

**പതിമൂന്നാം കേരള നിയമസഭ**

**ഏഴാം സമ്മേളനം**

**നക്ഷത്ര ചിഹ്നമിടാത്ത നിയമസഭാ ചോദ്യം നം. 1188**

**08.02.2013-ലെ മറുപടിയ്ക്ക്**

സ്വാശ്രയ പ്രൊഫഷണൽ കോളേജുകളിലെ എൻ.ആർ.ഐ. ക്വാട്ട പ്രവേശനം

**ചോദ്യം**

**ഉത്തരം**

**ശ്രീ.കെ. സുരേഷ് കുറുപ്പ്**

**ശ്രീ. പി.കെ. അബ്ദുറബ്ബ്  
(ബഹു. വിദ്യാഭ്യാസ വകുപ്പ് മന്ത്രി)**

- എ) സ്വാശ്രയ പ്രൊഫഷണൽ എ) ഉണ്ട്. കോളേജുകളിലെ എൻ.ആർ.ഐ ക്വാട്ട പ്രവേശന മാനദണ്ഡങ്ങളിലെ അന്യത പരിഹരിക്കാൻ കേരള ഹൈക്കോടതി നിർദ്ദേശിച്ചിട്ടുണ്ടോ;
- ബി) എങ്കിൽ ഇക്കാര്യത്തിൽ സ്വീകരിച്ച ബി) ഇതു സംബന്ധിച്ച 5.2.2013 ലെ സർക്കാർ നടപടികൾ വിശദമാക്കാമോ; ഉത്തരവ് (GO (Ms)34/2013/H&FWD) അനുബന്ധമായി ചേർക്കുന്നു.
- സി) സർക്കാർ നിയന്ത്രണത്തിലുള്ള സി) ഇല്ല. സ്ഥാപനങ്ങൾക്കും സ്വകാര്യ സ്ഥാപനങ്ങൾക്കും എൻ.ആർ.ഐ ക്വാട്ട പ്രവേശനത്തിന് വ്യത്യസ്ത മാനദണ്ഡങ്ങളുണ്ടോ; എങ്കിൽ വിശദമാക്കാമോ?

  
സെക്ഷൻ ഓഫീസർ

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**GOVERNMENT OF KERALA**

**Abstract**

Health & Family Welfare Department – Medical Education Services – Academic-Admission to Graduate and Post Graduate Medical and Dental Courses under NRI Quota in Self Financing institutions - Conditions Specified – Orders issued.

**HEALTH & FAMILY WELFARE (S) DEPARTMENT**

**GO(MS) No. 34/2013/H&FWD Dated, Thiruvananthapuram, 05.02.2013**

- Read: - (1) The Kerala Professional Colleges or Institutions (Prohibition of Capitation fee, Regulation of Admission, Fixation of Non-exploitative fee and other measures to ensure Equity and Excellence in Professional Education) Act 2006 (Act 19 of 2006)
- (2) Judgment dated 18.12.2012 of the Hon'ble High Court in WP(C) No.14708/2012 filed by Dr.Gowri Raj
- (3) Letter No.B2/505/2013/DME dated 02.01.2013 from the Director of Medical Education, Thiruvananthapuram

**ORDER**

As per Section 10 (2) of the Act read as 1<sup>st</sup> paper above in an unaided professional college or institution belonging to both minority and non-minority communities, upto fifteen per cent of the total number of sanctioned seats may be filled by candidates under the category of Non-Resident Indian seats. The Section 2(o) of the Act stipulates that 'Non- Resident Indian seats' means seats reserved for children or wards or dependents of Non-Resident Indians to whom admission is given by the managements in a fair, transparent and non-exploitative manner on the basis of fees as may be prescribed.

2. As per the Judgment read as 2<sup>nd</sup> paper above, the Hon'ble High Court has directed that the Government of Kerala will look into the issue relating to what is meant by "dependents" under Section 2(o) of the Professional Colleges Act so that clarity is obtained. The Hon'ble Court has also directed that the Government will ensure that the entire process relating to the sponsorship by an NRI shall be completed with supporting documents before the cut off date for admission and to take appropriate steps to ensure that the management will

indicate in the Prospectus issued to fill up Management seats, the seats which are to be filled up by NRI students.

3. Government have examined the matter in detail in consultation with the Director of Medical Education and are pleased to issue the following orders.

(i) The term "dependents" in Section 2(o) of the Act read as 1<sup>st</sup> paper above in respect of Under Graduate and Post Graduate Medical and Dental admissions is defined as follows.

*"An Applicant who depends upon his/her Father/Mother/Husband/Wife/Brother/Sister/Half Brother/Half Sister who is working abroad"*

(ii) The Self Financing Medical College Managements conducting Graduate and Post Graduate Medical/Dental Courses shall incorporate specific provisions in their Prospectus for admissions that the entire process relating to the sponsorship by a NRI shall be completed with all supporting documents before the cut off date for admissions. The candidates under NRI Quota, who fail to produce the supporting documents prescribed for admission under the said quota within the time limit prescribed, will not be admitted to the course. Belated submission of documents disregarding the time schedule for admissions will not be entertained on any ground.

(iii) The Self Financing Medical College Managements conducting Post Graduate Medical/Dental Courses shall provide the details of seats and specialities to be filled under NRI Quota in the Prospectus, ie, 15% as permitted by the Apex Court and as provided in Section 10(2) of the Act read as 1<sup>st</sup> paper above and the specialities available for NRI students. The Managements are permitted to select one speciality from among the specialties offered in the institution for admitting one candidate under NRI quota earmarked for admission to Post Graduate Medical/Dental Courses for the academic year 2013-14. The specialities for NRI seats from the academic year 2014-15 will be notified by the Managements in the

Prospectus from the list of specialities by rotation starting from the speciality selected by the Managements for admission under NRI Quota in 2013. New Specialities if any, sanctioned to the College in future will be added to the end of the list of specialities in descending order.

- (iv) For admissions to NRI Quota, merit should not be completely ignored as observed by the Hon'ble Supreme Court in the Judgment in P.A.Inamdar's case.


The Judgment of the Hon'ble High Court read as 2<sup>nd</sup> paper above is complied with accordingly.

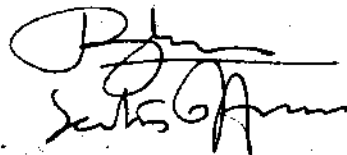
By Order of the Governor  
**RAJEEV SADANANDAN**  
Principal Secretary to Government

To

The Director of Medical Education, Thiruvananthapuram  
The Director of Health Services, Thiruvananthapuram  
The Commissioner for Entrance Examinations, Thiruvananthapuram  
The Registrar, Kerala University of Health Sciences, Thrissur-680 596  
The Advocate General, Ernakulam  
The Principal of All Self Financing Medical/Dental Colleges in the State (through DME)  
The Higher Education Department  
The Health & Family Welfare (B,C,D,J,K) Departments  
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Section Officer

  
Principal Secretary to Government