

# **All India Council for Technical Education (Grant of Approvals for the Technical Institutions) Regulations, 2016**

UNION OF INDIA

India

## **All India Council for Technical Education (Grant of Approvals for the Technical Institutions) Regulations, 2016**

### **Rule**

### **ALL-INDIA-COUNCIL-FOR-TECHNICAL-EDUCATION-GRANT-OF-APPROVALS-FOR-TECHNICAL-INSTITUTIONS-REGULATIONS-2016**

- Published on 30 November 2016
- Commenced on 30 November 2016
- [This is the version of this document from 30 November 2016.]
- [Note: The original publication document is not available and this content could not be verified.]

All India Council for Technical Education (Grant of Approvals for the Technical Institutions) Regulations, 2016 Published vide Notification No. F. No. AB/AICTE/REG/2016, dated 30.11.2016 F. No. AB/AICTE/REG/2016. - In exercise of its powers conferred under sub-section (1) of Section 23 read with Section 10 and Section 11 of the All India Council for Technical Education Act, 1987 (52 of 1987) and in supersession of the All India Council for Technical Education (Grant of Approvals for the Technical Institutions) Regulations, 2012 notified in the Gazette of India vide F.No. 37-3/Legal/AICTE/2012 dated 27th September, 2012 regarding grant of approval for starting new Technical Institutions, introduction of Courses or Programmes and increase/variations of intake capacity of seats for the Courses or Programmes, Extension of Approval and F. No.: 37-3/Legal/2007 dated 12th January, 2007 regarding admissions under lateral entry in Degree Engineering Programme for the existing Technical Institutions, the All India Council for Technical Education makes the following Regulations:

### **1. Short Title, Application and Commencement.**

- 1.1 These Regulations shall be called the All India Council for Technical Education (Grant of Approvals for the Technical Institutions) Regulations, 2016. 1.2 These Regulations shall apply to Technical Institutions conducting and/or intending to conduct technical education and such other Programmes and areas as notified by the Act. 1.3 They shall come into force with effect from the date of their publication in the Official Gazette.

## 2. Definitions.

- In these Regulations, unless the context otherwise requires

2.1 "Academic Year" means Academic Year of the concerned Affiliating University/Board and/or Technical Institution.

2.2 "Act" means the All India Council for Technical Education Act, 1987 (52 of 1987).

2.3 "AICTE Web-Portal" means web site hosted by the Council at URL [www.aicte-india.org](http://www.aicte-india.org).

2.4 "APH" means Approval Process Handbook published by the AICTE every year prescribing norms and standards for processing the applications submitted for grant of various approvals.

2.5 "Applicant" means an applicant who makes an application to the Council for seeking any kind of approval under these Regulations.

2.6 "Approved Institution" means the Technical Institution approved by the Council.

2.7 "Break in EoA" means break in the approval of the Institution during the previous year(s).

2.8 "Chairman" means Chairman of the AICTE as described under sub-section 4(a) of Section 3 of the Act.

2.9 "Co-Ed Institution" means the Institution admitting male, female and transgender students.

2.10 "Commission" means University Grants Commission established under Section 4 of the University Grants Commission Act, 1956.

2.11 "Company" means a Company established/registered under Section 8 of the Companies Act, 2013.

2.12 "Competent Authority for Admission" means an organization that has, the legally delegated authority, capacity, or power to do admission to Technical Institutions in the State/UT concerned.

2.13 "Council" means All India Council for Technical Education established under Section 3 of the Act.

2.14 "Course" means one of the branch of learning in Programme such as Civil Engineering, Mechanical Engineering etc.

## **2. [15 "Division" means [Substituted by Notification No. F. No. AB/AICTE/REG/2016, dated 5.12.2017 (w.e.f. 30.11.2016).]**

A batch of maximum of Sixty (60) seats in Under Graduate Programme and Diploma in Engineering/Technology/Hotel Management and Catering Technology/Applied Arts and Crafts, Post Graduate Programme in PGDM/MBA/MCA excluding supernumerary seats, if any; A batch of maximum of Forty (40) seats in Under Graduate and Diploma in Architecture/Planning Programme excluding supernumerary seats, if any; A batch of maximum of Sixty (60) seats in Under Graduate and Diploma in Pharmacy Programme including supernumerary seats, if any; A batch of maximum of Thirty (30) seats in Post Graduate Programme in Engineering/Technology/Hotel Management and Catering Technology/Applied Arts and Crafts/Architecture/Planning; A batch of maximum of Fifteen (15) seats in Post Graduate Programme in Pharmacy, Thirty (30) seats in Pharm.D., Ten (10) seats in Pharm.D. (Post Baccalaureate); A batch of maximum of Sixty (60) seats in Integrated Degree in Engineering and Technology, Integrated Degree in MCA and Integrated/Dual Degree in MBA; and A maximum of Twenty (20) seats per year in fellowship Programme in Management.]

2.16 "EoA" means Extension of Approval granted by AICTE for conduct of technical Programmes by an Institution.

2.17 "EVC" means Expert Visit Committee constituted by the Regional Officer as per the composition given in Approval Process Handbook to verify physically the infrastructural facilities of the applicant Institution.

2.18 "Executive Committee" means the Committee constituted by the Council under Section 12 of the AICTE Act.

2.19 "First Shift" means activities conducted in First spell of time (from 8 am to 4 pm) wherever two-Shift working exists.

2.20 "Foreign National" means the citizen of countries other than India who are not of Indian origin as defined under OCI/PIO.

2.21 "Government Aided Institution" means Technical Institution that meets 50% or more

of its recurring expenditure out of the grant received from the Government or Government organizations.2.22"Government Institution" means Technical Institution established and/or maintained by the Government.2.23"Head of the Institution" means the Vice-Chancellor in case of a University or a Deemed to be University, the Principal or the Director or such other designation as the executive head of the Institution of the Technical Institution referred.2.24"Lateral Entry" means admission of students into second year of Diploma/Degree/MCA Programmes as per Approval Process Handbook.2.25"Level" means Diploma, Post Diploma, Degree, Post Graduate Degree and Post Graduate Diploma Programmes.2.26"Minority Educational Institution" means a college or an educational Institution established and administered by a minority or minorities and recognized by Competent Authority as Minority College/Institution.2.27"NBA" means National Board of Accreditation, an autonomous body set up by AICTE, under Societies Registration Act, 1860.2.28"Non-Resident Indian (NRI)" means an Indian citizen who is ordinarily residing outside India and holds an Indian Passport.2.29"Overseas Citizen of India (OCI)" means a foreign national, who was eligible to become citizen of India on 26.01.1950 or was a citizen of India on or at any time after 26.01.1950 or belonged to a territory that became part of India after 15.08.1947. Minor children of such person are also eligible for OCI. However, if the applicant had ever been a citizen of Pakistan or Bangladesh, he/she will not be eligible for OCI.2.30"Part Time Programme" means activities conducted in evening time i.e. 5.30 pm to 9.30 pm (six days a week) wherever Single/Regular Shift working exists and are meant only for working professionals or professionals with at least two years of work experience.2.31"Person of Indian Origin (PIO)" means a foreign citizen (except a national of Pakistan, Afghanistan, Bangladesh, China, Iran, Bhutan, Sri Lanka and Nepal) who at any time held an Indian passport Or who or either of their parents/grandparents/great grandparents were born and permanent resident in India as defined in Government of India Act, 1935 and other territories that became part of India thereafter provided neither was at any time a citizen of any of the aforesaid countries; or who is a spouse of a citizen of India or a PIO.2.32"Programme" means the field of Technical Education, i.e. Engineering, Technology, MCA, Architecture, Town Planning, Management-MBA, Management-PGDM, Pharmacy, Hotel Management and Catering Technology, Applied Arts and Crafts and such other Programmes and areas as notified by the Act.2.33"Public Private Partnership (PPP)" means a partnership based on a contract or concession agreement, between a Government or Statutory entity on the one side and a private sector enterprise on the other side.2.34"Regional Committee" means a Committee established under Section 14 of the Act.2.35"SAC" means Standing Appellate Committee constituted by the Chairman as per the composition given in Approval Process Handbook for considering the Appeals of Technical Institutions.2.36"SCSC" means Standing Complaint Scrutiny Committee constituted by the Chairman for scrutiny of complaints received against the Technical Institutions.2.37"Second Shift" means activities conducted in 2nd spell of time (from 1 pm to 9 pm) wherever two-Shift working exists.2.38"Self-Financing Institution" means an Institution started by a Society/Trust/Company and does not receive grant/fund from Central and/or State Government and/or Union Territory Administration for meeting its recurring expenditure.2.39"Single Shift/Regular Shift" means where, educational activities of the Technical Institution are conducted between 9 am and 5 pm.2.40"Society" means a Society registered under Societies Registration Act, 1860.2.41"SHC" means Standing Hearing Committee constituted by the Chairman as per the composition given in Approval Process Handbook to review the EVC reports and replies received for Show Cause Notices, and forward its recommendations to EC for approval.2.42"State Level Fee

Committee" means a Committee notified by the concerned State Government/UT Administration for regulation of fee to be charged by the Technical Institutions.2.43"Technical Institution" means an Institution set up by Government, Government Aided and Self-Financing/Trust/Society/Company for conducting Courses/Programmes in the field of technical education, training and research in Engineering, Technology, MCA, Architecture, Town Planning, Management, Pharmacy, Hotel Management and Catering Technology, Applied Arts and Crafts and such other Programmes and areas as are notified by the Act.2.44"Trust" means a Trust registered under the Indian Trust Act, 1882 as amended from time to time or any other relevant Acts through the Chairman/President/Secretary of the Trust.2.45"University" means a University defined under Clause (f) of Section 2 of the University Grants Commission Act, 1956.2.46Any other word and expression used herein and not defined but defined in the All India Council for Technical Education Act, 1987 (52 of 1987), shall have the same meaning respectively assigned to them in the said Act.

**2. [47 "Supernumerary Seats" includes TFW, OCI/PIO/Foreign Nationals/Children of Indian Workers in the Gulf Countries, Lateral entry, PwD and J&K Seats notified from time to time, over and above the "Approved Intake".] [Inserted by Notification No. F. No. AB/AICTE/REG/2016, dated 5.12.2017 (w.e.f. 30.11.2016).]**

### **3. Promoters of the Technical Institutions.**

- 3.1 A Technical Institution shall be established and administered by the following:a. A Society registered under the Societies Registration Act, 1860;b. A Trust registered under the Indian Trust Act, 1882 as amended from time to time or any other relevant Acts through the Chairman/President/Secretary of the Trust;c. A Company established under Section 8 of Companies Act, 2013;d. Central or State Government/UT Administration or by a Society or a Trust registered by them;e. Apart from the above bodies as mentioned in (a), (b), (c) and(d), any other body formed under Public Private Partnership (PPP) or under Build Operate Transfer (BOT) mode through an Officer authorized by Central/State Government/UT; andf. A Company as stipulated in Clause 2.11 of these Regulations, having any foreign equity directly or indirectly as shareholding shall not be permitted to apply for setting up a Technical Institution.3.2Working of Technical Institution set up by the Company or PPP or BOT mode shall ensure the following:a. Not for profit making;b. Income generated from operation of Technical Institution shall be utilized for working and development of the Technical Institution; andc. There shall be no indirect holding.

### **4. Grant of Approval for Technical Institutions through a single application.**

- 4.1 All Promoters of Technical Institutions shall seek prior approval of the Council for:a. Setting up new Technical Institution offering Technical Programme at Diploma/Post Diploma/Degree/Post Graduate Degree and Post Graduate Diploma/Collaboration and Twinning Programme between Indian and Foreign Universities or Institutions in the field of Technical Education, Research and training;b. Change of Site/Location of the existing Institution;c. Closure of Institution;d. Conversion

of Women's Institution into Co-Ed Institution and vice-versa; and e. Conversion of Diploma Level into Degree Level and vice-versa

#### **4. [2 a. Extension of Approval to the existing Institutions;**

b. Extended EoA; c. Increase in Intake/Additional Course(s); d. Addition of Integrated/Dual Degree Course; e. Continuation of approval after a break in the preceding Academic Year/Restoration; f. To Start Diploma in Degree Pharmacy Institutions and Vice-Versa; g. Conversion of PGDM Institutions into MBA Institutions; h. Conversion of Second Shift Courses into First Shift Courses; i. Introduction of Part Time Programmes; j. Introduction of Fellowship Programme in Management; k. Introduction of Supernumerary Seats for Foreign Nationals/Overseas Citizen of India/Persons of Indian Origin (OCI/PIO)/Children of Indian Workers in Gulf Countries; l. Introduction of seats for sons/daughters of NRIs; m. Change in name of the Course/Reduction in intake/Closure of Programme and/or Course; n. Change in name of the Institution or Affiliating University/Board; and o. Change in name of the Trust/Society/Company;] 4.3 No NOC from Affiliating University/Board/State Government/UT shall be required for reduction in intake to Non-Zero intake and closure of Second Shift Courses. 4.4 For closure of PGDM Course, NOC from Affiliating University/Board is not applicable. However, EVC shall be conducted and the applicant has to pay the fee as prescribed in Approval Process Handbook. 4.5 In Restoration of Courses where an EVC has to be conducted, the fee as prescribed in Approval Process Handbook has to be paid by the applicant. 4.6 Well performing institutes providing quality technical education such as getting accreditation of Courses by NBA, possess UGC approved autonomy shall be duly recognized by AICTE and considered for granting approvals for more than one year at a time as specified in APH. Such Institutions who have the approval to the Programme/Course for more than one year shall however upload the data for the downloading of EoA.

**4. [7 There shall be 15% supernumerary seats for Foreign Nationals/Overseas Citizen of India/Persons of Indian Origin (OCI/PIOs)/Children of Indian Workers in the Gulf Countries in all the Courses, of which 1/3rd shall be reserved for Children of Indian Workers in the Gulf Countries. Any vacant seat in a given Course, out of 1/3rd seats reserved for Children of Indian Workers in the Gulf Countries shall be reverted to the quota of 2/3rd meant for OCI/PIO/Foreign Nationals and vice-versa. Beside this, any vacant seat after the last round of the admission of the concerned State Government, may be filled with Foreign Nationals/Overseas Citizen of India/Persons of Indian Origin (OCI/PIOs)/Children of Indian Workers in the Gulf Countries subject to approval from AICTE for the above quota and fulfillment of requisite infrastructure as per the Approval Process Handbook.**

Further, any vacant seat in the "Foreign Nationals/Overseas Citizen of India/Persons of Indian Origin (OCI/PIO)/Children of Indian Workers in Gulf Countries" after the last round of the admission of the concerned State Government/UT, may be filled with NRI subject to approval from

AICTE for the NRI category and fulfillment of requisite infrastructure as per the Approval Process Handbook.] [Substituted by Notification No. F. No. AB/AICTE/REG/2016, dated 5.12.2017 (w.e.f. 30.11.2016).]4.8Mandatory provision of supernumerary seats under Tuition Fee Waiver Scheme in all the Courses and Programmes shall be applicable to all Technical Institutions as per Approval Process Handbook.4.9Processing fee shall not be refunded in case of Closure of Institution/Course, once the application is processed and issued rejection due to non-submission of NOCs from State Government/UT/Affiliated University/Board/Trust in the format prescribed by the AICTE.4.10MHRD directives such as Scheme of "Sub-Mission on Polytechnics", to establish Engineering College/Technical Institution in "Educationally Backward Districts/Left Wing Extremism (LWE) affected" Districts;digital payment for all financial transactions; National Academic Depository (NAD) and any other scheme(s) shall be complied with as given in Approval Process Handbook.4.11The Council shall publish, from time to time, Approval Process Handbook detailing the documents to be attached to the application, the fee to be remitted, the norms and standards, requirements and the procedure by which the applications are processed for grant of approval of existing Institutions/Promoters.4.12The applications received under Clauses 4.1 and 4.2 of these Regulations shall be processed as per the procedures, norms and standards prescribed in the Approval Process Handbook as notified by the Council from time to time in addition to the existing Central, State and Local laws.4.13The applications for approval for the purposes listed under Clause 4.1 and 4.2 (j) of these Regulations shall be made by :a. The Chairman/Secretary/President in case of the Society/Trust;b. Managing Director or any authorized Officer in case of Company established under Section 8 of Companies Act, 2013; andc. An Officer authorized by the concerned Central Government/State Government/UT in case of Central or State Government/UT Administration or a Society or a Trust registered or a Company established under Section 8 of Companies Act, 2013 or under Public Private Partnership made by them, as the case may be.4.14The applications for approval for the purposes listed under Clause 4.2 except (j) of these Regulations shall be made by Principal/Director of the Technical Institution or Head of the Institution or an Officer of the Institution duly authorized by the Promoter of such Institution or Chairman/Secretary/President in case of the Trust/Society/Company.4.15The applicant shall apply on the AICTE Web-Portal for setting up a new Institution, after remitting a requisite fee within the specified deadline notified as by the AICTE from time to time. An unique USER ID will be allotted to each new applicant.The applicant shall be required to submit online application for the cases listed in Clauses 4.1 and 4.2 of these Regulations using their unique USER ID allotted to them by remitting the prescribed fee through AICTE's payment gateway on the Web-Portal, through Corporate Internet Banking, failing which the application shall not be considered.Applications shall be accepted subject to the realization of the Payment. Only those applications submitted till the last date including payment shall be considered for processing.4.16An Affidavit, in the format as given in the Approval Process Handbook, on a Non-Judicial Stamp Paper of Rs. 100/- duly sworn before a First Class Magistrate or Notary or an Oath Commissioner, inter alia, stating that the information given in the application is true and that if it is found at any time that any part of the information has been suppressed and/or misrepresented and/or the information given in the application is false, the Council will be free to take action including Withdrawal of Approval/not considering for grant of approval and/or any other legal action as it may deem fit shall be submitted by the applicants.

**4. [17 All applicants shall apply online through a single application under the applicable category(ies) under Clauses 4.1 and 4.2, as per the conditions mentioned in Approval Process Handbook.**

The portal permits the generation of deficiency report for applications under Clause 4.2. The applicants shall make necessary corrections online, till the final submission of the application on the portal. After pressing the "submit" tab, the data shall not be allowed for any further correction, till the processing of application is completed. Applicants have to submit documents, as applicable, to the concerned Regional Office as specified in the Approval Process Handbook.] [Substituted by Notification No. F. No. AB/AICTE/REG/2016, dated 5.12.2017 (w.e.f. 30.11.2016).] 4.18 The State Government/UT Administration and the Affiliating University/Board shall forward their views on the applications received under Clause 4.1 as applicable, with valid reasons along with the perspective plan of the State, within a period of 21 days from the date of receipt of applications which shall be taken into account by the Regional Committee for further processing for grant of approval. If the application is not processed further, the processing fee after a deduction of Rs. 50000/- (Rupees Fifty thousand only) shall be refunded to the applicant. If the views of the State Government/UT Administration and the Affiliating University/Board are not received within a prescribed time schedule as mentioned in the Approval Process Handbook, it shall be presumed that they do not have any objection and the Council shall proceed further for processing of applications. However, the Council shall consider the previous communications, if any, received from the State Government/UT administration, the Affiliating University/Board against any Institutions. 4.19a. There is no scrutiny for applications applied under 4.2 (a) and (f), as the processing is based on self-disclosure. If there is "Zero Deficiency", then the system shall allot the intake applied for, as per the Approval Process Handbook. b. Institutions having an "Approved Intake" less than a Division size in any of the Regular/First Shift Courses as prescribed by the Council may apply for intake of full Division size themselves and shall maintain faculty student ratio accordingly, without NBA accreditation/NOC from Affiliating University/Board/State Government/UT; subject to "Zero Deficiency" in the portal. However, this is not applicable in case of Institutions under penal action. c. Institutions may apply for reduction in intake in any of the Regular/First Shift Courses within a Division by themselves in the portal and shall maintain faculty student ratio accordingly, without NOC from Affiliating University/Board/State Government/UT; the restoration to the original "Approved Intake" of full Division is permissible without NBA. d. The consolidated list of all Institutions with the "Approved Intake" shall be placed before the Executive Committee for approval or otherwise and the same shall be notified on the Web-Portal. Further, the Institution shall print the Extension of Approval letter along with "Approved Intake" through the Institution login. e. No appeal shall be allowed on this procedure since an applicant is allowed for corrections multiple times, along with generation of online Deficiency Report before final submission of the application. 4.20 All applications applied under Clause 4.1 of these Regulations shall be evaluated by a Scrutiny Committee/Re-Scrutiny Committee/Expert Visit Committee (as applicable) constituted by the Regional Officer. Regional Officer or an Officer of the Council concerned shall assist the respective Committees and place relevant records and documents before them and make necessary arrangements for conduct of the meetings; however, he/she shall not be part of the Committee.

**4. [21 a. Applications under Clause 4.1 shall submit the hard copy of the application along with the documents on the date of Scrutiny at the Regional Office, failing which the Scrutiny shall not be conducted.**

b. The Scrutiny Committee shall invite the Institutions applied under Clause 4.1 of these Regulations, for presentation of their proposals. Applicants shall produce ALL the original documents along with self-attested copies at the time of Scrutiny. Applicants are advised to adhere to Scrutiny schedule and not to remain absent.

c. For Institutions applied under Clause 4.2 (b), (c), (d), (i), (j), (m), (n) and (o) of these Regulations, the Scrutiny Committee shall process the applications based on the documents submitted by the applicant. For Institutions applied under Clause 4.2 (e), (f), (g), (h) and (k) of these Regulations, an Expert Visit Committee shall be conducted to the Institutions.

d. Change in name of the Trust/Society/Company including merging two or more Trust/Society/Company having the same common objects of education etc. shall be permitted as per the respective laws laid down in the Acts.

e. Institutions having total Approved Intake less than the "Maximum Intake Allowed" shall be permitted to increase up to the "Maximum Intake Allowed" without NBA accreditation subject to "Zero Deficiency" based on Self-Disclosure on the Portal. Scrutiny Committee shall process the proposals based on the documents submitted by the applicant.

f. For Institutions having Courses with meager admission consistently, appropriate action as specified in the Approval Process Handbook shall be initiated with the approval of the Council.

4.22 Expert Visit Committee shall visit the Institutions in respect of applications which are recommended by the Scrutiny Committee.

4.23 The uploading of the Scrutiny/Re-Scrutiny Committee Report/Expert Visit Committee Report shall be done by the concerned Regional Office of the Council.

4.24 Regional Officer concerned while forwarding the recommendations of the Regional Committee to Approval Bureau of AICTE, for placing before the Executive Committee, shall verify that the processes and parameters prescribed under these Regulations and Approval Process Handbook are followed by the Scrutiny Committee, Re-Scrutiny Committee (if applicable), Expert Visit Committee and the Regional Committee. The Approval Bureau of AICTE shall also verify that the processes and parameters prescribed under these Regulations and Approval Process Handbook are followed by the Scrutiny Committee, Re-Scrutiny Committee, Expert Visit Committee and the Regional Committee.

4.25 The recommendations of the Regional Committee shall be placed before the Executive Committee of AICTE to take decisions on grant of approval or otherwise to the Technical Institutions.

4.26 The Council shall grant the desired approvals only after confirming that the applicant meets all the norms and standards prescribed in Approval Process Handbook. From the self-disclosure information of the Institutions, the Council reserves the right to inspect and if it is found that information is false, then initiate penal action as per Approval Process Handbook.

4.27 Applicants, whose applications under Clause 4.1 (a), (b), (d) and (e) are recommended for further processing by the Executive Committee shall be informed for submission of Security Deposit (if applicable) along with an Affidavit. The amount as specified in Approval Process Handbook shall be deposited by the Institution and remain with the Council for 10 years.

4.28 The online Security Deposit amount deposited by the Technical Institution with AICTE shall be permitted to be withdrawn after a term of ten years or in case of closure of Course/Institution subject to the submission of relevant documents. The interest accrued on the Security Deposit shall be credited to the Council and shall be utilized by AICTE for Quality Improvement Programme for Faculty and giving scholarships to students. However, the term of the



Security Deposit could be extended for a further period as may be decided on case to case basis and/or forfeited in case of any violation of norms, conditions and requirements and/or non-performance by the Institution and/or complaints against the Institution.4.29a. The decision of the EC/Council shall be uploaded in the Web-Portal in the form of a Letter of Approval (LoA) or Letter of Rejection (LoR) with the reasons for rejection for the applications submitted under Clause 4.1 of these Regulations and Extension of Approval (EoA) or otherwise for the applications submitted under Clause 4.2 of these Regulations. Validity of the Letter of Approval, if issued, shall be for two Academic Years from the date of issue of Letter of Approval, only for obtaining affiliation with the respective University/Board and fulfilling State Government/UT requirements for admission in the current session. Even if the Institution fails to admit the students in the current Academic Year due to non-affiliation by the University/Board or non-fulfillment of State Government/UT requirements, the Institution shall apply online on AICTE Web-Portal for Extension of Approval for the next Academic Session.b. An EVC may be conducted any time before the first batch of students have passed out, to verify the fulfillment of the norms as per Approval Process Handbook.[c. For Change in name of Institution/University, Conversion from Women's into Co-Ed and Vice-versa, Change in site, Closure of Institution/Course(s), the applicant shall submit the relevant NOCs at least before 31st December of the respective Calendar Year. [Substituted by Notification No. F. No. AB/AICTE/REG/2016, dated 5.12.2017 (w.e.f. 30.11.2016).] Applications of existing Institutions who have applied for Closure of Institution, and if such application is not approved by the Council due to certain deficiencies; the Institution shall be given EoA with ZERO Intake for that year. Such Institutions shall submit all relevant documents after all the students have passed out or redistributed to nearby AICTE approved Institutions and seek official closure of the Institution. The application for the Closure of Institution shall be valid for the duration of the respective programme offered by the Institution within which the Institution should submit the required mandatory documents. Else, AICTE may close the Institution with the intimation to the Affiliating University/Board and the State Government/Union Territory and shall issue a Public Notice regarding the same.]d. Student's eligibility for admission to all the Programmes shall be as per the Approval Process Handbook and as per the reservation policy of the Central Government/respective State Government/UT as the case may be.4.30 New Institutions granted Letter of Approval and Existing Institutions granted approval for introduction of new Course(s), Division(s), Programme(s), variation in intake capacity shall comply with appointment of teaching staff and Principal/Director as the case may be, as per the policy of the Council. Institutions other than Minority Institutions shall appoint teaching staff/Principal/Director and other technical supporting staff and administrative staff strictly in accordance with the methods and procedures of the concerned Affiliating University/Board particularly in case of selection procedures and selection Committees. The information about these appointments of staff in the prescribed format shall also be uploaded on the Web- Portal of AICTE as per the schedule prescribed in the Approval Process Handbook.

**4. [31 a. The applicants shall not name the Technical Institution in such a way that the abbreviated form of the name of the Technical Institution becomes IIM or IIT or IISc or NIT or AICTE or UGC or MHRD or Gol. The applicant shall also not use the word(s) Government, India, Indian, National, All India, All**

**India Council, Commission anywhere in the name of the Technical Institution and other names as prohibited under the Emblems and Names (Prevention of Improper Use), Act, 1950. Provided that the restrictions mentioned above shall not be applicable, if the Technical Institution is established by Government of India or its name is approved by the Government of India.**

b. Applicants/Institutions shall not use the names of the Existing Institutions within the State.]4.32In no eventuality, a Technical Institution without prior approval of the AICTE and Affiliating University/Board concerned, shall be allowed to participate in the counselling and admission process and to admit students. Affiliating University/Board shall not enroll students admitted in such Technical Institutions, which do not have requisite prior approval of the Council.4.33Central/State Government/UT Administration concerned shall not permit any Technical Institution without requisite prior approval of the Council to admit students.4.34DTE/State Government/UT/Affiliating University/Board shall download the intakes for various Courses for the Institutions under their jurisdiction, from Web-Portal through their login.

**4. [35 The applicants are expected to provide the Council true and complete information and documents required for various purposes. If the information given and/or the documents provided to the Council are found to be false, incomplete and/or the applicants have failed to disclose factual information and/or suppressed/misrepresented the information, the Council shall initiate action including Withdrawal of Approval/or any other action as deemed necessary against the applicants.**

If any document submitted is found to be fraudulent, criminal case shall be filed against the Principal of the Institution and the Chairman/Secretary of the Trust/Society/Company.] [Substituted by Notification No. F. No. AB/AICTE/REG/2016, dated 5.12.2017 (w.e.f. 30.11.2016).]4.36AICTE shall also conduct from time to time inspections with or without notifying dates in such cases where specific complaints of falsification of documents, misrepresentation, violation of norms of standards, malpractices, etc. are received. Institutions at random would be subjected to surprise inspection for the fulfillment of the norms of Approval Process Handbook and appropriate action including Withdrawal of Approval and any other action deemed necessary, shall be initiated against the applicants, as the case may be.4.37In the event of denial of Extension of Approval for the existing Courses or grant of Extension of Approval as per the Clauses 4.35 and 4.36 of these Regulations, such Institutions shall not be considered for Extension of Approval till such proceedings are settled and the Promoters/Institutions are cleared of the charges of violations.4.38The concerned State Government/UT shall redistribute the students of the Institutions, whose Programmes/Courses have been discontinued by the Council or approval is withdrawn/suspended, to other nearby AICTE approved Technical Institutions affiliated to the University/Board and the Council shall allow supernumerary seats in such Institutions to accommodate the redistributed students appropriately till they complete the

Programmes/Courses.4.39In case of existing Institutions, if an EVC was conducted or Show Cause notice was issued, the same shall be placed before the Standing Hearing Committee (SHC) as applicable and processed as per the procedure given in Approval Process Handbook. If the Institution is aggrieved by the decision of the Executive Committee, the Institution shall have the right to appeal once to the Council, as per the procedure given in Approval Process Handbook.4.40Merging of certain regular Courses as per the guidelines given in the Approval Process Handbook are permitted so that the intake shall be equal to the sum total of the individual Courses and Divisions subject to a maximum intake as per Approval Process Handbook, provided the faculty student ratio be maintained. Merging is considered for all Divisions of a Course while partial merging of few Divisions is not permissible.4.41Any Institution offering technical Programmes/Courses without approval of the Council, shall be termed as unapproved if, a. Started without approval by the Council; and b. Declared as "Unapproved" by the Council.4.42The Council shall not grant any conditional approval to any Institution.4.43Under extraordinary circumstances, if restoration/Punitive action (except fine) is approved by the Council beyond 30th April of every Calendar year, the same shall be implemented for the next Academic Year only.4.44Admissions under lateral entry in Degree/Post Graduate Degree/Diploma Programme. a. Diploma holders and B.Sc. Degree holders shall be eligible for admission to Second year Engineering degree up to a maximum of 20% of sanctioned intake (30% for Institutions in Andaman, Nicobar, Lakshadweep, Daman and Diu) which shall be over and above, supernumerary to the sanctioned intake, plus the unfilled vacancies of 1st year as per the Approval Process Handbook. b. Provided that, students who have completed Diploma Course in Pharmacy shall be eligible for admission to second year Pharmacy degree up to a maximum of 10% of sanctioned intake (20% for Institutions in Andaman, Nicobar, Lakshadweep, Daman and Diu) which shall be over and above, supernumerary to the sanctioned intake, plus the unfilled vacancies of 1st year as per the Approval Process Handbook. c. Provided that Students who have completed Bachelor's Degree of minimum 3 years duration in BCA, B.Sc. (IT/Computer Science) with Mathematics as a Course at 10+2 level or at Graduate level shall be eligible for admission to second year MCA Course up to a maximum of 20% of sanctioned intake (30% for Institutions in Andaman, Nicobar, Lakshadweep, Daman and Diu) which shall be over and above, supernumerary to the sanctioned intake, plus the unfilled vacancies of 1st year as per the Approval Process Handbook. d. Students passing 12th Science (with Mathematics as one of the Subject) or 12th Science with Vocational (Or) 12th Science with Technical or 10th + (2 years ITI) with appropriate specialization in that order shall be eligible for admission to second year Diploma Courses of appropriate Programme, up to a maximum of 20% of sanctioned intake (30% for Institutions in Andaman, Nicobar, Lakshadweep, Daman and Diu) which shall be over and above, supernumerary to the sanctioned intake, plus the unfilled vacancies of 1st year as per the Approval Process Handbook.

**4. [45 The applications for introduction of Vocational Education Courses shall be processed as per the procedure prescribed in the Approval Process Handbook and all other norms and standards as notified in NSQF Regulations and SAMVAY from time to time.] [Inserted by Notification No. F. No. AB/AICTE/REG/2016, dated 5.12.2017 (w.e.f. 30.11.2016).]**

## **5. Appeal before Standing Appellate Committee.**

- [5.1 An Institution/applicant, if aggrieved by the decision of Executive Committee shall have the right to appeal once to the Council, within 7 days from the date of uploading of LoR. All the appeals submitted by the Applicants/Institutions shall be placed before the Standing Appellate Committee. The final decision of the Council shall be uploaded on or before 30th April of the Calendar Year.] [Substituted by Notification No. F. No. AB/AICTE/REG/2016, dated 5.12.2017 (w.e.f. 30.11.2016).] 5.2 An Officer of the Council shall place the records before the Standing Appellate Committee. A representative of the Institution shall be invited to place the point of view of the Institution before the Standing Appellate Committee. 5.3 The recommendations of Standing Appellate Committee shall be placed before the Council of the AICTE, whose decision shall be final. In case, there is no proposed meeting of the Council, the recommendations of Standing Appellate Committee shall be approved by the Chairman and thereafter the same shall be placed before the Council for ratification. 5.4 The decision of the Council shall be communicated to the applicant in the form of a final Letter of Approval/Letter of Rejection through Web-Portal on or before 30th April of Calendar Year, with the reasons for rejection of the application.

## **6. Requirement of land and built-up area.**

- 6.1 The Promoter Society/Trust/Company of a new Technical Education Institution shall have the required land as mentioned in Approval Process Handbook in its lawful possession with clear title in the name of Promoter Society/Trust/Company on or before the date of submission of application. Further to that it shall be open for the Promoter Society/Trust/Company to the proposed Institution to mortgage the land after the receipt of letter of approval, only for raising the resources for the purpose of development of the Technical Education Institution situated on that land. Further to that it shall be open for the Promoter Society/Trust/Company of the existing Institution to run other Educational Courses/Institutions (Technical/Non-Technical) in the surplus land arising out of prevailing/reduced norms of land requirement. However, such surplus land can be used as per the land use certificate given to the Society/Trust/Company by the concerned authority subject to such Courses/Institutions having their own facilities to conduct such Programmes without sharing the essential facilities such as class room, laboratory etc. with the already approved Technical Institution. However, Common amenities such as Canteen, Auditorium, Playground, Parking, etc. may be shared provided it caters to all the students of all the Programmes. 6.2 The Promoter Society/Trust/Company of a new Technical Education Institution shall have to construct the built up area as per the requirements applicable for setting up of Institution as mentioned in the Approval Process Handbook amended from time to time.

## **7. Information in respect of Director/Principal, Faculty members and students.**

- All Technical Institutions shall upload the information in respect of their Director/Principal, faculty members and students admitted in each Course in the format available on the Web-Portal of the Council and update the information from time to time. Scanned copies of PAN Card, Adhaar

Card (If available) and Form 16 of all the faculty members shall also be uploaded on the Web-Portal.

## **8. Withdrawal of Approval.**

- If any Technical Institution contravenes any of the provisions of relevant Regulations, the Council after making appropriate inquiry through Standing Hearing Committee (SHC) and after providing an opportunity of being heard through the Standing Appellate Committee (SAC) shall withdraw the approval granted. In case of Withdrawal of Approval to the Institution, the Technical Institution/Society/Trust/Company shall apply afresh for approval after completion of two Academic Years for setting up a new Institution as per the procedure defined in Approval Process Handbook.

## **9. Penalty.**

- An Institution running any technical Programme in violation of these Regulations, shall be liable for initiation of legal action including Withdrawal of Approval, if any, and/or legal criminal action by the Council against the Institution and/or its Promoter Society/Trust/Company and individuals associated, as the case may be. Further that, if any Technical Institution contravenes any of the provisions of these Regulations, the Council after making such inquiry as it shall consider appropriate and after giving Technical Institution concerned an opportunity to clarify the matter, shall take any or all actions as specified in the Approval Process Handbook and as the case may be.

## **10. Action in case of violation of Regulations.**

- 10.1 Non-submission/submission of incomplete application for Extension of Approval. - The Technical Institutions shall upload the application in the prescribed format along with all relevant enclosures each year for Extension of Approval by the Council. The last date for receipt of such application shall be as mentioned in the schedule. Non-submission/submission of incomplete/submission of false information, while applying for Extension of Approval shall invite appropriate penal action against the Institution. The Institution shall be liable to any one or more of the following punitive actions by the Council: • Suspension of approval for NRI and supernumerary seats for one Academic Year • Reduction in sanctioned intake • No admission in one/more Courses for one Academic Year • Withdrawal of approval for Programme/Course • Withdrawal of approval of the Institution

10.2 Non-fulfillment of requirement of qualified Principal/Director. - Institutions not having qualified Principal/Director for a period, more than 12 months, shall be liable to any one or more of the following punitive actions by the Council: • Reduction in sanctioned intake • No admission for one Academic Year

**10. [3 Non-fulfillment of faculty student ratio, not adhering to pay scales and/or qualifications prescribed for teaching staff - Institutions not adhering to pay scales and/or qualifications prescribed for faculty for more than 12 months and not maintaining prescribed faculty student ratio shall be liable to any one or more of the following punitive actions by the Council.**

• Suspension of approval for NRI and supernumerary seats, if any, for one Academic Year. • Reduction in sanctioned intake • No admission in respective Course(s) for one Academic Year • Withdrawal of approval in the respective Course(s) • Withdrawal of approval of the Institution

The Council may initiate penal action for not regularizing and ensuring the timely and full payment of the salary of the staffs through Electronic Clearing Service (ECS) by nationalized banks. The Institution collecting/withholding any of the original educational/professional certificates of a faculty member shall be liable to any one or more of the above said punitive actions by the Council.] [Substituted by Notification No. F. No. AB/AICTE/REG/2016, dated 5.12.2017 (w.e.f. 30.11.2016).]

**10.4 Non-fulfillment in Computer, Software, Internet, Printers, Laboratory Equipment, Books, Journals and Library facilities requirement** - Institutions not maintaining prescribed requirements of Computer, Software, Internet, Printers, Laboratory Equipment, Books, Journals and Library facilities shall be liable to any one or more of the following punitive actions by the Council: • Suspension of approval for NRI and supernumerary seats, if any, for one Academic Year. • Reduction in sanctioned intake • No admission in one/more Courses for one Academic Year • Withdrawal of Approval for Programme/Course • Withdrawal of approval of the Institution

**10.5 Non-fulfillment in additional essential requirements for Technical Institution** - Institutions not maintaining prescribed requirements shall be liable to any one or more of the following punitive actions by the Council: • Suspension of approval for NRI and supernumerary seats, if any, for one Academic Year • Reduction in sanctioned intake • No admission in one/more Courses for one Academic Year

**10.6 Non-fulfillment of land requirement and built-up area at the time of year of establishment or current year** - Institutions working in temporary location or at location not approved by the Council and Institutions not fulfilling prescribed built-up area requirements shall be liable to any one or more of the following punitive actions by the Council. • Suspension of approval for NRI and supernumerary seats, if any, for one Academic Year • Reduction in sanctioned intake • No admission in one/more Courses for one Academic Year • Withdrawal of approval for Programme/Course • Withdrawal of approval of the Institution

**10.7 Non-adhering to the timing/faculty requirement for the Second Shift** - The Second Shift shall have to be run as per the declared timings from 1 pm to 9 pm with 50% additional faculty, which would be subject to surprise inspection leading to closure of Course in case timings are not being followed and with insufficient faculty.

**10.8 Excess Admissions** - Excess admission over the sanctioned intake shall not be allowed under any circumstances. In case any excess admission is reported to/noted by the Council, appropriate penal action shall be initiated against the Institution. The Institution shall be liable to any one more of the following punitive actions by the Council: • Penalty for excess admission fee amounting five times the total fee collected per student shall be levied against each excess admission. • Suspension of approval for NRI and supernumerary seats for one Academic Year • Reduction in sanctioned intake • No Admission in one/more Courses for one Academic Year • Withdrawal of Approval for Programme/Course • Withdrawal of Approval of the Institution

**10. [9 Charging excess fee than the fee prescribed by the concerned State/Fee Regulatory Committee** - The institutions shall have to announce all fees such as tuition fee, examination fee etc. on their portal transparently and adhere the same strictly. No Technical Institution shall collect any other fee (Payment/Amount) from the students, whatever name it may be called in

**addition to the fee fixed by the State/Fee Regulatory Committee. If any Institution does not follow the said guidelines, the Institution shall be liable to any one or more of the following punitive actions by the Council:**

- Penalty for charging excess fee than the fee prescribed by the concerned State/Fee Regulatory Committee levied against each case shall be twice the total fee collected per student and excess fee collected shall be refunded to the student• Suspension of approval for NRI and supernumerary seats, if any for one Academic Year• Reduction in sanctioned intake• No admission in one/more Courses for one Academic Year• Withdrawal of approval for Programme/Course• Withdrawal of approval of the Institution]

10.10 Refund cases - a. In the event of a student withdrawing before the starting of the Course, the entire fee collected from the student, after a deduction of the processing fee of not more than Rs. 1000/- (Rupees One thousand only) shall be refunded to the student by the Institution. It would not be permissible for Institutions to retain the School/Institution Leaving Certificates in original. Should a student leave after joining the Course and if the vacated seat is consequently filled by another student by the last date of admission, the Institution must return the fee collected with proportionate deductions of monthly fee and proportionate hostel rent, where applicable. In case the vacated seat is not filled, the Institution should refund the security deposit and return the original documents. Institution should not demand fee for the subsequent years from the students cancelling their admission at any point of time. Fee refund along with the return of certificates should be completed within 7 days. [b. Institutions not following guidelines issued by the Council regarding refund of fee on cancellation of admissions or delaying refunds shall be liable to any one or more of the following punitive actions by the Council: [Substituted by Notification No. F. No. AB/AICTE/REG/2016, dated 5.12.2017 (w.e.f. 30.11.2016).]• Fine for non-compliance of refund of fee levied against each case shall be five times the total fee collected per student• Suspension of approval for NRI and supernumerary seats, if any, for one Academic Year• Reduction in sanctioned intake• No admission in one/more Courses for one Academic Year• Withdrawal of approval for Programme/Course]

10.11 Amount in respect of penalty shall be remitted through AICTE's payment gateway on the Web-Portal, through Corporate Internet Banking. 10.12 If any of the information mentioned in the Affidavit is proved as false, legal action including penal action shall be initiated on the deponent.

**10. [13 Procedure for restoration against punitive action except in case of Withdrawal of Approval - Institution shall have to make an application for restoration of intake and the same shall be processed as per the Approval Process Handbook.] [Substituted by Notification No. F. No. AB/AICTE/REG/2016, dated 5.12.2017 (w.e.f. 30.11.2016).]**

**10. [14 Release of FDR - Renewal of FDR after maturity is not permitted. However, in case of auto renewal, the remarks of the concerned Bank should be obtained for seeking the release of FDR.]**

If an Institution has any financial embezzlement with Government Bodies/Banks, then FDRs shall not be released to the Institution till the NOC from such body is received. AICTE shall initiate an appropriate action only after the issue is settled by the parties concerned and as per the norms of the Council. In case Institution/Trust/Society/Company violates the FDR related norms, the Council shall initiate appropriate penal action. In case of Institutions where FDRs are encashed before the date of maturity or non-creation of required FDR at the time of LoA, a penalty of 10% of the value of the FDR shall be imposed as penalty.] [Substituted by Notification No. F. No. AB/AICTE/REG/2016, dated 5.12.2017 (w.e.f. 30.11.2016).]

**10. [15 Institutions not allowing Expert Visit Committee for physical verification of infrastructural facilities - Institution not allowing Expert Visit Committee for physical verification of infrastructural facilities shall be liable to any one or more of the following punitive actions by the Council:**

• No admission for one Academic Year • Withdrawal of approval of the Institution 10.16 Violation of norms in case of Collaboration and Twinning Programmes - a. If a Foreign University/Institution fails to comply with any of the conditions as contained in the Approval Process Handbook, the Council after giving reasonable opportunity of being heard through Standing Hearing Committee and Standing Appellate Committee shall withdraw the approval of the Twinning Programme granted to such University/Institution to offer their Diploma/Post Diploma/Degree/Post Graduate Degree/Post Graduate Diploma in India and forbid such Foreign University/Institution to either open Centres or enter into any collaborative arrangement with any University/Institution in India. b. The Council shall also inform the concerned agencies including Ministry of External Affairs, Ministry of Home Affairs, RBI of such decisions and advise these agencies to take any or all of the following measures • Refusal/withdrawal for grant of visa to employees/teachers of the said Foreign University/Institution. • Stop repatriation of funds from India to home Country. • Informing the public about the withdrawal of approval of the Twinning Programme with Foreign University/Institution and the consequence thereof. c. In case, it comes to the notice of the Council, that a Foreign University is running Diploma/Post Diploma/Degree/Post Graduate Degree/Post Graduate Diploma/Doctoral level Programme in technical education in India directly or in collaboration with an Indian partner without obtaining approval, the Council shall initiate immediate action under the Indian Penal Code for Criminal breach of Trust, misconduct, fraud, cheating, etc. d. Once the approval of the Twinning Programme is withdrawn, the Council shall make attempt in co-ordination with concerned State Government/UT to re-allocate the students enrolled in such Programmes to other approved Institutions of the Council. The Institution in such cases shall have to return the entire fee collected from such students to the Institutions in which such students are accommodated. e. Such Foreign Institutions shall not be allowed to collaborate with any other Centre/Institution or enter into a collaborative arrangement in India for at least next 3 years.]

**11. Complaint Cases.**

- In case of receipt of any complaint(s) about an Institution, the same shall be processed by Grievance Redressal Cell (GRC) of AICTE. The complaint shall be placed before a Standing



Complaint Scrutiny Committee (SCSC) for further necessary action. If necessary the complainant may be called to appear before SCSC at his/her own cost. Based on the recommendation of SCSC, a warning or Show Cause Notice may be issued to the Institution or EVC may be conducted. If an EVC was conducted or Show Cause notice was issued based on complaints, the same shall be placed before the Standing Hearing Committee (SHC). A representative of the Institution shall be called to place their point of view before the Standing Hearing Committee. If necessary the complainant may be called to appear before SHC at his/her own cost. The recommendations of SHC shall be placed before the EC for approval. The decision of the EC shall be communicated to the Institution by a detailed Speaking Order. If the Institution is aggrieved by the decision of the EC, the Institution shall have the right to appeal as per the procedure in Chapter I of Approval Process Handbook. As per CVC guidelines Anonymous/Pseudonymous complaints shall not be processed.

## **12. Implementation of punitive action.**

- Punitive action to be taken against any of the Institutions after 30th April shall be applicable to the next Academic Year.

## **13. Power delegated to Chairman of AICTE.**

- Council has delegated the power to the Chairman of AICTE for taking decision on urgent matters that needs to be communicated to the Institutions in between period of two EC/Council meetings. However, such cases shall be placed before the next EC/Council for ratification.

## **14. Charges for conducting an Scrutiny/EVC.**

- In extraordinary circumstances, if additional Scrutiny/EVC is to be conducted, the applicant has to pay the fee as prescribed in Approval Process Handbook.

## **15. Time Limit for the grant of LOA/EOA.**

- LoA/EoA shall not be granted after 30th April of every Calendar Year in view of the order dated 13.12.2012 passed by the Hon'ble Supreme Court of India in CA no. 9048/2012 titled as Parsvanath Charitable Trust and others Vs AICTE and Ors. In case, the deficiencies are complied with subsequently during the Academic Year, the approval shall be granted under extraordinary circumstances, for the next Academic Year.

## **16. Social responsibility.**

- As a part of discharging social responsibilities, all Technical Institutions approved by the Council are expected to conduct National Skill Qualification Framework (NSQF) complied skill development Courses to give training to a minimum of 100 students per year. These Programmes shall be based on the needs of the local community where the Institution is located.

## **17. Conduct of any other Skill Development Courses.**

- The Institution may conduct skill development Courses of any other Regulatory Body by using existing facilities, or by creating additional facilities as per the provisions laid down in the norms and standards of the respective Regulatory Bodies without affecting the quality of education prescribed by both Regulatory Bodies after taking prior approval of the Council.

## **18. Interpretation.**

- Any question arising out of the interpretation of these Regulations shall be decided by the Council and the decision of the Council shall be binding and final.

## **19. Power to relax.**

- The Council shall in exceptional cases, for removal of any hardship or in the national interest or such other reasons to be recorded in writing, relax any of the provisions of these Regulations in respect of any class or category of Institutions.[Inserted by Notification No. F. No.

AB/AICTE/REG/2016, dated 5.12.2017 (w.e.f. 30.11.2016).][Substituted by Notification No. F. No.

AB/AICTE/REG/2016, dated 5.12.2017 (w.e.f. 30.11.2016).][Substituted by Notification No. F. No.

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