

No. 14-17-2007-XL.III- In exercise of the powers conferred by the Section 13 of the Madhya Pradesh Niji Vyavsayik Shikshan Sanstha (Pravesh Ka Viniyaman Avam Shulk Ka Nirdharan)Adhiniyam, 2007 (No. 21 of 2007), the State Government, hereby, makes the following regulations relating to the admission of non-resident Indian candidates in Private Unaided Professional Institutions approved by the All India Council for Technical Education:-

REGULATIONS

- 1. Short title and commencement** – (1) These regulations may be called the Admission (Reservation to Non-resident Indian) Regulations, 2009.
(2) It shall come into force from the date of their publication in the Madhya Pradesh Gazette.
- 2. Definitions:** (1) In these regulations, unless the context otherwise requires-
 - (a) “Act” means the Madhya Pradesh Niji Vyavsayik Shikshan Sanstha (Pravesh Ka Viniyaman Avam Shulk Ka Nirdharan)Adhiniyam, 2007 (No. 21 of 2007);
 - (b) “Admission Rules 2008” means rules relating to the eligibility of admission, manner of admission and allocation of seats in private unaided professional institution (including reservation of seats +for Non-Resident Indian candidates);
 - (c) “Competent Authority” means any authority an authorized by the State Government in this behalf as per rule. 6 of Admission Rules, 2008;
 - (d) “Course” means any course, the nomenclature of which is approved by the appropriate authority and for which a separate degree/diploma is awarded by any recognized University or Board or Institution like, B.E. Electrical, B.E. Mechanical, MCA, MBA, D. Pharma, MBBS, BDS. Etc;
 - (e) “Head of Institution” means Principal/Director of the Institution;
 - (f) “Qualification Examination” means the examination, passing of which entitles one to seek admission into the relevant Professional Courses;
 - (g) “General Pool” means after provision of 15% seats for non-resident Indian candidates, remaining 85% seats of sanctioned intake shall be called General Pool Seats in which reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes excluding Creamy layer shall be available for Madhya Pradesh domicile candidates as per Government notification.
(2) The words and expressions used but not defined in these regulations shall have the same meaning as assigned to them in the Act.
- 3. Applicability-** These regulations shall be applicable to students who are seeking admissions against 15% seats reserved for non-resident Indian subject to the following conditions:
 - (a) At least one of the parents of such students should be non-resident Indian and shall ordinarily be residing abroad as non-resident Indian;
 - (b) The persons who sponsors the students for admission should be a first degree relation of the student and should be ordinarily residing abroad as an non-resident Indian;

- (c) If the student has no parents or near relatives or take as a ward by some other nearest relative such student also may be considered for admission provided the guardian has *bonafide* treated the student as a ward and such guardian shall file an affidavit indicating the interest shown in the education affairs of the student and also his relationship with the student and such person also should be a non-resident Indian and ordinarily residing abroad.
- 4. Availability of seats-** Upto 15% seats of the total sanctioned intake in private Unaided Professional Educational Institution shall be available for non-resident Indian candidates only if they are available.
- 5. Procedure of admission against non-resident Indian seats-** (1) The head of the Institution shall have to advertise number of seats available for admission against non-resident Indian seats in at least two leading news papers.
- (2) The interested eligible non-resident Indian candidates shall have to apply directly to the head of the Institution where he is interested in taking admission.
- (3) The Head of the Institution shall admit students against non-resident Indian seats on the basis of marks obtained in the qualifying examination and in case of difference in their backgrounds, the Competent Authority shall determine the merit of these candidates having regard to all the relevant factors.
- (4) If sufficient number of non-resident Indian candidates are not available, then remaining vacant seats shall be merged into general pool and shall be filled as per the procedure laid down in admission Rules, 2008.
- (5) The eligible candidates interest in seeking admission against non-resident Indian seats, shall be required to submit following documents to the head of Institution-
- (a) Marksheet of qualifying examination. If the Board/University from which candidate has passed his qualifying examination award marks in grade system, then the formula for conversion of grade into of that country. Candidates who have passed the qualifying examination from a county other than India are required to submit a certificate from the Indian Embassy/Indian Consulate or Association of Indian Universities, New Delhi to the effect that the examination passed is equivalent to respect qualifying examination of Indian System;
- (b) Proof of nationality;
- (c) Certificate from Indian Embassy, or Indian consulate of the country where non-resident Indian is residing be submitted to the effect that the Father/Mother (legal guarding, if none of the parents is alive) the candidate or candidate himself is non-resident Indian;
- (d) Passport of non-resident Indian, or its true copy certified by Indian Embassy of Indian consulate of the Country, where non-resident Indian is residing;
- (e) Transfer and Character certificate from the Institution last attended;

- (f) Two passport size self attested photographs of the candidate.
- (6) The Head of the Institution shall furnish list of admitted non-resident Indian candidates, alongwith the documents as listed above to the competent authority, ten days prior to commencement of counseling for general pool seats in respective courses. The competent authority shall scrutinize these documents with regard to eligibility of the candidates as per the criteria laid down in these regulations and shall have the authority to cancel admission of non eligible candidates.
- (7) It shall be the responsibility of Head of the Institution to ensure that the list of the admitted candidates against non-resident Indian seats, along with all relevant documents as listed above, reaches the competent authority within stipulated time as specified above, failing which it shall be presumed that all non- resident Indian seats are vacant in the institution and they shall be merged into general pool seats.
- (8) If admission of any candidates admitted against non-resident Indian seat is cancelled by the competent authority due to non-eligibility, the vacancy created due to above cancellation, shall neither be merged into general pool nor shall the institution would be permitted to admit new candidates against these vacancies.
- 6. Conversion of vacant non-resident Indian seats-** Vacant non-resident Indian seats i.e. unfilled non-resident Indian seats or seats against which admission have been made but the institution had not submitted the list and required documents to the competent authority within stipulated time, shall be merged general pool by competent authority, and these seats shall be filled by competent authority as per the procedure for filling general pool seats.
- 7. Cancellation of admission-** (1) The competent authority shall check the eligibility of candidates admitted by the institution against non-resident Indian seats and shall be authorized to cancel admission of non-eligible candidates.
- (2) if at any stage, it is found that a candidate has got admission in any institution on the basis of false or incorrect information or by hiding relevant facts or it at any time after admission it is found that the admission was given to the candidate due to some mistake or oversight, the admission granted to such a candidate shall liable to be cancelled forthwith without any notice at any time during the course of his studies, by the Head of the Institution or by Competent Authority.
- 8. Tuition and other fee-** Tuition and other fees shall be as prescribed by the Admission and Fee Regulatory Committee.
- 9. Refund of fee-** If non-resident Indian candidate get his admission cancelled from the Competent Authority or admission of an ineligible candidate is cancelled by the Competent Authority, prior to 7 days before the last of admission as declared by the Chancellor of the University and notified by the Competent Authority, the part of tuition fee and other fee deposited by the candidate with the institution, shall be refunded back by the institution to the candidate after deducting 10% from the deposited amount.

10. **Interpretation-** If any question relating to the interpretation of these regulations, it shall be referred to State Government, whose decision thereon shall be final.
11. **Jurisdiction -** In case of any dispute the jurisdiction shall be limited to the Court constituted and situated in the State of Madhya Pradesh only.

**By order and in the name of Governor of Madhya Pradesh,
SHAMIM UDDIN, Addl. Secy**