



CIRCULAR

Date	21-08-2018
Subject	Implementation of Reservation Policy relating to admission of Students in the Private Unaided Educational Institutions.

1. The University of Technology was declared as a Private University by the State Legislature Act No. 28 of 2017 vide Reference No. F.2(40) Vidhi/2/2016 Dated 18-05-2017 by State Government of Rajasthan and UGC-Vide Notification No. F.8-20/2017(CPP-1/PU) Dated 21-08-2017 issued by the University Grant Commission, New Delhi does not contain any condition relating to implementation of reservation policy relating to admission of students in the University of Technology.
2. Further, as regards reservation in admission/employment in the private unaided educational institutions, it may be noted that the 7-Judge constitution Bench of the Hon'ble Supreme Court of India has, in its unanimous judgment dated 12.08.2005, in P.A. Inamdar Vs. State of Maharashtra, held (in para-125) that:

As per our understanding, neither in the judgment of Pai Foundation nor in the Constitution Bench decision in Kerala Education Bill which was approved by Pai Foundation there is anything which would allow the State to regulate or control admissions in the unaided professional educational institutions so as to compel them to give up a share of the available seats to the candidates chosen by the State, as if it was filling the seats available to be filled up at its discretion in such private institutions. This would amount to nationalization of seats which has been specifically disapproved in Pai Foundation. **Such imposition of quota of State seats or enforcing reservation policy of the State on available seats in unaided professional institutions are acts constituting serious encroachment on the right and autonomy of private professional educational institutions.** "xxxx xxxx xxxx Merely because the resources of the State in providing professional education are limited, private education institutions, which intend to provide better professional education, **cannot be forced by the state to make admissions available on the basis of reservation policy to less meritorious candidate**"

3. In view of the above legal position, there is no stipulation though and Central Act in regard to communal reservation in admission of students or appointment of employees in the Private Self-Financing Universities.


Registrar
University of Technology
Jaipur (Rajasthan)