

GUIDELINES FOR ADMISSIONS AGAINST MANAGEMENT QUOTA IN PRIVATE UNAIDED DIPLOMA LEVEL TECHNICAL INSTITUTIONS

Introduction

1. Hon'ble Supreme Court in the judgement dated 14-08-03 in Writ Petition (Civil) No. 350 of 1993 - Islamic Academy of education and Anr. versus State of Karnataka and Ors., while clarifying doubts/ anomalies, if any, in the earlier judgement delivered by a eleven Judge Bench dated 31-10-02 in the case of TMA Pai Foundation and Others Vs. State of Karnataka & Others (2002 (8) SCC 481), arising out of interpretation of the later judgement by various agencies concerned, gave certain directions to the State Governments and other agencies/parties regarding fixation of fee and admissions in private un-aided professional institutions. However, the basic objective of the Apex Court was to ensure that there is no charging of capitation fee or profiteering in professional institutions and admissions in these institutions are made on the basis of merit in a fair and transparent manner.
2. In pursuance of the judgement dated 14-08-2003 of Hon'ble Supreme Court in Islamic Academy of Education case, Government of Haryana have constituted State Fee and Admission Committees under the chairmanship of Hon'ble Justice R.K. Nehru (Retd.) to supervise and monitor admissions against management quota to various technical education courses offered by private unaided institutions and determine fee structure for private unaided institutions located in the State of Haryana. The Government of Haryana has also notified management quota @ 25% of the sanctioned intake for non-minority professional institutions vide letter No. SPL1 dated 2.7.04. Seats under All India Quota and State Quota in all technical education institutions, including private unaided institutions, shall be filled up by the State agencies authorized as per provisions given in the Information Brochure / Prospectus for various type of courses issued from time to time.
3. The main objective of issuing these guidelines is to ensure that the admission in private un-aided institutions is made on merit and in a fair

and transparent manner. Further, the process of admission should be hassle free, and student / public friendly.

4. Seats under management Quota for private unaided non- minority institutions shall be filled up as per guidelines / procedure laid down herein under:
 1. These guidelines shall be called Haryana Private Unaided Polytechnics (Regulation of Admission against Management Quota Seats) Guidelines -2004. These Guidelines will come in force with immediate effect.
 2. **Definitions**
 - 2.1. **'AICTE'** means All India Council of Technical Education created under the All India Council of Technical Education Act, 1987.
 - 2.2. **'All India Quota Seats'** means the seats to be filled in Diploma level institutions by State Agency (ies) on All India basis including the candidates of State of Haryana on merit of the specified State Test(s);
 - 2.3. **'Association Test'** means the common entrance test conducted by association of the same type of private unaided institutions offering Diploma level courses and duly registered under the Societies Registration Act, 1860 / Indian Trusts Act, 1882 or any other relevant Act;
 - 2.4. **'Board'** means the State Board of Technical Education, Haryana established by State Government vide notification No. 38/2/89-2TE dated 18 March, 2003;
 - 2.5. **'Chairman'** means the Chairman of State Admission Committee;
 - 2.6. **'Committee'** means State Admission Committee for Technical Education Institutions in Haryana, constituted by the State Government, vide its notification no. 32/1/2004-2TE dated 24-03-04, in compliance to the orders of Hon'ble Supreme Court dated 14-08-03 in WP 350 of 1993 - Islamic Academy of Education and Anr., versus State of Karnataka and Ors. herein to be referred to as Islamic Academy case;
 - 2.7. **'Diploma Entrance Test(s)/(DET)'** means the diploma entrance test(s) on the basis of merit of which the admission are made in Diploma level institutions;

- 2.8. **‘Diploma level institutions’** means the institutions which are located in the State of Haryana and offer Diploma level courses in various disciplines and are affiliated with the Board.
- 2.9. **‘Director’** means Director of Technical Education, Haryana.
- 2.10. **‘Government Aided Institutions’** means the Diploma level institutions managed and run by private Societies / Trusts, but aided by State Government fully or partly.
- 2.11. **‘Government Institutions’** means the Diploma level institutions owned and managed by the Government of Haryana;
- 2.12. **‘Institution Admission Committee’** means the Admission Committee constituted by a private unaided institution for making admissions against Management Quota seats.
- 2.13. **‘Management Quota Seats’** means the seats reserved for private unaided institutions to be filled up by their Managements on the basis of merit of either State Test or Association Test.
- 2.14. **‘Member Secretary’** means the Member Secretary of the Committee;
- 2.15. **‘Private un-aided institutions’** means the self financing Diploma level institutions offering technical education courses, which do not get any financial aid from the State Government and / or which have not been allotted land by the State Government on a concessional price;
- 2.16. **‘Qualifying Examination’** means the examination conducted by Haryana Board of School Education or equivalent, on the basis of which a candidate becomes eligible to appear in DET(s) and get admission in Diploma level courses.
- 2.17. **‘Society’** means the society registered under Societies Registration Act, 1860;
- 2.18. **‘State’** means the State of Haryana;
- 2.19. **‘State Agency’** means the institution(s) authorized by Director to hold State Test(s) and make admission against the All India Quota seats and State Quota seats through State counselling.
- 2.20. **‘State Government’** means the State Government of Haryana in the Department of Technical Education, Haryana;
- 2.21. **‘State Quota Seats’** means the seats to be filled by State Agency(ies) in Government, Government aided and private unaided institutions out of the candidates who are residents of Haryana on the basis of the merit of the specified State Test(s);

- 2.22.** **‘State Test(s)’** means the common entrance test(s) conducted by Agency(ies) authorized by State Government for making admissions to different Diploma level courses approved by the State Govt./AICTE.
- 2.23.** **‘Technical Education’** means the phrase ‘technical education’ as defined in All India Council for Technical Education Act, 1987.
- 2.24.** **‘Trust’** means the Trust registered under the Indian Trusts Act, 1882.

3. Management Quota seats to be filled up on merit in a fair and transparent manner.

- 3.1.** Private unaided institutions shall fill up the seats against management quota in their institutions in a fair and transparent manner on the basis of inter-se merit / rank of either the State Test or Association Test.
- 3.2.** If a private unaided institution opts for Association Test, it will inform the Director and the Committee in writing before a date specified by the Director, failing which it will be presumed that the institution concerned would fill up its management quota seats on the basis of merit / rank obtained in the relevant State Test;
Provided that a private unaided institution may authorize the Director to make admission against its management quota seats through the State Agency.
- 3.3.** The State Admission Committee shall have the powers to oversee the common entrance test conducted by the association. This would include the power to call for the proposed question papers, to know the names of paper setters and examiners and to check the method adopted to ensure that papers are not leaked. The State Admission Committee shall have the discretion to supervise and ensure that Association Test is conducted in a fair and transparent manner. The Committee shall also have the power to supervise and monitor admissions made against the Management Quota by managements and / or private unaided institutions, irrespective of the State Test or the Association Test.

4. Procedure for calling applications and preparation of merit list

- 4.1.** The private unaided institutions would call applications for admission against their management quota seats through public advertisements, to be published in at least one leading national daily published from Chandigarh, Gurgaon or Delhi and one regional daily, specifying the following:-

- 4.1.1. Test (either State Test or Association Test) on the basis of which the admission would be made,
 - 4.1.2. Seats available discipline-wise,
 - 4.1.3. Last date of submission of Application Form,
 - 4.1.4. Date of notifying tentative list of merit of candidates, whose applications were found in order and list of candidates, whose applications were rejected alongwith the reasons for rejection,
 - 4.1.5. Date of filing of objection in respect of tentative merit list and appeal against the rejection of application,
 - 4.1.6. Date of consideration of the objections filed by candidates against the merit list, counseling and publication of final merit list containing the names of students admitted and waiting list alongwith the rank obtained in the entrance test,
 - 4.1.7. Last date for depositing fee etc., alongwith details of fees to be charged and name of the bank and the office where fee is to be deposited,
 - 4.1.8. Date of display of discipline-wise list of candidates alongwith rank obtained in the entrance test, who have actually deposited fee and taken admission and the vacancy discipline-wise, if any,
 - 4.1.9. Date of display of merit list after internal sliding and deleting the candidates, who have not deposited fees within the due date and / or have got their seats cancelled by giving a request in writing and publication of list of candidates (rank-wise) who are proposed to be admitted against the vacant seats, and notification of last date of depositing fee,
 - 4.1.10. Date of display of final list of candidates who have actually taken admission and vacancy position discipline wise.
- 4.2. An institution must place a copy of advertisement on its notice board as well as its website. It must send through email and fax a copy each of the advertisement(s) issued from time to time to the Director and the Committee, on the date of release of advertisement for publication. The email addresses and fax numbers are given in Clause no. 6.3.2.
- 4.3. If association holds an entrance test, then there shall be a common application form for the entrance test as well as admission. The association shall also host the Application Form and Prospectus/Admission Brochure on their website and send a soft as well as a certified hard copy to the Director. The Director may place

the Prospectus/Admission Brochure on the website of the Department and the State Government. The Application Form can be downloaded from any of the websites and submitted to the authorities specified and the cost of form shall be submitted in the form of Bank Draft.

- 4.4.** If the private unaided institutions make admission on the basis of merit of State Test, there shall be a common proforma for admission, which shall be same for all private unaided institutions. A copy of the application form is attached as Annexure 1.
- 4.5.** The Prospectus / Admission Brochure issued by the private unaided institutions would contain the information on all sub-clauses from 4.1.1 to 4.1.10 above and also eligibility conditions as approved by the State Government, method of selection and admission, fee structure as approved by the State Fee Committee, general instructions including how to apply, formats for various certificates if required etc.
- 4.6.** The maximum cost of the Prospectus/Admission Brochure shall not be more than Rs. 200/-, which shall include all incidental charges for admission.
- 4.7.** The Prospectus / Admission Brochure including Application Form would be down loadable from the website of the institution as well as the official websites of the Department and the State Government. The candidates, who submit the Application Forms after down-loading from the specified website, would be required to pay the cost of the Prospectus / Admission Brochure, as on counter, in the form of Demand Draft payable to the competent authority of the institution, which will be clearly specified. The institution concerned shall provide an electronic (soft) copy of the Prospectus / Admission Brochure including Application Form in the proper format to the Director for hosting the same on the official websites of the Department and the State Government. It shall be the responsibility of the institution to send an electronic (soft) copy of the Prospectus / Admission Brochure to the Director on the day of release of the advertisement.
- 4.8.** Every private unaided institution shall enter each application received in the institution in a register and issue an acknowledgement card to the applicant. An acknowledgement card shall be issued in person, if application is received by hand and through post under postal certificate (UPC) if received by post / courier, for which proper record would be maintained.

- 4.9. On the last date of receipt of Application Forms, a committee consisting of atleast three senior faculty members shall certify on the register number of applications received and report of which shall be sent to the Director through email/fax on the same day, followed by a copy through post.
- 4.10. Private unaided institutions would display the tentative inter-merit list of all applicants on their websites and on their notice board in the institution. They will also send tentative merit list to the Director and the Committee immediately after the last date of submission of applications. ***The date of display of tentative merit shall be mentioned in the Prospectus/ Admission Brochure.***
- 4.11. **Inviting Objections on tentative Merit List and displaying final Merit List.**
- 4.11.1. The objections against the tentative merit list can be filed by an aggrieved person / candidate within 3 days of the display of tentative merit list to the institution concerned with a copy to the Board. The objections would be heard by a committee constituted by the institution concerned. Date & time for hearing would be fixed for consideration / removal / deciding the objections of the candidates and would be specified in Prospectus / Information Brochure & advertisement for inviting application. It will be mandatory for the institution concerned to call an Observer of the Board at the time of scrutiny and deciding the objections etc.
- 4.11.2. The private unaided institutions will display the final list, after taking decision on the objections, if any, on their notice boards in the institutions and also host the same on their websites. Every institution shall also send a copy of the list to the Director and the Committee on the same day by fax/email. The Director would host the list on the websites of Department and the State Government.
- 4.11.3. The final discipline-wise merit list shall contain the name of the candidates in order of the merit of the candidates and discipline allotted to the candidate on the basis of the options given in the Application Form as per availability of seats under management quota and waiting list.

4.12. Verifying and Returning Original Certificates by Institution Admission Committee.

4.12.1. The Institution Admission Committee shall check the original certificates / documents / testimonials of the candidates on the days fixed for hearing objections / appeals & scrutiny and return the same after due verification there and then after retaining two sets of copies certificates / documents / testimonials, duly attested by a gazetted officer or Head of the Institution last attended on the days fixed for consideration / removal of objections as per clause 3.11.1.

4.12.2. All candidates who desire to seek admission, therefore, must make their appearance before the Institution Admission Committee on the day of hearing objections / appeals & scrutiny fixed for this purpose. This must be clearly spelt out in the advertisement as well as the Prospectus / Brochure.

4.12.3. The admission schedule shall be got approved from the Board with a view to facilitating candidates to appear before the Institution Admission Committees of different Institutions conveniently.

4.13. Depositing Fee by the candidate.

4.13.1. The private unaided institutions shall provide at least `3 days' time including the date on which the final merit list is displayed to the candidates to deposit fee at their cash counter and at least in one designated bank, which shall be specified in the Prospectus / Admission Brochure of the institution. The last date and time of depositing the fees shall also be clearly mentioned in Prospectus / Admission Brochure.

4.13.2. On the day after last date of depositing fees, the private unaided institution shall prepare a list of the candidates, who have deposited fees and display the same on its notice board and website(s). A copy of this list, showing candidates finally admitted in specific disciplines, shall be sent to the Director and the State Admission Committee for hosting on websites of the Department and the State Government.

5. Appointment of Observers by the affiliating Board/ State Agency.

5.1. The Board and/or the State Admission Committee may appoint an observer for each private unaided institution to observe the admission process on any or all days. He will be entitled to watch the admission

proceedings and inspect the record relating to admission. The observer shall submit a report to the Board, Director and the State Admission Committee.

- 5.2. The admission made by the private unaided institutions shall be provisional, till it is confirmed by the Board.

6. Admission against vacant Management Quota seats.

- 6.1. Seats remaining vacant, after the first round of admission process, in private unaided institutions, under management quota seats, shall be filled up by following the same procedure as enumerated above. However, no admission shall be allowed after the cut off date, which is 16.8.2004.

- 6.2. After exhausting the merit of entrance test(s) Director, Technical Education, Haryana may allow an institution to fill up the vacant seats of management quota on the basis of the academic merit subject to fulfilling the eligibility criteria as prescribed by the State Government.

7. Fees deposited by candidates to be transferable and refundable.

- 7.1. The fees deposited by the candidates who have sought admissions in a particular private un-aided institution would be refundable, if the candidate vacates the seat, by giving a notice in writing, which is received by the concerned institution at least seven days prior to the final cut off date. However, the institute shall deduct Rs.1000/- as administrative charges while refunding the amount deposited as fee by the candidate. However, if a candidate gets a seat in the same institute in another discipline, no such deduction shall be made.

8. Constitution of Grievance Redressal Committee by Board.

The Board would constitute a Grievance Redressal Committee for the candidates who are admitted in private unaided institutions and their parents. The Committee would take appropriate action on the complaints received under intimation to the State Admission Committee. Wide publicity, in this regard, shall be given by the Board.

9. Private un-aided Institutions to supply soft copy of Information.

- 9.1. All private un-Aided institutions who admit students against Management Quota seats shall supply soft copy of the information in the prescribed /specified format to the Director, Technical Education Haryana as directed by him from time to time.

- 9.2. Website address & Email IDs of various authorities are given as under:-

Websites

State Govt.:- www.haryana.nic.in

Department of Technical Education:- www.techeduhy.nic.in

E-mail Ids

State Fee Committee:- sfc@hry.nic.in

Department of Technical Education.:- technicaledu@hry.nic.in

Director Technical Education:- dtehry@hry.nic.in

10. Penalties:

- 10.1. The admissions against the management quota are required to be made in fair and transparent and on merit. In case, it is found that any admission has been made by any of the private un-aided institutions against the management quota de hors merit and / or if any institution indulges in profiteering charging capitation fees, overcharging, and unfair practice, such institute would be liable for any or more of the following penalties, besides any penal action, keeping in view the gravity of the charges by the State Government and /or the Board;

10.1.1. Warning;

10.1.2. Imposition of fine not exceeding Rs. 50,000/- on the Chairman / President of Society / Trust from his own pocket;

10.1.3. Dis-affiliation of the institute for a specified period;

10.1.4. Reduction in number of sanctioned seats intake;

10.1.5. Withdrawal of any course/courses for a specific period;

10.1.6. To put the institution in 'no admission category' for a period to be specified ;

10.1.7. Permanent withdrawal of recognition/ affiliation of the institution;

10.1.8. Cancellation of wrongful admission of the candidate likewise;

- 10.2. No penalty as specified above shall be imposed unless the institution has been given an opportunity of showing cause against the action proposed to be taken;

- 10.3. In case, it is proposed to cancel the wrongful admission, the affected candidate(s) would also be given an opportunity of showing cause.

APPLICATION FORM NO – 1
(Downloaded from Internet)

**APPLICATION FORM FOR ASSOCIATION TEST AND ADMISSION IN
DIPLOMA COURSE AGAINST MANAGEMENT QUOTA SEATS**

**Fill Separate Form for separate course – Engineering, Hotel
Management, Pharmacy, Non-Engineering etc.**

The Forms is required to be filled in by the Candidate.

Attach a passport size photograph

Last date for receipt of Complete Application Form : _____

NAME OF THE INSTITUTION: _____

Details of bank draft :

Amount _____
Name of the Bank _____
Branch No. _____
Draft No. _____
Date of issue _____

1. Name of Candidate (Block letters) : _____
2. Father's Name (Block letters) : _____
3. Mother's Name (Block letters) : _____
4. Date of Birth: _____
5. Choice of Course:

**Signed
Passport
Size
Photograph**

Name of the Course (To be filled in by the Candidate)	Order of preference
	1
	2
	3
	4
	5
	6
	7
	8

6. State of Domicile: _____

7. Gender: Male Female
8. DET 2004 Rank Roll No.
9. Details of Qualifying Exam:

Name of Examination	School / College from which passed and the Year of passing	Board / University	Maximum Marks	Marks obtained

10. Full Postal/Address for correspondence with Pin Code:

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 City.....State.....
 Pin Code.....Phone (with STD Code).....
 Email ID.....

DECLARATION

I solemnly declare that I have filled in the application form in my own hand and the information given therein is correct. I understand that if this information is found to be incorrect at any stage, my candidature for the Diploma Entrance Test-2004 and subsequent admission to the course shall stand cancelled.

.....
(Signature of Parent/Guardian)

.....
(Signature of the Candidate)

Place:.....

Date:.....

LIST OF ENCLOSURES

1. Proof of date of birth
 Yes/No
2. Proof of qualifying examination alongwith mark sheet
 Yes/No

3. Proof of DET Rank

Yes/No