

AICTE INTERIM POLICY REGULATIONS ON ADMISSION, FEE, MANAGEMENT SEATS, GOVERNING BODY OF PRIVATE UNAIDED INSTITUTIONS

Go. —33004/99 REGD. NO. D. L.-33004/99 Che Gazette of *ftTdia No. 301 kX'1RAORDR•4RY ' o*rry 26, 29, 1924 20, i)ÄTå, 2003 g. 111987 317 (1993), g 11 29Qe 804 GI/2003 (I) 2 THE GAZETTE OF INDIA : EXTRAORDINARY hufRÜT, 3ifirrv YTFÄmqUT zrg [PART III—SEC. 41 3 I 21 15 &ftl 15 ROZ, -qn -O 4 (3) THE GAZETTE OF INDIA • EXTRAORDINARY [PART III—SEC. 4) g-Q5 -Q -\$1 • -å-rå ft-Naz 1 tät fig 16 Au-a æui rial-au, • Izné éY'âGa Qi-â)', 5 • 'Ä@TZ1i QJ@i, 2003-2004 1994 50 manfi@i, m, fig a-lli. 62/02] 6 THE GAZETTE OF NDIA : EXTRAORDINARY ALL INDIA COUNCIL FOR TECHNICAL EDUCATION NOTIFICATION New Delhi, the 7th March, 2003 NTERIM PöL RECUIÄTIONs PART III—SEC. .1 No. f. JY-â•ii.Ægai pkercjse Qf.the powers conferred under Segtioq 23 of the •ÄII 'In'älå CodliCil for Technical Edycatiön Äct, 1987 (52 Qf 1_98.9),« read with"Séction-10 : i-d(j)- and IÖ(o) öffÄICTE Act, and the All India C&uncil for 'Kechnie•al Educa'tion liereby makes the folldwing interim Regulation. Background: Consequent to the Judgernent delivered Qn.31.,10.2002, by Elev,pp Judges?Bench of the Hon'ble Supreme Court in W.P. No. 317 of 1993, titled TMA Pai Foundation V/s State of Karnataka and Othprs, certain changes are required to be undéitaken in the Various provisions of AICTE Regulations and Guidelines. It hhS béen5deéided by the Council that R'n interiln policy prohouncement may be the Judgement of Hon'ble Supreni-&Coürt so as to pass pn Some benefits to the technical- institutions from the academic 2003-2004. The in re\$peét. or-fees »aftlissionsvjs under consideliâtioii alhd [tili -guéh Mine the . same. are. amended, the fdlowing. interiln Regülaqioii Shall apply, in supersession of existing provisions, as gl&en beldw. Apbliéäbility : Thesbrshall be-applitable to such' technical; iibtitütions and the technical ccjuYséS '/' which -are governed by the existing Regulation of AICTE. (1) Admissioq_ : The "inpnqgqn)ent of the technical institutions, _minoxity ananon-minority shall follow "me identifåble• of reasonable hgcthödology Qf.\$ldmitting students as held by Hon'ble Suprelne Coun. The Hon'ble CCoXtii:f also held that excellence in professional education would require greater emphasis on Inerit of students seeking adnussion and appropriate Regulations for this pillpose may be made. For professional and technical colleges, the merit is usüälly determined by common entrance test conducted by Government agencies. In the matfef of admission into technical programns the Inerit of the students shall be the criterion by holding entrance test in a fair manner. Om 111 7 Pursuant to the said Judgement, the Management of private unaided institutions would require to devise a mechanism of transparent admission process for adrnitting meritorious students under the management seats which can b.e\$ berdope by adopting -the , mechani>m as may be prescribed by the copcerned State Government in order to r.educe the inultiplicit"y test in the interest of students and the society as a whole. It has accordingly been decided that in order to facilitate admis.}iops into various private unaided, institutions..in the country, whether •mifiority or non-minority, the AICTE approved institutions must necessarily join the Central or the State's Common Admission Test eosui•ing.a transparent admission process. All the seats including the seats reserved for the management must be filled up Joint Entrance Test 2 / . Commoner Entrqnce Test conducted by Central / State Goyt. or Ünivérsity followed by counselipg as per present practice, Ho-w%ver, the, priypte- unaided institutions may fy)) up the management seats by havi.ng %their own counseling in an objectiye and transparent manner taking the students from. same merit list prepared, on the. Joint Entranqe Test / Com.mop Enltranep Test of Central / State Government. While giving aid to irbfessipnal institutions, it would be p.enmissible (pr ithp,authority gisyiog æles tov r\$gulptioni, qqydjtions on tfié!asiS adliiission, .grqntpd to ,C9ileges by vi\tue qoupleä with the freqprvßtionmpolicy,Qf Stace. For the RY.r.pos;e pf defining an 'Aided. ipstitmtiQn *ate *Go.vq/nynent shall take ineto eyery aspect oi support that;may hilve been provided the institutions, whether in the *form of financial grant/équity; land, subiidiz,ed leas?d land or building *or. .gny-) fici)jty' given congessionalG«rate;. Alsp .the State -GÖver_qmgnt and Üniyersity. shall •provide consider?Etion. for: weaker secGon of thesopiety as Keld by Hpn'ble,Supreme Court, For all such admissions the minimum eligibility criterim under management of Otherwise must be in accordance with the existing Regulations and Guidelilies Of AICTE. (2) Management Seats: Pursuant to the Judgement of the Hon'ble Supreme COUIt the State Governments are required to prescribe a certain percentage of seats, which can be resewed for admission by the Inanagement of technical institutions. The prescription of percentage has to be Inade

by the State Govt. accordance with the local needs and different percentage can be fixed for Inminority and non -minority technical institutions. Accordingly the State 8 THE GAZETTE OF INDIA : EXTRAORDINARY [PART III—SEC Govt. shall judiciously decide such percentage of management seats. The maximum limit of percentage of management seats shall, however, not exceed 15% of sanctioned intake, in case of non-minority technical institutions. In the event of the 150/0 management seats, not being filled up the vacant Seats may be reverted back to general Seats to be filled up through State Counselling along with other candidates. 4 -The Hon'ble Supreme Court held that the or withheld, the right to administer, not being abdicated, there could be regulatory measures for ensuring educational standards and maintaining excellence thereof and it is so in the matter of admission of professional institutes. - The rigid percentage (present 50% in management seats) (Or minority institutions as prevalent today stands overruled by the Supreme Court, which shall fix the percentage to be concerned States Govt. according to its local needs, for minority institutions. For this purpose the State : Government is required to declare the list of minority technical institutions based on and their educational needs to the State such declaration of minority institutions to avail the benefit of reservation while seat in the minority institutions 'avrid' the reservation 'is not required for the purpose of fulfilling the object. 111 9 There can, however, be a reasonable revenue surplus, which may be generated by the educational institution for the purpose of development of quality education and expansion of institution. In the light of this Judgement the institutions are required to continuously upgrade their infrastructural facilities for achieving excellence, which can be done by inducting better teachers and better working environment with infusion of additional funds by the institutes. The resource generation for the purpose can be possible through Consultancy Projects at institutional level and similar activities under the initiatives of faculty members. The institutions should not pass on the entire burden of their investments onto the students by way of charging heavy fees. The revenue generation through fees should be mainly utilized for running expenditure of the institutes. In order to facilitate the institutions to work out a reasonable fee structure the AICTE, in pursuance of its statutory obligations under Section 10 (j) of AICTE Act, which empowers to AICTE to fix Norms and Guidelines for charging tuition and other fees, would draft guidelines for fee fixation. The task of drafting of guidelines / formula for fee fixation will be assigned to a high-powered committee to be appointed by AICTE /MHRD, Govt. of India comprising members from academia, subject experts and economic and financial experts. Till such time, as an interim arrangement, the State Government may decide a uniform fee structure, to be made applicable to all the students including those of management seats, for the current academic year through its Fee Committee comprising members drawn from academia and financial experts, already constituted (to be constituted, if necessary) as per existing Regulations of AICTE. There shall be no 'Payment' & 'Free' category of fees as directed by Hon'ble Supreme Court. The fee structure to be decided by the State Committee should be such that it ensures forbidding profiteering by the institutions, in furtherance of Judgement of Hon'ble Supreme Court. The uniform fee so decided shall be applicable to the fresh batch of students to be admitted during the current academic year, 2003-04 in all the private unaided institutions in the State. The existing students shall not be subjected to such changes and shall continue to be governed by the present fee structure. The State Committee shall take all necessary steps while working out the fee structure to ensure prevention of commercialization of technical education. It shall be desirable for the private unaided institutes to provide scholarships or charge reduced fees to the economically weaker section and deserving meritorious students. 804 —2 10 GAZETTE OF : (4) Governing Body of Private Unaided Institutions: —SEC. 4) Consequent to the Supreme Court Judgement the Model Constitution of Governing Body as notified by AICTE in its approval Regulations 1994, stands

overruled. The Hon'ble Supreme Court held that a Private unaided Institution will have right to constitute its own Governing Body, for which qualifications may be prescribed by the State or the concerned University. It has been decided that while AICTE will not insist of any nomination in the Affiliating the Governing Body of Private unaided Institutions, University / State Government shall impose minimum condition of affiliation, such as, prescription of qualification of governing body members, in order to •ensure academic excellence. The conditions so imposed will be subjected to scrutiny by AICTE, wherever necessary, to ensure that the same are not unreasonable restrictions. It shall be desirable for the private unaided institutes to induct atleast 5000 of members of the Governing Body drawn from renowned academia, academic administrators, subject field experts afid a professionals from indusfiy in order to seek their innovative ideas for* continuous improvement in the delivery of teaching learning process, matching best practice elsewhere and achieve excellence. Printed by the Manager, Govt. of India Press, and Published by the Controller PROF. R. S. NIR-JAR, Member Secy. [No. ADVT-3/4/Exü-aordinaIY/ Ring Road, Mayapuri, New Delhi-1 10064 of Publications, Delhi-1 10054,

