

HIGHER AND TECHNICAL EDUCATION DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 5th June 2018.

NOTIFICATION

MAHARASHTRA UNAIDED PRIVATE PROFESSIONAL EDUCATIONAL INSTITUTIONS (REGULATION OF ADMISSIONS AND FEES) ACT, 2015.

No. TEM-2018/C.R. 28/TE-4 .—Whereas, the Government of Maharashtra *vide* Government Notification, Higher and Technical Education Department No. TEM-2016/CR 473/16 (Part-4)/TE-4, dated 24th April 2017, has issued the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions to the Full Time Professional Post Graduate Technical Courses) Rules, 2017 to regulate the admissions to the First and Direct Second Year of Full Time Professional Post Graduate Courses (Engineering and Technology, Pharmacy, Architecture and Hotel Management and Catering Technology, Management and Computer Applications) and Government of Maharashtra considers it expedient to amend the said Rules;

Now, in exercise of the powers conferred by section 23 of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (Mah. XXVIII of 2015), the Government of Maharashtra hereby makes the following rules to amend said Rules, namely :—

1. These rules may be called the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions to the Full Time Professional Post Graduate Technical Courses) (Amendment) Rules, 2018.
2. In rule 4 of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions to the Full Time Professional Post Graduate Technical Courses) Rules, 2017 (hereinafter referred to as the “the principal rules”), sub-rule (3), shall be deleted.
3. In rule 8 of the principal rules, for sub-rule (2), the following sub rule shall be substituted, namely;—

“(2) *Change of Marks due to verification.*— If the marks in the qualifying examination are modified due to verification and the same is duly certified by the concerned Appropriate Authority or Board, the same shall be reported to the Competent Authority for admission through CAP or its designated representatives prior to 5 p.m. on the day of display of final merit list.”.

4. *For rule 9 of the principal rules the following rule shall be substituted, namely :—*

“ 9. *Centralised Admission Process (CAP).*— (1) The Unaided Private Professional Education Institution shall admit Candidates through the Centralised Admission Process as referred in sub-section (3) of section 3 of the Act. The stages of CAP shall be as stated below,—

- (a) Display or publishing of Information Brochure by the Competent Authority;
- (b) Filling Online Application Form by Candidate for participation in the Centralised Admission Process;
- (c) Uploading of scanned images of valid necessary original documents as per the requirement of the admission while filling of online application form;
- (d) Document Verification at Facilitation Centre by the Candidate. It is mandatory on the candidate’s part to produce all original documents in support of the claim made in the application form;
- (e) Display or publishing of provisional merit lists, submission of grievances, if any, and display or publishing of final merit lists;
- (f) Display of Category wise Seats (Seat Matrix) available for respective CAP Rounds;
- (g) Filling up and confirmation of online option form having preferences of Courses and Institutions prior to respective CAP Rounds. Candidates may fill in preferences of Institutes and Courses in decreasing order of their preference as specified by Competent Authority. The option form once confirmed shall be considered for allotment in the respective CAP Rounds;

- (h) Display of provisional allotment of respective CAP Rounds indicating allotted institute and Course;
- (i) Reporting and accepting the offered seat at Admission Reporting Centre by the Candidate as per the schedule declared by the Competent Authority;
- (j) Only after reporting to ARC as per clause (i), the candidate should report to the allotted institute for seeking admission on the allotted seat as per final allotment in CAP rounds;
- (k) The time schedule prescribed by the competent authority for compliances for various stages of CAP is mandatory.
- (2) *Conduct of CAP Round-I.*— The seats available for Round I shall be published on the Website. The Candidate whose names appeared in the final merit list of CAP shall be eligible to participate in this round by filling online option form. The candidate shall fill and confirm the option form through candidate's Login.
- (3) *During the CAP :*
- (a) If a candidate is allotted the seat as per his first preference, such allotment shall be auto frozen and the candidate shall accept the allotment so made. Such candidate shall then be not eligible for participation in the subsequent CAP rounds. Such candidates shall then report to ARC for verification of documents and payment of seat acceptance fee. Thereafter such candidates shall report to the allotted institute and seek admission on the allotted seat. If such candidate does not report to ARC for confirmation of seat acceptance, their claim on the allotted seat shall stand forfeited automatically and the seat shall become available for fresh allotment. For such candidate, the allotment so made shall be the final allotment;
- (b) Candidate who have been allotted seat other than the first preference given by the candidate and if the candidate is satisfied with such allotment and do not wish to participate in further CAP rounds, such candidate can freeze the offered seat through candidate's login. Once the candidate freezes the allotted seat, such candidate shall then report to ARC for verification of documents and payment of seat acceptance fee. Thereafter such candidates shall report to the allotted institute and seek admission on the allotted seat. For such candidate, the allotment so made shall be the final allotment. If such candidate does not report to ARC for confirmation of seat acceptance, their claim on the allotted seat shall stand forfeited automatically and the seat shall become available for fresh allotment. Such candidate shall then be not eligible for participation in the subsequent CAP rounds;
- (c) Candidate who have been allotted seat other than first preference and accepted the seat by reporting to ARC for confirmation of seat acceptance shall be eligible for participation in the subsequent rounds for betterment;
- (d) Candidate who have been allotted seat other than first preference and not accepted the seat by not reporting to ARC for confirmation of seat acceptance shall be eligible for participation in the subsequent rounds;
- (4) *Conduct of CAP Round-II and III.*—
- (a) The seats available for Rounds II and III shall be published on the website. The Candidates eligible for respective rounds II and III are allowed to fill in and/or edit online option form filled in by the candidate for the previous round. The seats to be allotted during these rounds shall be available to the eligible candidates falling under the following categories. –
- (i) Candidates as per the sub-rule 3(c) and 3(d) above;
- (ii) Candidates who have not been allotted any seat in any of the previous rounds;
- (iii) Candidates who did not participate (failure of filling option form) in previous rounds.

- (b) Candidates who have been allotted seat other than first preference and reported to ARC for confirmation of seat acceptance, whilst filling fresh option form, he/she need not fill the preference already allotted to the candidate in the previous round. Once upward preference is allotted to such candidate, his earlier seat allotment shall stand automatically cancelled. In the event of no such upward preference is allotted, his previous allotment stands retained;
- (c) There shall be no further betterment option available to the candidate after round III. The allotment made and/or allotment retained in round III for participating candidates in round III shall be final;
- (d) At the time of reporting to ARC for confirming the allotted seat, the candidate shall submit all the original documents in support of the claims made in the application. In the event the candidate fails to produce the documents in support of the claim, so made in the application, the allotment shall stand cancelled automatically and the seat shall become available for allotment in further rounds;
- (e) The candidate will be entitled to rectify the following errors in the application form at the time of scrutiny of documents at ARC viz.
- (i) change of gender from male to female and vice-versa;
 - (ii) error while entering marks obtained by candidate in examination, CET. However, the change in the merit number due to increase in the marks will not be permitted;
 - (iii) error while mentioning the caste/sub-caste/the category of backward class but in no case a candidate will be allowed to change from General to Reserved Category. A reserved category candidate will be allowed to change his category from Reserved to General upon his failure to submit requisite documents like Caste/Tribe Certificate, Validity Certificate, Non-Creamy Layer Certificate etc. as the case may be.
 - (iv) removal of minority status due to failure of submission of supporting documents;
 - (v) removal of Disability status due to failure of submission of supporting documents;
 - (vi) change in Type of Candidature;
 - (vii) change in Home University;
 - (viii) change in Qualification;
- Apart from the above no other change or rectification shall be allowed.
- (f) In case of additional round (if any), the category of candidates mentioned in clause (a) above shall be entitled to participate and will be entitled to fill in fresh option Form. In such case, the candidate need not fill in the previously allotted preference in their preference list. Once the upward allotment is made, the earlier allotment shall stand automatically cancelled. In the event no such upward preference is allotted in this round, the candidate's previous allotment stands retained.
- (5) The Candidate shall report to the institution finally allotted to him and confirm his admission in institution as per the schedule. The Institute shall verify the required documents and upload the admission of the candidates in the online system through Institute Login immediately and shall issue a system generated receipt of confirmation of admission to the candidate.”.
5. *In rule 10 of the principal rules,—*
- (i) in sub-rule (2), for clause (a) following clause shall be substituted, namely :—
 “ (a) First Year Management,—Percentile score in CET conducted by the Competent Authority, Common Admission Test conducted by Indian Institute of Management (CAT), Common Management Aptitude Test Conducted by All India Council for Technical Education (CMAT), Graduate Management Aptitude Test Conducted

by Graduate Management Admission Council, United State of America (GMAT), Management Aptitude Test Conducted by All India Management Association (MAT), entrance Test for Management Admissions conducted by The Association of Indian Management Schools (ATMA) and Xavier Aptitude Test conducted by Xavier School of Management, Jamshedpur (XAT).”;

(ii) in sub-rule (2), after clause (e), the following clause shall be inserted, namely :—

“(f) First Year Engineering and Technology – Graduate Aptitude Test Examination (GATE) score conducted by Indian Institute of Technology.”.

6. *In rule 12 of the principal rules,—*

(i) in clause (i) after the words “ Candidates has to pay” the words “seat acceptance fees through online mode or by” shall be inserted;

(ii) for clause (j) following clause shall be substituted, namely :—

“(j) The Seat Acceptance Fee shall be Rs. 1,000 for all Candidates the same shall be treated as non-refundable processing fee.”;

(iii) clause(n) shall be deleted.

7. *In rule 13 of the principal rule,—*

(i) In clause (c), the words “and also on the website of the Competent Authority by paying charges as decided by the Competent Authority” shall be deleted;

(ii) clause (e), for the words “The institution shall” the words “The institution after verification of all required documents shall prepare and ” shall be substituted;

(iii) for clause (f), the following clause shall be substituted, namely:—

“(f) The Minority or Non-Minority institution intending to surrender the Institutional Quota (in part or full) of specified courses to the CAP shall communicate two days before the display of seat matrix of CAP Round I and the same shall be allotted as per the rules of CAP. The Institutes shall not be allowed to surrender Institutional quota seats thereafter.”.

8. *For rule 15 of the principal rules, the following rule shall be substituted, namely :—*

“ 15. Cancellation of Admission and Refund of fees, return of documents by Institutions.—

(a) The Candidate shall apply online for cancellation and submit duly signed copy of system generated application for cancellation of admission to the institution. Once the candidate submits online request for cancellation, his/her admission shall be treated as cancelled. The Institute shall consider the online request made by Candidate for cancellation as final irrespective of whether he/she has submitted duly signed copy of system generated application to the Institute. Upon such cancellation, the candidate shall lose the claim on the seat and such seat shall become available for further allotment. The candidate shall then become entitled to and the Institute shall refund the entire fees to the candidate after deduction of Rs.1000/- towards processing charges and return all his/her original documents submitted to the Institute within two days from submission of duly signed copy of system generated application to the Institute;

(b) Notwithstanding clause (a) above, candidate shall not be entitled to any refund of his/her fee except the Security Deposit and Caution Money Deposit if the online cancellation is effected by the candidate after 5.00 pm of the cut-off date prescribed by the Competent Authority;

- (c) No institution, who has in its possession or custody, of any document in the form of certificates of degree, diploma or any other award or other document deposited with it by a person for the purpose of seeking admission in such institution, shall refuse to return such degree, certificate award or other document with a view to induce or compel such person to pay any fee or fees in respect of any course or programme of study which such person does not intend to pursue or avail any facility in such institution.”
9. *In Schedule-II appended to the principal rules, for clause (ii) following clause shall be substituted,—*
- “(ii) Vacant Seats : The seats, within the sanctioned intake, which remain vacant during previous year.”.

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

SATISH J. TIDKE,
Deputy Secretary to Government.