

MAHARISHI MARKANDESHWAR (DEEMED TO BE UNIVERSITY)

MULLANA-AMBALA 133-207

(Established under section 3 of the UGC Act, 1956)

(Accredited by NAAC with Grade 'A')

Dated: 10.06.2020

IMPLEMENTATION OF RESERVATION POLICY RELATING TO ADMISSION OF STUDENTS IN THE PRIVATE UNAIDED EDUCATIONAL INSTITUTIONS

1. The Maharishi Markandeshwar (Deemed to be University) was declared as a Deemed to be University by the Central Govt., on the recommendation of the UGC - vide notification No.F.9 -65/2006-U.3 dated **12th June, 2007** issued by the Ministry of Human Resources Development, Govt. of India. The MHRD Notification dated **12th June, 2007** does not contain any condition relating to implementation of reservation policy relating to admission of students in this (Deemed to be University).
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" "xxxxxx xxxxxx xxxxx Merely because the resources of the State in providing professional education are limited, private educational 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 through any Central Act in regard to communal reservation in admission of students or appointment of employees in the Private Self-Financing Deemed Universities.


REGISTRAR
Maharishi Markandeshwar
(Deemed to be University)
Mullana-Ambala 133-207