सत्यमेव जयते

विश्वविद्यालय अनुदान आयोग
University Grants Commission
मानव संसाधन विकास मंत्रालय, भारत सरकार
(Ministry of Human Resource Development, Govt. of India)
बहादुरशाह जफर मार्ग नई दिल्ली – 110 002
Bahadurshah Zafar Marg, New Delhi-110002
Phone : 011-23406308, 011-23406309

ज्ञान-विज्ञान विमुक्तये

By Speed Post

3 JUN 2016

F.No.59-6/2012 (CU) 3rd June, 2016

The Registrar
All Central Universities (40)

Subject : Implementation of Reservation Policy in admission and appointment.

Sir,

In continuation to this office letter No.F.21-2/2015 (CU) dated 23.03.2016 (copy enclosed) regarding the policy of reservation in admissions and appointments, I am directed to inform you to implement the reservation policy in admissions and appointments as under :-

(i) University may follow the reservation policy in admissions in all courses as per provisions contained in the Central Educational Institutions (Reservation in Admission) Act, 2006 (Gazette notification dated 04.01.2007) and as amended in 2012 (Gazette notification dated 20.06.2012). A copy of each of the CEI Act 2006 and Amendment Act, 2012 is enclosed for ready reference.

(ii) For reservation policy in appointments of Non-Teaching staff, university may follow the quantum of reservation in Group 'C' and erstwhile Group 'D' posts as per instructions issued by DoPT Order No.36011/6/2010-Estt.(Res.) dated 25th June, 2010 (copy enclosed). For reservation in Group 'A' and Group 'B' posts, the reservation for SC is 15%, for ST is 7.5% and for OBC, reservation in direct recruitment is 27%.

(iii) In teaching positions, reservation for SC is 15% and for ST is 7.5% at all three levels i.e. Professor, Associate Professor and Assistant Professor. However, 27% OBC reservation in teaching positions is applicable at the level of Assistant Professor only.

Yours faithfully,

Encl: As above

(K.P. Singh)
Joint Secretary

Copy to :

(i) Dr. Sukhbir Singh Sandhu, IAS, Joint Secretary (CU &L), Government of India, Ministry of Human Resource Development, Department of Higher Education, Shastri Bhawan, New Delhi – 110 115.

(ii) PO (Website)

SNo.144(1) -2808-

BY SPEED POST

23236735/ 23239437/23235733 23232701
23237721/ 23232317/23234116/ 23236351

All communications should be addressed to the Secretary by designation and not by name

ज्ञान–विज्ञान विमुक्तये

UNIVERSITY GRANTS COMMISSION
BAHADURSHAH ZAFAR MARG
NEW DELHI-110002

विश्वविद्यालय अनुदान आयोग
बहादुरशाह जफर मार्ग
नई दिल्ली – 110 002

F.No.21-2/2015 (CU) **March, 2016**

23 MAR 2016

The Registrar
All Central Universities and
Principal, UCMS.

Subject: Revised Budget Estimates for 2015-2016 under Non-Plan of Central Universities – regarding point wise reservation roaster.

Sir,

This is in reference to the discussion on Revised Budget Estimates for 2015-2016 held on 1st March, 2016 to 3rd March, 2016 in the UGC office. In this regard, I am directed to inform you that It has been observed that some of the Central Universities has not maintained the point wise reservation roaster. Therefore, it is to inform you to frame the point wise reservation roaster as per rules framed by the Govt. of India. Further, it is also to inform you that as per instructions of Govt. of India/UGC, the educational institutions receiving grant-in-aid from Central Government have to follow the *prescribed percentage of Reservation i.e. 15% for SCs, 7½% for STs and 27% in OBCs in the matter of teaching and* non-teaching posts as well as in admissions to various courses except Minority educational institutions under Article 30(1) of the Constitution. The Central Universities are receiving 100% grant from the Central Government/UGC and they have to follow the Reservation Policy of the Government of India for SCs/STs in toto i.e. 15% for SCs, 7½% for STs and 27% for OBCs in the matter of teaching and non-teaching posts as well as in admissions to various courses/degrees.

As per instructions of UGC, all the Central Universities have to maintain/provide the reservation for SCs/STs in teaching positions at all levels i.e. Assistant Professor, Associate Professor and Professor and OBC reservation at Assistant Professor only.

Yours faithfully,

Rathore

(Sushma Rathore)
Under Secretary

O/C
H.Yadav
22/3/16

Copy to:-
The Finance Officer
All Central Universities and
Principal, UCMS.

ISSUED

Rathore 22.3.2016

(Sushma Rathore)
Under Secretary

O/C
H.Yadav
22/3/16

ANNEXURE-II

All communications should be addressed to the Secretary by designation and not by name

सत्यमेव जयते

UNIVERSITY GRANTS COMMISSION
BAHADURSHAH ZAFAR MARG
NEW DELHI-110002

विश्वविद्यालय अनुदान आयोग
बहादुरशाह जफर मार्ग
नई दिल्ली - 110 002

No.F 36-2/2003 (CU)

January, 2007

The Registrar,
All Central Universities

-8 JAN 2007

Sub:- The Central Educational Institutions (Reservation in Admission) Act,2006-reg

Sir,

I am directed to enclose herewith a copy of the Gazette of India-The Central Educational Institutions (Reservation in Admission) Act, 2006, No.5 of 2007, dated 4th January, 2007 received from Mrs.Anupama Bhatnagar , Director , Govt. of India, Ministry of Human Resource Development, Deptt. Of Higher Education, New Delhi vide D.O.No. F.1-1/2005/U-I-A dated 5-1-2007 on the above subject for your information and necessary action.

Yours faithfully,

(Dr. K.P.Singh)
Joint Secretary

Encl: As above.

Copy to-

1. Mrs. Anupama Bhatnagar , Director , Govt. of India, Ministry of Human Resource Development Deptt. Of Higher Education,Shastri Bhavan, New Delhi, with reference to her DO.NO.1-1/2005 /U-1-A dated 5th January, 2007.
2. Additional Secretary –I, UGC.
3. Deputy Secretary (SCT), UGC.

Yours faithfully,

(R.Manoj Kumar)
Education Officer

O/C
8/1/07

रजिस्ट्री सं० डी० एल०—(एन)04/0007/2006—08 REGISTERED NO. DL—(N)04/0007/2006—08

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II— खण्ड 1
PART II — Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 5] नई दिल्ली, वृहस्पतिवार, जनवरी 4, 2007 / पौष 14, 1928
No. 5] NEW DELHI, THURSDAY, JANUARY 4, 2007 /PAUSA 14, 1928

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 4th January, 2007/Pausa 14, 1928 (Saka)

The following Act of Parliament received the assent of the President on the 3rd January, 2007, and is hereby published for general information:—

THE CENTRAL EDUCATIONAL INSTITUTIONS (RESERVATION IN ADMISSION) ACT, 2006

No. 5 OF 2007

[*3rd January*, 2007.]

An Act to provide for the reservation in admission of the students belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes of citizens, to certain Central Educational Institutions established, maintained or aided by the Central Government, and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Central Educational Institutions (Reservation in Admission) Act, 2006.

Definitions.

2. In this Act, unless the context otherwise requires,—

(*a*) "academic session" means the period in a calendar year, or a part thereof, during which a Central Educational Institution is open for teaching or instruction in any branch of study or faculty;

(*b*) "annual permitted strength" means the number of seats, in a course or programme for teaching or instruction in each branch of study or faculty authorised by an appropriate authority for admission of students to a Central Educational Institution;

(*c*) "appropriate authority" means the University Grants Commission, the Bar Council of India, the Medical Council of India, the All India Council for Technical Education or any other authority or body established by or under a Central Act for the determination, coordination or maintenance of the standards of higher education in any Central Educational Institution;

(*d*) "Central Educational Institution" means—

(*i*) a university established or incorporated by or under a Central Act;

(*ii*) an institution of national importance set up by an Act of Parliament;

(*iii*) an institution, declared as a deemed University under section 3 of the University Grants Commission Act, 1956, and maintained by or receiving aid from the Central Government; 3 of 1956

(*iv*) an institution maintained by or receiving aid from the Central Government, whether directly or indirectly, and affiliated to an institution referred to in clause (*i*) or clause (*ii*), or a constituent unit of an institution referred to in clause (*iii*);

(*v*) an educational institution set up by the Central Government under the Societies Registration Act, 1860; 21 of 1860

(*e*) "faculty" means the faculty of a Central Educational Institution;

(*f*) "Minority Educational Institution" means an institution established and administered by the minorities under clause (1) of article 30 of the Constitution and so declared by an Act of Parliament or by the Central Government or declared as a Minority Educational Institution under the National Commission for Minority Educational Institutions Act, 2004; 2 of 2005.

(*g*) "Other Backward Classes" means the class or classes of citizens who are socially and educationally backward, and are so determined by the Central Government;

(*h*) "Scheduled Castes" means the Scheduled Castes notified under article 341 of the Constitution;

(*i*) "Scheduled Tribes" means the Scheduled Tribes notified under article 342 of the Constitution;

(*j*) "teaching or instruction in any branch of study" means teaching or instruction in a branch of study leading to three principal levels of qualifications at bachelor (undergraduate) masters (postgraduate) and doctoral levels .

Reservation of seats in Central Educational Institutions

3. The reservation of seats in admission and its extent in a Central Educational Institution shall be provided in the following manner, namely:—

(*i*) out of the annual permitted strength in each branch of study or faculty, fifteen per cent. seats shall be reserved for the Scheduled Castes;

(*ii*) out of the annual permitted strength in each branch of study or faculty, seven and one-half per cent. seats shall be reserved for the Scheduled Tribes;

(*iii*) out of the annual permitted strength in each branch of study or faculty, twenty-seven per cent. seats shall be reserved for the Other Backward Classes.

Act not to apply in certain cases

4. The provisions of section 3 of this Act shall not apply to

(*a*) a Central Educational Institution established in the tribal areas referred to in the Sixth Schedule to the Constitution;

(*b*) the institutions of excellence, research institutions, institutions of national and strategic importance specified in the Schedule to this Act:

Provided that the Central Government may, as and when considered necessary, by notification in the Official Gazette, amend the Schedule;

(*c*) a Minority Educational Institution as defined in this Act;

(*d*) a course or programme at high levels of specialisation, including at the post-doctoral level, within any branch of study or faculty, which the Central Government may, in consultation with the appropriate authority, specify.

Mandatory increase of seats

5. (*1*) Notwithstanding anything contained in clause (*iii*) of section 3 and in any other law for the time being in force, every Central Educational Institution shall, with the prior approval of the appropriate authority, increase the number of seats in a branch of study or faculty over and above its annual permitted strength so that the number of seats, excluding those reserved for the persons belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes, is not less than the number of such seats available for the academic session immediately preceding the date of the coming into force of this Act.

(*2*) Where, on a representation by any Central Educational Institution, the Central Government, in consultation with the appropriate authority, is satisfied that for reasons of financial, physical or academic limitations or in order to maintain the standards of education, the annual permitted strength in any branch of study or faculty of such institution cannot be increased for the academic session following the commencement of this Act, it may permit by notification in the Official Gazette, such institution to increase the annual permitted strength over a maximum period of three years beginning with the academic session following the commencement of this Act; and then, the extent of reservation for the Other Backward Classes as provided in clause (*iii*) of section 3 shall be limited for that academic session in such manner that the number of seats available to the Other Backward Classes for each academic session are commensurate with the increase in the permitted strength for each year.

Reservation of seats in admissions to begin in calendar year, 2007.

6. The Central Educational Institutions shall take all necessary steps, which are required in giving effect to the provisions of sections 3, 4 and 5 of this Act, for the purposes of reservation of seats in admissions to its academic sessions commencing on and from the calendar year, 2007.

Laying of notifications before Parliament

7. Every notification made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification or both Houses agree that the notification should not be made, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

THE SCHEDULE
[*See* section 4(*b*)]

S. No.	Names of the Institutions of Excellence, etc.
1.	Homi Bhabha National Institute, Mumbai and its constituent units, namely:—
	(i) Bhabha Atomic Research Centre, Trombay;
	(ii) Indira Gandhi Centre for Atomic Research, Kalpakkam;
	(iii) Raja Ramanna Centre for Advanced Technology, Indore;
	(iv) Institute for Plasma Research, Gandhinagar;
	(v) Variable Energy Cyclotron Centre, Kolkata;
	(vi) Saha Institute of Nuclear Physics, Kolkata;
	(vii) Institute of Physics, Bhubaneshwar;
	(viii) Institute of Mathematical Sciences, Chennai;
	(ix) Harish-Chandra Research Institute, Allahabad;
	(x) Tata Memorial Centre, Mumbai.
2.	Tata Institute of Fundamental Research, Mumbai.
3.	North-Eastern Indira Gandhi Regional Institute of Health and Medical Science, Shillong.
4.	National Brain Research Centre, Manesar, Gurgaon.
5.	Jawaharlal Nehru Centre for Advanced Scientific Research, Bangalore.
6.	Physical Research Laboratory, Ahmedabad.
7.	Space Physics Laboratory, Thiruvananthapuram.
8.	Indian Institute of Remote Sensing, Dehradun.

K. N. CHATURVEDI,
Secy. to the Govt. of India.

PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI
AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI, 2007.

MGIPMRND—22GI(S-5)—4-1-2007.

SNo 567

ANNEXURE-II
1475

UNIVERSITY GRANTS COMMISSION
BAHADURSHAH ZAFAR MARG
NEW DELHI-110002

विश्वविद्यालय अनुदान आयोग
बहादुरशाह जफर मार्ग
नई दिल्ली 110 002

All communications should be addressed to the Secretary by designation and not by name

SPEED POST

F.No.35-19/2008 (CU)

28th September, 2012

5 OCT 2012

The Registrar
All Central Universities (39)
& Principal, UCMS
As per list enclosed)

Subject: Central Educational Institutions (Reservation in Admission) Amendment Act, 2012.

Sir/ Madam,

I am directed to enclose herewith a copy of the Central Educational Institutions (Reservation in Admission) Amendment Act, 2012 for information and necessary action.

Yours faithfully,

(Ritu Oberoi)
Under Secretary

Encl. As above

O/c
V. Taneja
28/9/2012

ANNEXURE-II

रजिस्ट्री सं० डी० एल०—(एन)04/0007/2003—12 REGISTERED NO. DL—(N)04/0007/2003—12

भारत का राजपत्र
The Gazette of India

असाधारण
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PART II — Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 33] नई दिल्ली, बुधवार, जून 20, 2012/ ज्येष्ठ 30, 1934 (शक)
No. 33] NEW DELHI, WEDNESDAY, JUNE 20, 2012/ JYAISTHA 30, 1934 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 20th *June*, 2012/*Jyaistha* 30, 1934 (*Saka*)

The following Act of Parliament received the assent of the President on the 19th June, 2012, and is hereby published for general information:—

THE CENTRAL EDUCATIONAL INSTITUTIONS (RESERVATION IN ADMISSION) AMENDMENT ACT, 2012

[No. 31 OF 2012]

[*19th June*, 2012]

An Act to amend the Central Educational Institutions (Reservation in Admission) Act, 2006

BE it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

1. This Act may be called the Central Educational Institutions (Reservation in Admission) Amendment Act, 2012. Short title.

5 of 2007. 2. In section 2 of the Central Educational Institutions (Reservation in Admission) Act, 2006 (hereinafter referred to as the principal Act), after clause (*i*), the following clauses shall be inserted, namely:— Amendment of section 2.

'(*ia*) "specified north-eastern region" means the area comprising of the States of Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura and the tribal areas of Assam referred to in the Sixth Schedule to the Constitution;

(*ib*) "State seats", in relation to a Central Educational Institution, means such seats, if any, out of the annual permitted strength in each branch of study or faculty as

are earmarked to be filled from amongst the eligible students of the State in which such institution is situated;'.

Amendment of section 3.

3. In section 3 of the principal Act, the following provisos shall be inserted, namely:—

"Provided that the State seats, if any, in a Central Educational Institution situated in the tribal areas referred to in the Sixth Schedule to the Constitution shall be governed by such reservation policy for the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes, as may be specified, by notification in the Official Gazette, by the Government of the State where such institution is situated:

Provided further that if there are no State seats in a Central Educational Institution and the seats reserved for the Scheduled Castes exceed the percentage specified under clause (*i*) or the seats reserved for the Scheduled Tribes exceed the percentage specified under clause (*ii*) or the seats reserved for the Scheduled Castes and the Scheduled Tribes taken together exceed the sum of percentages specified under clauses (*i*) and (*ii*), but such seats are—

(*a*) less than fifty per cent. of the annual permitted strength on the date immediately preceding the date of commencement of this Act, the total percentage of the seats required to be reserved for the Other Backward Classes under clause (*iii*) shall be restricted to the extent such sum of percentages specified under clauses (*i*) and (*ii*) falls short of fifty per cent. of the annual permitted strength;

(*b*) more than fifty per cent. of the annual permitted strength on the date immediately preceding the date of commencement of this Act, in that case no seat shall be reserved for the Other Backward Classes under clause (*iii*) but the extent of the reservation of seats for the Scheduled Castes and the Scheduled Tribes shall not be reduced in respect of Central Educational Institutions in the specified north-eastern region.".

Amendment of section 4.

4. In section 4 of the principal Act, clause (*a*) shall be omitted.

Amendment of section 5.

5. In section 5 of the principal Act,—

(*a*) in sub-section (*1*), for the words "number of such seats available", the words "number of such seats available or actually filled, whichever be less," shall be substituted;

(*b*) in sub-section (*2*), for the words "three years", the words "six years" shall be substituted.

Amendment of section 6.

6. In section 6 of the principal Act, for the figures "2007", the figures "2008" shall be substituted.

V. K. BHASIN,
Secretary to the Govt. of India.

PRINTED BY DIRECTORATE OF PRINTING AT GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI, 2012.

GMGIPMRND—1605GI(S3)—20-06-2012.

सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

मंगळवार, ऑगस्ट १, २००६/श्रावण १०, शके १९२८

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Private Professional Educational Institutions [Reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes] Act, 2006 (Mah. XXX of 2006), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

A. M. SHINDEKAR,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXX OF 2006.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 1st August 2006).

An Act to make special provisions for reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes and Other Backward Classes in Private Professional Educational Institutions ; and for matters connected therewith or incidental thereto.

WHEREAS the Supreme Court, in the case of P. A. Inamdar and Others *versus* State of Maharashtra (reported in (2005) 6 SCC 537), has held that neither can the policy of reservation be enforced by the State nor can any quota or percentage of admission be carved out to be appropriated by the State in Private Professional Educational Institutions ;

AND WHEREAS in order to protect the interests of any socially and educationally backward classes of citizens or the Scheduled Castes or the Scheduled Tribes, article 15 of the Constitution of India has

[किंमत : रुपये ९.००]

been amended by the Constitution (Ninety-third Amendment) Act, 2005, by adding clause (*5*) thereto, which empowers the State to make, by law, a special provision for the advancement of those classes, castes and tribes, in so far as such special provisions relate to their admission to educational institutions, including private educational institutions, whether aided by the State or not, other than the minority educational institutions referred to in clause (*1*) of article 30 of the Constitution ;

AND WHEREAS both Houses of the State Legislature were not in session ;

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action to make, by law, special provisions for reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes in Private Professional Educational Institutions ; and for matters connected therewith or incidental thereto ; and, therefore, promulgated the Maharashtra Private Professional Educational Institutions (Reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes) Ordinance, 2006, on the 16th June 2006 ; Mah. Ord. V of 2006.

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature ; it is hereby enacted in the Fifty-seventh Year of the Republic of India as follows :—

Short title, extent and commencement.

1. (*1*) This Act may be called the Maharashtra Private Professional Educational Institutions (Reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes) Act, 2006.

(*2*) It shall extend to the whole of the State of Maharashtra.

(*3*) It shall be deemed to have come into force on the 16th June 2006.

Definitions.

2. In this Act, unless the context otherwise requires,—

(*a*) "Aided Private Professional Educational Institution" means a Private Professional Educational Institution, excluding a Minority Educational Institution referred to in clause (*1*) of article 30 of the Constitution, receiving recurring financial aid or assistance in whole or in part from the Government, or from any body under the control of the Government ;

(*b*) "Appropriate Authority" means, the Medical Council of India, the Dental Council of India, the Central Council of Indian Medicine, the All India Council of Technical Education, and includes any other authority established by law that governs or controls the conduct of a particular professional course or educational discipline ;

(*c*) " Creamy Layer " means the category of ' Creamy Layer ' as declared by the Social Justice, Cultural Affairs and Special Assistance Department of the Government, on the basis of income, by general or special orders, issued from time to time ;

(*d*) " De-notified Tribes (*Vimukta Jatis*)" means the Tribes declared as such by the Government, from time to time ;

(*e*) " Government " means the Government of Maharashtra ;

(*f*) " Minority Educational Institution " means a Private Professional Educational Institution administered, managed and controlled by a minority, and shall include any such educational institution declared by the Government to be an institution entitled to enjoy the protection granted under clause (*1*) of article 30 of the Constitution ;

(*g*) " Nomadic Tribes " means the Tribes wandering from place to place in search of their livelihood, as declared by the Government, from time to time ;

(*h*) " Other Backward Classes " means any socially and educationally backward classes of citizens as declared by the Government and includes Other Backward Classes declared by the Government of India in relation to the State of Maharashtra ;

(*i*) " Private Professional Educational Institution " means any College, School, Institute, Institution or other body, by whatever name called, conducting any professional course or courses approved or recognized by the Appropriate Authority and affiliated to any University, but shall not include any such institution established, maintained or administered by the Central Government, any State Government, any local authority or institution declared to be Deemed University under section 3 of the University Grants Commission Act, 1956 ;

3 of 1956.

(*j*) " Professional Course " means any educational course of study notified as such, from time to time, by the Government in the *Official Gazette ;*

(*k*) " prescribed " means prescribed by the rules framed by the Government under this Act ;

(*l*) " Reserved Category " means the category of candidates belonging to—

(*i*) the Scheduled Castes and the Scheduled Tribes ;

(*ii*) the De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, and Other Backward Classes and who are not falling in Creamy Layer ;

(*m*) "Sanctioned Intake." means the total number of seats sanctioned or approved by the Appropriate Authority for admitting candidates in a single academic year in each Professional Course of study or discipline in a Private Professional Educational Institution ;

(*n*) "Scheduled Castes" and "Scheduled Tribes" shall have the meanings respectively assigned to them in clauses (*24*) and (*25*) of article 366 of the Constitution ;

(*o*) "Unaided Private Professional Educational Institution" means a Private Professional Educational Institution, not being an Aided Private Professional Educational Institution ;

(*p*) "University" means the Maharashtra University of Health Sciences constituted under the Maharashtra University of Health Sciences Act, 1998, or any other University constituted or deemed to have been constituted under the Maharashtra Universities Act, 1994, but does not include any institution declared to be Deemed University under section 3 of the University Grants Commission Act, 1956. Mah. X of 1998. Mah. XXXV of 1994. 3 of 1956.

Applicability.

3. This Act shall apply to all Private Professional Educational Institutions in the State, excluding the Minority Educational Institutions.

Reservation in Aided Private Professional Educational Institutions.

4. (*1*) In every Aided Private Professional Educational Institution, seats equal to fifty per cent. of the Sanctioned Intake of each Professional Course shall be reserved for candidates belonging to the Reserved Category.

(2) The seats reserved for candidates belonging to the Reserved Category under sub-section (*1*) shall be filled in by admitting candidates belonging to the Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes, respectively, in the proportion specified in the Table below :—

TABLE

Description of Caste/Tribe/Category/ Class of Reserved Category	Percentage of reservation
(1) Scheduled Castes and Scheduled Castes converts to Buddhism	13 %
(2) Scheduled Tribes	7 %
(3) De-notified Tribes (A)	3 %
(4) Nomadic Tribes (B)	2.5 %
(5) Nomadic Tribes (C)	3.5 %
(6) Nomadic Tribes (D)	2 %
(7) Other Backward Classes	19 %
Total . .	50 %

Note.—The candidates belonging to the Special Backward Category shall be considered from and out of their respective original/parent Reserved Category such as Other Backward Classes :

Provided that, if candidates belonging to the Scheduled Castes, Scheduled Tribes, De-notified Tribes (A), Nomadic Tribes (B), Nomadic Tribes (C), Nomadic Tribes (D) or Other Backward Classes are not available to fill in the seats reserved for the said Castes, Tribes or Classes, in the same academic year, the seats shall be filled in, in such manner as may be specified, by Government by issuing an Order in the *Official Gazette*, from time to time.

Explanation.—For the purposes of this section,—

(*i*) " De-notified Tribes (A) ", " Nomadic Tribes (B) ", " Nomadic Tribes (C) " and " Nomadic Tribes (D) " shall mean such Tribes or sub-Tribes, declared by Government, by general or special orders issued in this behalf, from time to time, to be " the De-notified Tribes (A) ", " Nomadic Tribes (B) ", " Nomadic Tribes (C) " and " Nomadic Tribes (D) ";

(*ii*) " Special Backward Category " means socially and educationally backward classes of citizens declared as " Special Backward Category " by the Government.

Reservation in Unaided Private Professional Educational Institutions.

5. (*1*) In every Unaided Private Professional Educational Institutions, the seats to be reserved for candidates belonging to the Reserved Category shall be such as may be notified by the Government from time to time in the *Official Gazette*, but shall not exceed fifty per cent. of the Sanctioned Intake of any particular Professional Course.

(*2*) Out of the seats reserved under sub-section (*1*) for the candidates belonging to the Reserved Category, the seats to be filled in by admitting candidates belonging to the Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes, respectively, shall be in the same *inter se* proportion, and in the manner, specified in sub-section (2) of section 4.

Irregular admissions void.

6. Any admission made in contravention of the provisions of this Act shall be void.

Penalty.

7. Whoever contravenes the provisions of this Act or the rules made thereunder shall, on conviction, be punished with an imprisonment which may extend to three years and with a fine which shall not be less than twenty lakh rupees but which may extend to one crore rupees.

Protection of action taken in good faith.

8. No suit, prosecution or other legal proceedings shall lie against any authority or person for anything done or purported to have been done in good faith in pursuance of the provisions of this Act or the rules made thereunder.

Power to make rules.

9. (*1*) The Government may, by notification in the *Official Gazette*, make rules to carry out the purposes of this Act.

(*2*) Every rule made under this Act shall be laid, as soon as may be, after it is made, before each House of the State Legislature, while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the sessions immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, and notify their decision to that effect in the *Official Gazette*, the rule shall, from the date of publication of such decision in the *Official Gazette*, have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

Provisions of the Act to be in addition to any other law.

10. The provisions of this Act shall be in addition to and not in derogation of the provisions contained in any other law for the time being in force.

Provisions not to prohibit Minority Educational Institutions from making reservations.

11. Notwithstanding anything contained in any other provisions of this Act, any Minority Educational Institution, whether aided or not, may provide for reservation in admissions to Professional Courses for candidates belonging to the Reserved Category.

Power to remove difficulty.

12. (*1*) If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for removing the difficulty :

Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(*2*) Every order made under this section shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

Repeal of Mah. Ord. V of 2006 and saving.

Mah. Ord. V of 2006.

13. (*1*) The Maharashtra Private Professional Educational Institutions (Reservation of seats for admission for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes and Other Backward Classes) Ordinance, 2006, is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken (including any notification or order issued), under the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of this Act.

शासकीय मध्यवर्ती मुद्रणालय, मुंबई