain any permission or approval to impart education in any course. On the contrary, despite the approval/ permission by relevant body to colleges/ institutions, it is the university that has to certify that the education imparted by such colleges/ institutions is sufficient to confer degree on the student concerned. Without such certification by the university no degree is valid irrespective of any approval/ permission from any authority or body.
 6. Similarly, a university being recognized under the UGC Act, 1956 is entitled to confer degrees in all courses as stipulated under Section 22 of the UGC Act. The degree awarded by a university is sui generis and self-validating. The law on this non-necessity of obtaining approval from any other body by a university is not res-integra and has been reaffirmed time and again by Apex Court as well as the various High Courts. A two judge bench of the Hon'ble Supreme Court in the case of *Bharathidasan University and Anr. v. All India Council for Technical Education and Ors.*

AIR 2001 Supreme Court 2861, dealing the necessity of obtaining AICTE's approval by Bharathidasan University for conducting technical courses, held that AICTE approval is not required by the university.

7. This view has also been held by the Hon'ble Punjab and Haryana High court in the case of *Ms. Neelam Devi & Anr. v. Haryana Nurses Registration Council & Ors.* wherein the Hon'ble Court ruled that a degree awarded by a university established under a State Act does not require approval of Indian Nursing Council and any degree awarded by a university is sui generis valid and as such the professional body i.e. Nursing Council shall have to register / enroll the degree holder in its register.

8. Entry 66 of the List I (Union list) of the Seventh Schedule (Article 246) of the Constitution of India provides as under:

"66. Co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions."

9. For this purpose of co-ordination and determination of standards, the Union of India enacted The University Grants Commission Act, 1956. Section 22 of the UGC Act empowers university to award degrees in all education courses notified by UGC under that section:

"(1) The right of conferring or granting degrees shall be exercised only by a University established or incorporated by or under a Central Act, a Provincial Act or a State Act or an institution deemed to be a University under section 3 or an institution specially empowered by an Act of Parliament to confer or grant degrees.

(2) Save as provided in sub-section (1), no person or authority shall confer, or grant, or hold himself or itself out as entitled to confer or grant, any degree.

(3) For the purposes of this section, "degree" means any such degree as may, with the previous approval of the Central Government, be specified in this behalf by the Commission by notification in the official Gazette."

Thus, a university is the only body that can confer a degree and nowhere is it given that it requires approval of any other authority.

10. It is to be appreciated that UGC Act is a Central Act and therefore, prevails over any other State Act.

11. The UGC Act which is specifically for Co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions, is a special Act for universities and as such it prevails over any other Central Act also.

12. Since, Singhanian University is established by a State Act i.e. Singhanian University Pacheri Bari (Act No. 6 of 2008), it is de jure recognized as

University under U/S 2 (f) of the UGC Act and is governed by the provisions of UGC Act under which Singhania University does not require any approval from anybody to impart education and to award degrees in any course. In fact, the Singhania University Act itself provides that the provisions of Singhania University Act and rules/regulations/ statutes/ Ordinances of the Singhania University shall have the overriding effect over any inconsistent provision of any State Act. By virtue of this, Singhania University, like any other university, becomes a class by itself – i.e. a self regulated autonomous statutory body distinct from any other educational institutions or Colleges.

13. This aspect of complete autonomy of the universities, is further reinforced by Entry 44 of the List I (Union list) of the Seventh Schedule (Article 246) of the Constitution of India which provides:

“44. Incorporation, regulation and winding up of corporations, whether trading or not, with objects not confined to one State, but not including universities.”

14. From the plain reading of this entry, it is clear that even the Parliament is not empowered to regulate a university. Therefore, it (the Parliament) cannot delegate any such power (to regulate a university) to any other body, established by an Act of Parliament. As such, no such law has ever been passed by the Parliament.

15. In the landmark case of *T.M.A. Pai Foundation & Ors v. State of Karnataka & Ors.*, Hon'ble Supreme Court while deciding on the Autonomy of university held that:

“A University Education Commission was appointed on 4th November, 1948, having Dr. S. Radhakrishnan as its Chairman and nine other renowned educationists as its members. The terms of reference, inter alia, included matters relating to means and objects of university education and research in India and maintenance of higher standards of teaching and examining in universities and colleges under their control. In the report submitted by this Commission, in paras 29 and 31, it referred to autonomy in education which reads as follows:

“University Autonomy. -- Freedom of individual development is the basis of democracy. Exclusive control of education by the State has been an important factor in facilitating the maintenance of totalitarian tyrannies. In such States institutions of higher learning controlled and managed by governmental agencies act like mercenaries, promote the political purposes of the State, make them acceptable to an increasing number of their populations and supply them with the weapons they need. We must resist, in the interests of our

7. This view has also been held by the Hon'ble Punjab and Haryana High court in the case of *Ms. Neelam Devi & Anr. v. Haryana Nurses Registration Council & Ors.* wherein the Hon'ble Court ruled that a degree awarded by a university established under a State Act does not require approval of Indian Nursing Council and any degree awarded by a university is *sui generis valid* and as such the professional body i.e. Nursing Council shall have to register / enroll the degree holder in its register.

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"(1) The right of conferring or granting degrees shall be exercised only by a University established or incorporated by or under a Central Act, a Provincial Act or a State Act or an institution deemed to be a University under section 3 or an institution specially empowered by an Act of Parliament to confer or grant degrees.

(2) Save as provided in sub-section (1), no person or authority shall confer, or grant, or hold himself or itself out as entitled to confer or grant, any degree.

(3) For the purposes of this section, "degree" means any such degree as may, with the previous approval of the Central Government, be specified in this behalf by the Commission by notification in the official Gazette."

Thus, a university is the only body that can confer a degree and nowhere is it given that it requires approval of any other authority.

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11. The UGC Act which is specifically for Co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions, is a special Act for universities and as such it prevails over any other Central Act also.

12. Since, Singhania University is established by a State Act i.e. Singhania University Pacheri Bari (Act No. 6 of 2008), it is de jure recognized as University under U/S 2 (f) of the UGC Act and is governed by the provisions of UGC Act under which Singhania University does not require any approval from anybody to impart education and to award degrees in

any course. In fact, the Singhania University Act itself provides that the provisions of Singhania University Act and rules/regulations/ statutes/ Ordinances of the Singhania University shall have the overriding effect over any inconsistent provision of any State Act. By virtue of this, Singhania University, like any other university, becomes a class by itself – i.e. a self regulated autonomous statutory body distinct from any other educational institutions or Colleges.

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“A University Education Commission was appointed on 4th November, 1948, having Dr. S. Radhakrishnan as its Chairman and nine other renowned educationists as its members. The terms of reference, inter alia, included matters relating to means and objects of university education and research in India and maintenance of higher standards of teaching and examining in universities and colleges under their control. In the report submitted by this Commission, in paras 29 and 31, it referred to autonomy in education which reads as follows:

***“University Autonomy. -- Freedom of individual development is the basis of democracy. Exclusive control of education by the State has been an important factor in facilitating the maintenance of totalitarian tyrannies. In such States institutions of higher learning controlled and managed by governmental agencies act like mercenaries, promote the political purposes of the State, make them acceptable to an increasing number of their populations and supply them with the weapons they need. We must resist, in the interests of our own democracy, the trend towards the governmental domination of the educational process.*”**

Higher educational is, undoubtedly, an obligation of the State but State aid is not to be confused with State control over academic policies and practices. Intellectual progress demands the maintenance of the spirit of free inquiry. The pursuit and practice of truth regardless of consequences has been the ambition of universities. Their prayer is that of the dying Goethe: "More light," or that Ajax in the mist "Light, though I perish in the light.

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The respect in which the universities of Great Britain are held is due to the freedom from governmental interference which they enjoy constitutionally and actually. Our universities should be released from the control of politics.

Liberal Education. -- All education is expected to be liberal. It should free us from the shackles of ignorance, prejudice and unfounded belief. If we are incapable of achieving the good life, it is due to faults in our inward being, to the darkness in us. The process of education is the slow conquering of this darkness. To lead us from darkness to light, to free us from every kind of domination except that of reason, is the aim of education."

There cannot be a better exposition than what has been observed by these renowned educationists with regard to autonomy in education. The aforesaid passage clearly shows that the governmental domination of the educational process must be resisted. Another pithy observation of the Commission was that state aid was not to be confused with state control over academic policies and practices. The observations referred to herein above clearly contemplate educational institutions soaring to great heights in pursuit of intellectual excellence and being free from unnecessary governmental controls."

16. This exposition has been held by all courts as the basis on which the universities must always be kept free from the fetters of any regulation except as provided in the UGC Act which is a special Act for functioning of universities.
17. In another landmark case of *Maharishi Mahesh Yogi Vedic Vishwavidyalaya v. State of M.P. & Ors.*, Hon'ble Supreme Court has held that any provision in the University Act requiring approval of the State Government to impart education in any course, is ultra virus (i.e. not a valid law) because the university is governed by UGC Act and the UGC Act grants autonomy to the university in imparting education and awarding degrees in all courses of education. Hon'ble Supreme Court has further held that university has got a fundamental right to impart education and

students have a fundamental right to acquire education anywhere and in any course under Article 14, 19 (1) (g) and 21 of the Constitution of India.

18. Regarding University Autonomy, Hon'ble Supreme Court held that imparting education is a Fundamental Right under Article 19(1)(g):

*"19. Protection of certain rights regarding freedom of speech etc. -----(a)
- (f) -----
(g) to practise any profession, or to carry on any occupation, trade or business."*

19. In view of the above, I have no hesitation to opine that Singhania University does not require any approval from any other body or authority to impart education (which is its occupation) in any course and award degree to its students.

Answer to Second Query

In case no approval is required, then in that case whether degree/diploma/certificate or other qualification holder from Singhania University will be entitled to be entitled to be enrolled/ Registered in the professional bodies and whether also the degree/ diploma or any other qualification awarded by Singhania University shall be entitled to be recognized for State/Central or Public Sector employment.

20. As explained in para 6-10 above, under section 22 of the UGC Act, a university has unconditional/ unqualified right to confer degrees in all courses of education. No authority or body other than a university can confer degree.
21. The relevant sections of above acts related to registration of a degree/ diploma / certificate holder are reproduced in Annexure II.
22. None of the above sections specify that the holder of a degree only from a university which has obtained approval/ permission will be registered by the relevant professional body.
23. Furthermore, none of the above Acts, debar from registration by the concerned professional body, any holder of a degree from a university who has not obtained approval/ permission from the relevant body when such approval is not required to award a degree.
24. As submitted above, Hon'ble Punjab and Haryana High Court in the case of *Neelam Devi & Anr. v Haryana Nurses Registration Council & Ors.* categorically ruled that a degree awarded by a university established under a state legislation does not require approval of Indian Nursing Council.

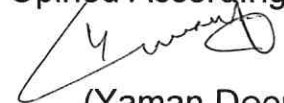
under a state legislation does not require approval of Indian Nursing Council.

Hon'ble Punjab and Haryana High Court further directed that since a degree awarded by a university does not require approval from any other authority, it is a valid qualification for registration in the state register.

25. As regards recognition of Singhanian University degree/ diploma for State/ Central Government employment, Ministry of Education and Youth Services (Ministry of H.R.D.) vide circular notification No 18-27/70 –T.2 dated 20.11.1970 (Annexure III), has specifically notified that university degree are entitled to be automatically recognised for State/ Central Government employment.

In view of the foregoing, my considered opinion is that holder of a degree/ diploma, given by Singhanian University, is entitled to be enrolled/ registered in the professional register of any concerned body. Degree/ Diploma or any other qualification awarded by Singhanian University is a valid qualification for State/ Central or Public Sector employment.

Opined Accordingly



(Yaman Deep)

**PROVISIONS OF VARIOUS ACTS REGARDING IMPARTING
EDUCATION IN
PROFESSIONAL COURSES**

1. INDIAN MEDICAL COUNCIL ACT, 1956

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**10A. PERMISSION FOR ESTABLISHMENT OF NEW MEDICAL COLLEGE,
NEW COURSE OF STUDY ETC.**

1. Notwithstanding anything contained in this Act or any other law for the time being in force:-

1. no person shall establish a medical college

(or)

2. no medical college shall:-

1. open a new or higher course of study or training (including a postgraduate course of study or training) which would enable a student of such course or training to qualify himself for the award of any recognised medical qualification;
or

2. increase its admission capacity in any course of study or training (including a postgraduate course of study or training), except with the previous permission of the Central Government obtained in accordance with the provisions of this section.

**11. RECOGNITION OF MEDICAL QUALIFICATION GRANTED BY
UNIVERSITIES OR MEDICAL INSTITUTIONS IN INDIA.**

1. The medical qualifications granted by any university or medical Institution in India which are included in the first Schedule shall be recognised medical qualifications for the purposes of this Act.

2. Any university or medical Institution in India which grants a medical qualification not included in the First Schedule may apply to the Central Govt., to have such qualification recognised, and the Central Government, after consulting the Council, may, by notification in the official Gazette, amend the First Schedule so as to include such qualification therein, and any such notification may also direct that an entry shall be made in the last column of the First Schedule against such medical qualification declaring that it shall be a recognised medical qualification only when granted after a specified date.

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2. PHARMACY ACT, 1948

10. Education Regulations:-

(1) Subject to the provisions of this section, the Central Council may, subject to the approval of the Central Government, make regulations, to be called the Education Regulations, prescribing the minimum standard of education required for qualification as a pharmacist.

(2) In particular and without prejudice to the generality of the foregoing power, the Education Regulations may prescribe-

- (a) the nature and period of study and of practical training to be undertaken before admission to an examination;
- (b) the equipment and facilities to be provided for students undergoing approved courses of study;
- (c) the subjects of examination and the standards therein to be attained;
- (d) any other conditions of admission to examinations.

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3. DENTIST ACT, 1948

10. (1) The dental qualifications, granted by any authority or institution in India, which are included in Part I of the Schedule shall be recognized dental qualifications; for the purposes of this Act. (2) Any authority or institution in India which grants a dental qualification not included in Part I of the Schedule may apply to the Central Government to have such qualification recognised and included in that Part, and the Central Government, after consulting the Council, and after such inquiry, if any, as it may think fit for the purpose, may, by notification in the Official Gazette, amend Part I of the Schedule so as to include such qualification therein, and any such notification may also direct that an entry shall be made in Part I of the Schedule against such dental qualification declaring that it shall be a recognized dental qualification only when granted after a specified date.

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4. INDIAN VETERINARY COUNCIL ACT 1984

15. Recognition of veterinary qualifications granted by veterinary institutions in India.—(1) The veterinary qualifications granted by any veterinary institution in India which are included in the First Schedule shall be recognised veterinary qualifications for the purposes of this Act. (2) Any veterinary institution in India which grants a veterinary qualification not included in the First Schedule may apply to the Central Government to have such qualification recognised and the Central Government, after consulting the Council, may, by notification in the Official Gazette, amend the First Schedule so as to include such qualification therein and any such notification may also direct that an entry shall be made in

the last column of the First Schedule against such veterinary qualification declaring that it shall be a recognised veterinary qualification only when granted after a specified date.

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5. NCTE ACT,1993

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14 RECOGNITION OF INSTITUTIONS OFFERING COURSE OR TRAINING IN TEACHER EDUCATION

(1) Every institution offering or intending to offer a course or training in teacher education on or after the appointed day, may, for grant of recognition under this Act, make an application to the Regional Committee concerned in such form and in such manner as may be determined by regulations:

Provided that an institution offering a course or training in teacher education immediately before the appointed day, shall be entitled to continue such course or training for a period of six months, if it has made an application for recognition within the said period and until the disposal of the application by the Regional Committee.

(2) The fee to be paid along with the application under sub-section (1) shall be such as may be prescribed.

(3) On receipt of an application by the Regional Committee from any institution under sub-section (1), and after obtaining from the institution concerned such other particulars as it may consider necessary, it shall-

(a) if it is satisfied that such institution has adequate financial resources, accommodation, library, qualified staff, laboratory and that it fulfils such other conditions required for proper functioning of the institution for a course or training in teacher education, as may be determined by regulations, pass an order granting recognition to such institution, subject to such conditions as may be determined by regulations; or

(b) if it is of the opinion that such institution does not fulfil the requirements laid down in sub-clause (a), pass an order refusing recognition to such institution for reasons to be recorded in writing:

Provided that before passing an order under sub-clause (b), the Regional Committee shall provide a reasonable

opportunity to the concerned institution for making a written representation.

(4) Every order granting or refusing recognition to an institution for a course or training in teacher education under sub-section (3) shall be published in the Official Gazette and communicated in writing for appropriate action to such institution and to the concerned examining body, the local authority or the State Government and the Central Government.

(5) Every institution, in respect of which recognition has been refused shall discontinue the course or training in teacher education from the end of the academic session next following the date of receipt of the order refusing recognition passed under clause (b) of sub-section (3).

(6) Every examining body shall, on receipt of the order under sub-section (4), -

(a) grant affiliation to the institution, where recognition has been granted; or

(b) cancel the affiliation of the institution, where recognition has been refused.

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6. HOMOEOPATHY CENTRAL COUNCIL ACT, 1973

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Permission for establishment of new medical institution, new course of study, etc.

12A. (1) Notwithstanding anything contained in this Act or any other law for the time being in force:-

(a) no person shall establish a Homoeopathic Medical College; or

(b) no Homoeopathic Medical College shall -

(i) open a new or higher course of study or training (including post-graduate course of study or training) which would enable students of each course or training to qualify himself for the award of any recognized medical qualification; or

(ii) increase its admission capacity in any course of study or training (including the post-graduate course of study or training.),

except with the previous permission of the Central Government obtained in accordance with the provisions of this section.

13. Recognition of medical qualification granted by certain medical institutions in India

(1) The medical qualifications granted by any University, Board or other medical institution in India which are included in the Second Schedule shall be recognized medical qualifications for the purposes of this Act.

(2) Any University, Board or other medical institution in India which grants a medical qualification not included in the Second Schedule may apply to the Central Government to have any such qualification recognized, and the Central Government, after consulting the Central Council, may, by notification in the Official Gazette, amend the Second Schedule so as to include such qualification therein, and any such notification may also direct that an entry shall be made in the last column of the Second Schedule against such medical qualification only when granted after a specified date.

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**PROVISIONS OF VARIOUS ACTS REGARDING
REGISTRATION BY PROFESSIONAL BODIES**

1. INDIAN MEDICAL COUNCIL ACT, 1956

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23. REGISTRATION IN THE INDIAN MEDICAL REGISTER

The Registrar of the Council, may, on receipt of the report of registration of a person in a State Medical Register or on application made in the prescribed manner by any such person, enter his name in the Indian Medical Register, provided that the Registrar is satisfied that the person concerned possesses a recognised medical qualification.

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2. THE RAJASTHAN MEDICAL ACT, 1952.

(Act No.XIII of 1952.)

(Received the assent of the President on the 18th day of March, 1952)

An Act to provide for the registration of Medical Practitioners in Rajasthan.

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17. Persons Entitled to be Registered:-

Subject to the provisions hereinafter contained and on payment of such fees as may be prescribed in this behalf by regulations made under section 33, every person who:-

- (a) is possessed of any of the Indian medical qualifications for the time being recognized for the purpose of, and included in the First Schedule to, the Indian Medical Act, 1933, or
- (b) is possessed of any of the foreign medical qualification for the time being recognized for the purpose of, and included in the Second Schedule to, the said Act, or
- (c) being possessed of a foreign medical qualification other than those referred to in clause(b), has been recommended for registration as a special case on individual merit by the Medical Council Of India established under section 3 of the said Act,

shall be entitled to have his name entered in the register of registered practitioners, whether or not such person practice or intends to practice:

Provided that the Council may refuse to permit the registration of the name of any persons

18. Additional qualification for registration :-

If the Council is satisfied that, in addition to the Indian medical qualifications for the time being included in the First Schedule to the Indian Medical Council Act, 1933, any title granted or qualification certified by any University, Medical College or School, Medical Corporation, examining body or other institution in India is a sufficient guarantee that persons holding such title or qualification possess the knowledge and skill requisite for the efficient practice of medicine, surgery and midwifery, it may make a report to that effect to the Government which may if it thinks fit, thereupon direct, by notification in the Rajasthan Gazette, that the holding of such title or qualification shall, subject to the provisions hereinafter contained and on payment of such fee as may be prescribed in this behalf, entitle any person to have his name entered in the register of registered practitioners.

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PHARMACY ACT, 1948

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15A. The Central Register.-

(1) The Central Council shall cause to be maintained in the prescribed manner a register of pharmacists to be known as the Central Register, which shall contain the names of all persons for the time being entered in the register for a State. (2) Each State Council shall supply to the Central Council five copies of the register for the State as soon as may be after the first day of April of each year, and the Registrar of each State Council, shall inform the Central Council, without delay, all additions to, and other amendments in, the register for the State made from time to time. (3) It shall be the duty of the Registrar of the Central Council to keep the Central Register in accordance with the orders made by the Central Council, and from time to time to revise the Central Register and publish it in the Gazette of India. (4) The Central Register shall be deemed to be public document within the meaning of the Indian Evidence Act, 1872 (1 of 1872) and may be proved by the production of a copy of the Register as published in the Gazette of India.

15B. Registration in the Central Register:-

The Registrar of the Central Council shall, on receipt of the report of registration of a person in the register for a State, enter his name in the Central Register.

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3. DENTIST ACT, 1948

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10. (1) The dental qualifications, granted by any authority or institution in India, which are included in Part I of the Schedule shall be recognized dental qualifications; for the purposes of this Act. (2) Any authority or institution in India which grants a dental qualification not included in Part I of the Schedule may apply to the Central Government to have such qualification recognised and included in that Part, and the Central Government, after consulting the Council, and after such inquiry, if any, as it may think fit for the purpose, may, by notification in the Official Gazette, amend Part I of the Schedule so as to include such qualification therein, and any such notification may also direct that an entry shall be made in Part I of the Schedule against such dental qualification declaring that it shall be a recognized dental qualification only when granted after a specified date.

31. (1) The 1 [State] Government shall as soon as may be cause to be prepared in the manner hereinafter provided register of dentists for the 3 [State]. (2) The 1 [State] Council shall upon its constitution assume the duty of maintaining the register in accordance with the provisions of this Act. (3) The register of dentists shall be maintained in two parts, A and B, persons possessing recognised dental qualifications being registered in Part A and persons not possessing such qualification being registered in Part B.

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5. INDIAN VETERINARY COUNCIL ACT 1984

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15. Recognition of veterinary qualifications granted by veterinary institutions in India.—

(1) The veterinary qualifications granted by any veterinary institution in India which are included in the First Schedule shall be recognised veterinary qualifications for the purposes of this Act.

(2) Any veterinary institution in India which grants a veterinary qualification not included in the First Schedule may apply to the Central Government to have such qualification recognised and the Central Government, after consulting the Council, may, by notification in the Official Gazette, amend the First Schedule so as to include such qualification therein and any such notification may also direct that an entry shall be made in the last column of the First Schedule against such veterinary qualification declaring that it shall be a recognised veterinary qualification only when granted after a specified date.

24. Registration in the Indian veterinary practitioners register.—

The Secretary of the Council may, on receipt of the report of registration of a person in a State veterinary register or on an application made in such form and in such manner, as may be provided by regulations, by any such person, enter his name in the Indian veterinary practitioners register: Provided that the Secretary is satisfied that the person concerned possesses a recognised veterinary qualification.

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6. HOMOEOPATHY CENTRAL COUNCIL ACT, 1973

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21. The Central Register of Homoeopathy

(1) The Central Council shall cause to be maintained in the prescribed manner, a register of practitioners of Homoeopathy to be known as the Central Register of Homoeopathy which shall contain—

(a) in Part I, the names of all persons who are for the time being enrolled on any State Register of Homoeopathy and possess any of the recognized medical qualifications;

(b) in Part II, the names of all persons, other than those included in Part I, who are for the time being enrolled on any State Register of Homoeopathy.

(2) It shall be the duty of the Registrar of the Central Council to keep and maintain the Central Register of Homoeopathy in accordance with the provisions of this Act and of any orders made by the Central Council, and from time to time to revise the register and publish it in the Gazette of India and in such other manner as may be prescribed.

(3) Such register shall be deemed to be a public document within the meaning of the Indian Evidence Act, 1872, and may be proved by a copy published in the Gazette of India.

No.F. 18-27/70-T.2

Government of India

Ministry of Education & Youth Services

(Technical Division)

Section T.2

New Delhi-1, the 20 November, 1970

Subject:- Recognition of Degrees/Diplomas awarded by I.I.Ts and Institutions deemed to be universities under the U.G.C. Act regarding.

Sir,

I am directed to state that the Degree/Diplomas awarded by (i) Universities in India incorporated by an act of the central or state Legislature in India, (ii) Educational Institutions established by an act of Parliament and (iii) Institutions deemed as Universities under section (3) of the University Grant Commission's Act(1956) stand automatically recognized by the Government of India for purpose of employment under the Central Government. No formal orders recognizing such Degrees/Diplomas are issued by the Central Government. A copy of the Ministry of Home Affairs O.M.No.26/4/52-CS dated 30th September, 1952 as amended by their O.M.No6/7/63-Estt.

(d) dated the 4th July, 1962 and their O.M.No.6/1/64-Estt. (e) dated the 19th April, 1964 issued in this behalf is enclosed.

2. The following is the list of Institutions set up under an act of Parliament and Institutions deemed as Universities under section (3) of U.G.C. Act (1956), which are awarding Technical Degree and Diplomas.

(a) Institutions set up under an act of Parliament

1. Indian Institute of Technology, Hauz Khas, New Delhi
2. Indian Institute of Technology, Kanpur
3. Indian Institute of Technology, Kharagpur.

4. Indian Institute of Technology, Madras
5. Indian Institute of Technology, Powai, Bombay.

(b) Institutions Deemed as Universities under U.G.C.

1. Birla Institute of Technology and Science, Pilani
2. Indian Institute of Science, Bangalore
3. Indian Institute of Mines, Dhanbad.

In view of the above orders of the Ministry of Home affairs the Technical Degrees and Diplomas awarded by the above I.I.Ts and the Institutions deemed to be Universities under the U.G.C Act stand recognised by the Central Government equivalent to Technical Degrees and Diplomas in the corresponding subjects awarded by the recognised Indian Universities for purpose of employment under the Central Government. This recognition is enjoyed by all the Ministries and Departments of the Government or Union Public Services Commission, autonomous public organizations/undertaking etc. under the Central Government.

4. Cases have been brought to the notice of this Ministry that certain Departments of the State Government such as Electricity and Public Works Departments did not accept the degrees of the I.I.Ts and the holders of the degrees were asked to produce sufficient evidence about the recognition of their degree by the U.P.S.C. and the Central Government. This was an embarrassing situation and put the degree holders in very much inconvenience. Their employments were delayed. A large number of students joining and the Institutions deemed to be Universities hail serious States and after completion of their degrees seek employment under state Government Departments. In short that the holders of the degrees from I.I.Ts and Institutions deemed as Universities are not put to any inconvenience in future for the employment to State Services, it is requested that the contents of this letter, the recognition of the degrees by the I.I.Ts, the Institutions deemed to

be Universities are brought to the notice of all Departments of the State
Government.

Yours faithfully,

(H.S. Kapoor)

Assistant Education Officer (T)

