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Separate paging is given to this part in order that it may be filed as a separate compilation

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**PART III**

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**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT — HIGHER EDUCATION  
DEPARTMENT, J&K.

Notification

Jammu, the 15th of October, 2024.

SO-511.—Whereas, the Hon'ble Supreme Court in J.P. Unni Krishnan and others V/s State of Andhra Pradesh and others (AIR, 1993 SC 2178) laid down a scheme for regulating admission to the Professional Colleges including Engineering Colleges/Polytechnic Institution imparting Degree/Diploma and other courses established and/or run by private institution ; and

Whereas, pursuant to the aforesaid directions, the Government

decided to frame rules and guidelines for implementing the aforesaid scheme and accordingly vide notification SRO-51 dated 30-01-1997 titled the Jammu and Kashmir Private Technical Institution (Selection and Admission) Rules, 1997 was notified by the Department of Technical Education for regulating admission in the Professional Colleges including Engineering Colleges/Polytechnic Institutions imparting Degree/Diploma and other courses established and/or run by private institutions ; and

Whereas, Professional Engineering Colleges imparting instructions in various disciplines leading to the award of Bachelor's and other degree fall under the administrative control of Higher Education Department; and

Whereas, the scheme of Lateral Entry to the 3<sup>rd</sup> Semester of Bachelor's Degree Courses in the Professional Engineering Institution has also been introduced by most of the Institution/Universities in the UT/ State; and

Whereas Pursuant to the introduction of the scheme of Lateral Entry to the 3<sup>rd</sup> Semester of Bachelor's Degree courses in the Professional Engineering Colleges, the Government decided to issue fresh rules and guidelines for implementing the said scheme and notification SRO-396 dated 14<sup>th</sup> of December, 2016 titled ' The Jammu and Kashmir Professional Engineering Colleges (Selection and Admission) Rules, 2016 ' was notified for regulating admission in the Professional Engineering Colleges in the UT/State imparting instruction in various Engineering courses ; and

Whereas, the Government after considering the rules which are in force at present and also considering the law laid down by Hon'ble Supreme Court in its various judgments particularly judgments dated 31-10-2002, passed in writ petition (Civil) 317 of 1993 titled T.M.A. Pai foundation & others V/s State of Karnataka & others read with judgment dated 14-08-2003 passed in writ petition (Civil 350 of 1993 titled Islamic Academy of Education and other V/s State of Karnatka and

others and judgement dated 12-08-2005 Passed in Appeal (Civil) 5041 of 2005 titled P.A. Inamdar and others V/s State of Maharashtra & others, decided to review the existing rules and after consultation with various stakeholders has decided to issue fresh rules.

Now, therefore, the Government of Jammu and Kashmir in pursuance to aforementioned Supreme Court Judgments hereby makes the following rules for regulating the admission in the Professional Engineering Colleges in the Union territory of Jammu and Kashmir imparting instructions in various Engineering courses; namely :—

1. **Short title and commencement.**— (1) These rules shall be called the Jammu and Kashmir Professional Engineering Colleges (Selection and Admission ) Rules, 2024.

2.They shall come into force from the date of its publication in the official Gazette.

2. **Definitions.**— (1) In these rules unless the context otherwise requires,

- (a) **“Advertisement Notice”** means the notification issued by the Competent Authority, inviting applications from the eligible candidate for permission to appear in the Common Entrance Test (CET);
- (b) **“Application Form”** means the form prescribed by the Competent Authority to be submitted by the eligible candidates for appearing in the Common Entrance Examination;
- (c) **“Available Seats”** means the seats, as per the branch-wise intake capacity sanction by the Government and All India Council for Technical Education in each Technical Education Institution against which admissions in first semester are to be made;
- (d) **“BOPEE”** means the Jammu and Kashmir Board of Professional Entrance Examination;
- (e) **“AICTE”** means All India Council for Technical Education, Government of India;
- (f) **“Competent Authority”** means the authority constituted by the Government for the purpose of conducting Common

Entrance Examination and making selections for admission to various Technical /Professional courses in Ist semester;

- (g) **“Engineering Courses”** means the courses as prescribed from time to time by the Government and shall initially include the following:-
- i. Bachelor Degree in Engineering Courses ;
  - ii. Master Degree in Engineering Courses ;
  - iii. Doctoral Degree in Engineering Courses ;
  - iv. Post Doctoral Course in Engineering;
- (h) **“Government”** means the Government of Union Territory of Jammu and Kashmir ;
- (i) **“Government Engineering College”** means a College established and managed by the Government offering Engineering Courses;
- (j) **“Information Brochure”** means a brochure issued to the candidates alongwith the application form containing detailed information regarding the colleges offering the courses, number of seats available in each colleges, the pattern of Common Entrance Examination and the mode of selection besides the conditions of eligibility and other relevant information;
- (k) **“Inter-se –merit”** means the order of merit in respect of various classes /category of candidates;
- (l) **“ITI** means the certified courses offered by the Industrial Training Institutes;
- (m) **“Lateral Entry Scheme”** means admission in 3<sup>rd</sup> semester of a Degree in appropriate branch of Engineering/Technology;
- (n) **“Management Quota”** means the seats equivalent to 15% of intake capacity in each course sanctioned by AICTE/UT Government in Private Unaided Engineering Colleges to be filled by the management of unaided Engineering Colleges on their own subject to the eligibility criteria as prescribed by AICTE/UT Government;
- (o) **“Merit List”** means the list of Candidates who appeared in the Common Entrance Examination drawn up by the competent authority in the descending order of their inter –se merit ;

- (p) **“NRI Quota”** means the quota of seats out of the payment seats to the extent as provided under rule 7 available for selection of Non-Resident Indians/Foreign Students on merit by management of the Private Engineering Colleges;
- (q) **“Private Engineering College”** means a college established/administered by registered Societies, Public Trusts and Religious or Charitable trusts offering Engineering courses;
- (r) **“Supernumerary Seats”** means the seats which are over and above the intake capacity approved by the Government /AICTE, from time to time;
- (s) **“TFW Scheme”** means tuitions Fee Waiver Scheme as notified by AICTE;

(t) **“UT Quota”** means the seats equivalent to 85% of intake capacity in each course sanctioned by AICTE/UT Government in Private Engineering Colleges to be filled simultaneously with available seats in Government Engineering Colleges through Common Entrance Test to be conducted by designated competent authority by the Government for admission in both Government and Private unaided Professional Engineering Colleges; and

- (u) **“UT”** means the Union Territory of Jammu and Kashmir.

**3. Application for admission.**— (1) The application for admission to all the available seats in the engineering courses offered by the Government and Private Engineering Colleges for UT/State quota in the Union territory shall be called for by the Competent Authority .

(2) Private Engineering College offering the courses covered by these rules shall call for applications separately, individually or collectively for admission in “Management Quota” seats.

(3) The application form prescribed by the Competent Authority shall contain a column or a separate sheet wherein the applicant shall indicate his/ her preference for Government Engineering College or Private Engineering College or between the private Institutions as the case may be.

(4) The condition of eligibility for appearing in the Common Entrance Examination shall be same as may be prescribed by the AICTE from time to time.

(5) The Management of Private Engineering college shall not impose or prescribe any further eligibility criteria or condition of admission.

(6) The Competent Authority shall arrange to publish the notification inviting applications for admission in at least two leading dailies of the Union territory (One English and one Vernacular).

**4. Conduct of Common Entrance Examination and Selection for Admission.**— (1) The Competent Authority viz. Jammu and Kashmir Board of Professional Entrance Examinations (BOPEE) shall conduct a Common Entrance examination for selection against available seats in Government and Private Engineering Colleges strictly adhering to the admission schedule notified by AICTE in this regard from time to time.

(2) The Competent Authority shall prepare a common merit list on the basis of inter se merit of the candidate in the common Entrance Examination in the descending order.

(3) The Selection of the candidate for Admission to Engineering courses against UT Quota seats in both Government and Private Engineering colleges shall be made strictly on the basis of their merit in the Common Entrance Test.

(4) The Course and college allocation shall be made, as far as possible, in accordance with the descending order of the preference given by the candidate in his /her application form depending upon the availability of seats as per inter –se merit.

(5) The Course and College allocation once made by the Competent Authority shall be final. The Private Engineering Colleges shall be bound to admit the students so allocated by the Competent Authority .

(6) The selection list to prepared shall be published in at least two leading local dailies of Srinagar and Jammu and it shall also be displayed at the office of Competent Authority in Jammu and Srinagar, besides hosting the same on its official website.

**5. Counseling.**— (1) There shall be two rounds of centralized counseling conducted by the Competent Authority for selection of candidates out of the merit list prepared on the basis of inter se merit in the entrance examination .The Competent Authority shall also prepare a waiting list of the candidates indicating the marks obtained by them in the Common Entrance Examination.

(2) The said waiting list shall be followed for filling up of casual/dropout vacancies as reported to them by the concerned Principals /Head of the Institutions. The second round of counseling should be over by 10<sup>th</sup> of July every year and the admission consequent to this shall be allowed till 15<sup>th</sup> of July every year :-

Provided that all selected candidates must possess the minimum marks prescribed by the AICTE for entrance test conducted by BOPEE.

**6. Filling-up of Vacant Seats.** – After the counseling is completed by the Competent Authority and after the date so fixed for filling of seats, if there remains any vacant seat in UT/State quota, the same shall be filled by the management of concerned private un-aided Engineering Colleges in the following order of preference :-

- (i) Merit in UT/State level entrance Test ;
- (ii) All India Entrance Test, wherever applicable, and
- (iii) Inter-se merit in the qualifying examination at the level of 10+2.

**7. Selection of Candidates against Management Quota seats including NRI Seats:** (1) The management quota seats shall be filled by the respective management of private engineering colleges in accordance with the following order of preference:-

- (i) Merit in UT/State level entrance Test ;
- (ii) All India Entrance Test, wherever applicable, and
- (iii) Inter-se merit in the qualifying examination at the level of 10+2.

(2) Out of the Management Quota, a maximum of 5% of total sanctioned seats of an institution shall be filled up by the Management of Private Engineering College on their own from amongst Non –Resident Indian (NRI) Persons of Indian Origin (PIO) / Foreign National Students and other related categories subject to their eligibility as may be prescribed by AICTE. If NRI candidates is not available, then these seats shall be treated as “Management Quota” seats.

**8. Eligibility Conditions for the lateral Entry.**— (1) Candidate desirous to seek admission under lateral entry scheme must have passed Diploma examination from an AICTE approved Institution with at least 50% marks (40% in case of candidates belonging to reserved category ) in appropriate branch of Engineering /Technology.

(2) Candidates undergoing B.Sc Degree, who are seeking admission under lateral entry scheme must have passed B.Sc. final examination from a recognized University, with at least 50% marks (40% In case of candidates belonging to reserved category ) and passed XII standard with mathematics as a subject:

Provided that the students belonging to B.Sc. Stream, shall clear the subject of Engineering Graphics/ Engineering Drawing and Engineering Mechanis of the Engineering program along with the second year subject:

Provided further that the students belonging to B.Sc. Stream shall be considered only after filling the supernumerary seats in this category with students belonging to the Diploma stream.

**9. Admission Schdule.**— The Competent Authority shall, so far as it is practicable follow the schedule of admission issued by AICTE from time to time.

**10. Selection of Candidate against Lateral Entry Seats.**— The Management of Private Engineering Colleges shall fill up 10% of the sanctioned intake in each discipline in the 3<sup>rd</sup> Semester and shall also fill-up the unfilled vacancies of first year. These Lateral Entry Seats shall be filled up by the Management as per Provisions of these rules.

**11. Structure of Fee Payable.** – (1) The structure of fee for various Engineering Degree Courses in Government Colleges shall be prescribed by the Government from time to time.

(2) The fee for various engineering courses in the Private Engineering Colleges for both UT/State quota, Management Quota and NRI Quota shall be fixed by the Fee Fixation Committee constituted by the Government for the purpose. The said committee shall fix the fee once every 03 years or at such longer intervals as it may think appropriate.

**12. Admission under TFW Scheme.**— Under the Tuition Fee Waiver (TFW) scheme of AICTE, seats upto maximum of 5% of sanctioned intake per course shall be applicable in all the institutions approved by AICTE. These seats shall be supernumerary in nature and will be available to such courses where a minimum of 30% of sanctioned seats in the respective course are filled up.

**13. Reservations.**— While making selections under UT/State Quota seats, reservation shall be made for members of Schdule Caste/Schdule Tribes/Backward Classes or any other reserved category

or class of persons under the provisions of Jammu and Kashmir Reservation act.,2004, the Jammu and Kashmir Reservation Rules 2005 made thereunder.

**14. Power to remove difficulty.**— If any dispute or difficulty arises about the interpretation of any of the provisions of these rules, the decision / interpretation of Higher Education Department , Government of Jammu and Kashmir shall be final and binding.

**15. Repeal and saving.**— (1) The Jammu and Kashmir Professional Engineering Colleges (Selection and Admission) Rules, 2016 are hereby repealed.

(2) Notwithstanding such repeal, any thing done or any action taken under the rules so repealed shall be deemed to have been done or taken under the corresponding provisions of these rules.

By order of the Lieutenant Governor.

Sd/-

DR. RASHMI SINGH, IAS,  
Commissioner Secretary to the Government.