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M' Group (CGPA 1.61)

:- परिपत्रक :-

विषय:- विविध विद्याशाखा / विभागांतर्गत विविध विषयातील अभ्यासक्रमाच्या प्रवेशाबाबत...
संदर्भ:- या पत्रांतल्याचे पत्र प्र.३८१५, दि.२३/०७/२०१५.

विद्यापीठ संलग्न महाविद्यालये व संकुलातील विभाग प्रमुखांना या परिपत्रक फळविण्यात येते की, शैक्षणिक विभागामध्ये योग्यवेळी पदवी व पदव्युत्तर अभ्यासक्रमासाठी विद्यार्थ्यांना प्रवेश देताना शासनाने वेळोवेळी दिलेल्या आदेशानुसार व आरक्षणाच्या टक्केवारीनुसार प्रवेश देणे आवश्यक आहे. त्यानुषंगाने आपणाला यापूर्वीच संदर्भित पत्राच्ये सूचना देण्यात आलेल्या आहेत. तरी आपणास पुनःच फळविण्यात येते की, शासनाने दिलेल्या आदेशानुसार व आरक्षणाच्या टक्केवारीनुसार पुढीलप्रमाणे विद्यार्थी प्रवेशासाठी फर्मावाही करणे आवश्यक आहे.

अ.क्र.	प्रवेश		आरक्षणांनुसार टक्केवारी
१.	अनुसूचित जाती	S.C	१३%
२.	अनुसूचित जमाती	S.T	७%
३.	विमुक्त जाती (अ)	VJ-A	३%
४.	भटक्या जमाती (ब)	NT-B	३.६%
५.	भटक्या जमाती (क)	NT-C	३.५%
६.	भटक्या जमाती (ड)	NT-D	३%
७.	इतर मागास वर्ग	OBC	१९%
८.	सर्वसाधारण (खुला)	OPEN	५०%

शासन निर्णयानुसार विविध विषयांच्या अभ्यासक्रमातील प्रवेशासाठी खुल्या प्रवर्गातील विद्यार्थ्यांसाठी ५०% व मागासवर्गीय विद्यार्थ्यांसाठी ५०% जागा आरक्षित ठेवणे आवश्यक आहे. शासन निर्णय क्र.जीईसी १०००/(१२३/२०००) तारिख १ दि.१७/०४/२००० नुसार पदवी अभ्यासक्रमाच्या प्रवेशाकरीता इतिहासातील ३०% जागा आरक्षित ठेवण्यात याव्यात. तसेच अपंगांसाठी ३% टक्के जागा राखीव ठेवण्यात याव्यात.

प्रवेशासाठी आवश्यक पध्दत पुढीलप्रमाणे-

१. विशेष मागास प्रवर्ग व इतर प्रवर्गातील विद्यार्थ्यांना प्रवेशाबाबत उच्च व तंत्रशिक्षण विभाग शासन निर्णय क्र. डीईएम ३३९७/१२९२६/(१०८६)/तारिख-१ दि.११ जून .१९९७ नुसार दिलेल्या तरतुदीप्रमाणे फर्मावाही करणे आवश्यक आहे.
२. विशेष मागास प्रवर्गात ज्या जाती आहेत त्यापैकी कोही जाती इतर मागासवर्गीयांमध्ये समाविष्ट होत्या सुल्यात त्या विशेष मागास प्रवर्गाचे प्रमाणपत्र धारक उमेदवारांचे जात ज्या मागास प्रवर्गांमध्ये समाविष्ट होते. त्या मागास प्रवर्गांच्या आरक्षणासाठी फार रामजण्यात यावी.



३. शासनाने दिलेल्या आरक्षणाच्या टक्केवारीनुसार (एप्रिल २०१० रफ्तक जागा आरक्षण प्रणयन वाचन मधील अकरा प्रत्येक ताल्यांमध्ये आरक्षणाप्रणयन निहाय राहिले).
४. गुणवत्ता वाढीनुसार प्रवेश प्रक्रिया घेण्याबाबत वार फांगतयाहो मागासवर्गीय प्रयोगशाळा आरक्षण भरण्याबाबत जागांमध्ये स्थली जागा रिक्त राहिल्या वार त्या जागांवर एकूण क्षमतेच्या आरशात जागा २% जागा ठरून जागा प्रयोगशाळा उपदेशारांना प्रयोगशाळा प्रभाव्य देण्यात यावे.
५. रिक्त जागांवर विशेष मागास प्रयोगशाळा उपदेशारांना फक्त २% जागांवर प्रवेश देण्याबाबत वार जागा रिक्त राहिल्या वार त्या जागा इतर राव मागासवर्गीय प्रयोगशाळा उपदेशारांची गुणवत्तानुसार नारासकळ करून भरण्यात याव्यात.
६. ज्या विषयात सर्व प्रयोगशाळा जागा उपलब्ध होत नसतील तेथे आरक्षणानुसार वर उपलब्ध ठरलेल्या आरक्षण प्रणयनुसार प्रथम अ.जाती, अ.जमाती, विजा (अ), पान (म), पान (फ), भज(ड), व इतर या प्रणयन आरक्षण टक्केवारी विचारात घेऊन जागा आरक्षण देण्यात याव्यात.
७. शैक्षणिक विभागामार्फत येणाऱ्या विद्यार्थी जागा या प्रयोगशाळा भरण्यात याव्यात यामध्ये गुणवत्तानुसार अक्षणाच्या मागासवर्गीय विद्यार्थ्यांचा देखील समावेश असेल या विद्यार्थ्यांच्या समावेश आरक्षणानुसार भरण्यात येवू नये. उर्वरित जागा आरक्षणानुसार भरण्यात याव्यात. शैक्षणिक विभागात प्रवेश देताना एखाद्या प्रयोगशाळा उपदेशार न निवडल्यास मागासवर्गीयांच्या, इतर गटातील अनुसूचित जाती, अनुसूचित जमाती, विमुक्ता जाती, भटका जमाती व इतर मागासवर्गीय यामधून शासन निर्णयानुसार अंतर्गत बदलाने उपदेशारांना प्रवेश देऊन आरक्षण पूर्ण करण्यात यावे.
८. महाराष्ट्र शासनाच्या आरक्षण घोरणानुसार क्रिमीलेअरचे तत्व अनुसूचित जाती, अनुसूचित जमाती घगळभा इतर सर्व प्रयोगशाळा लागू राहिले.
९. महाराष्ट्र राज्याबाहेरील मागासवर्गीय उपदेशारांना आरक्षणाच्या कोणत्याही सुवलती / फायदे प्राप्त होणार नाहीत.
१०. संवैधानिक आरक्षण कुटल्याही परिस्थितीत ५०% टक्केवारीसाठी जास्त होणार नाही याची दक्षता घ्यावी.

तरा संलग्न महाविद्यालय व संकुलातील पदवी व पदव्युत्तर अभ्यासक्रमासाठी उक्तप्रमाण शासनने दिलेल्या आदेशानुसार व उच्च व तंत्रशिक्षण विभाग शासन निर्णय क्र. टोईएम ३३१७/१२१२६(१०८६)/तांशि-२ दि.११ जुलै. १९९७ नुसार प्रवेशावाचतमी काटेकोरपणे अंमलबजावणी करावी.

जावक क्र.तांविजा/म.वि.वि.मं./विशेष कक्ष/२०१६-१७/१११५
दिनांक :-

- 7/07/2016

संचालक

महाविद्यालय व विद्यापीठ विकास मंडळ

सांबत-चरीतप्रमाण

प्रत:-

- १) मा.शाचार्य सर्व संलग्नित महाविद्यालय, सांतापूर विद्यापीठ, सांतापूर.
- २) मा.संचालक, सर्व संलग्नित संकुले, सांतापूर विद्यापीठ, सांतापूर.
- ३) प्रवेश विभाग, सांतापूर विद्यापीठ, सांतापूर.



Principal,
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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

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भाग आठ—१२१

[किंमत : रुपये १.००]



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 ;

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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;

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1956.

(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;

(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.

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1956.

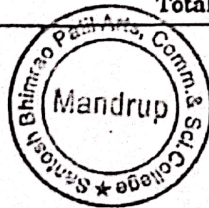
Applicability. 3. This Act shall apply to all Private Professional Educational Institutions in the State, excluding the Minority Educational Institutions.

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.

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.

Reservation
in Unaided
Private
Professional
Educational
Institutions.

(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.

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

Irregular
admissions
void.

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.

Penalty.



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.

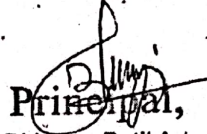
(2) Every order made under this section shall be laid, as soon as may be, after it is made, before each House of the State Legislature.



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

(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.




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