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भाग—IV

PART—IV

राष्ट्रीय राजधानी राज्य क्षेत्र, दिल्ली सरकार

GOVERNMENT OF THE NATIONAL CAPITAL TERRITORY OF DELHI

विधि, न्याय एवं विचार्यो कार्य विभाग

DEPARTMENT OF LAW, JUSTICE AND
LEGISLATIVE AFFAIRS

अधिसूचना

NOTIFICATION

दिल्ली, 8 जून, 2007

Delhi, the 8th June, 2007

सं. फा. 6/31/97-न्याय/एल जे/07/3600.—दिल्ली उच्चतर न्यायिक सेवा नियमावली, 1970 के नियम 16 (2) के साथ पठित नियम 7 (क) के उपबन्धों का अनुसरण करते हुए, राष्ट्रीय राजधानी क्षेत्र दिल्ली के उपराज्यपाल, दिल्ली उच्च न्यायालय के परामर्श से सुश्री पूनम चौधरी व सुश्री राज रानी मित्रा, दिल्ली न्यायिक सेवा के अधिकारियों को दिल्ली उच्चतर न्यायिक सेवा में उनके कनिष्ठ अधिकारियों के पदोन्नति होने की तिथि से नियमित रिक्त पदों के स्थानों पर अस्थायी आधार पर नियुक्त करते हैं।

No. F. 6/31/97-Jd/LJ/07/3600.—In pursuance of the provisions of rule 7(a) read with rule 16(2) of the Delhi Higher Judicial Service Rules, 1970, the Lt. Governor of the National Capital Territory of Delhi, in consultation with the High Court of Delhi, is pleased to appoint Ms. Poonam Chaudhary and Ms. Raj Rani Mittra, Officers of Delhi Judicial Service to the Delhi Higher Judicial Service against regular vacancies on temporary basis with effect from the date their juniors were promoted.

आगे, उपराज्यपाल महोदय, श्री बी एस चुम्बुक, दिल्ली न्यायिक सेवा के अधिकारी को फास्ट ट्रैक कोर्ट्स के गैर संवर्ग पदों पर तदर्थ आधार पर उनके कनिष्ठ अधिकारियों के पदोन्नति होने की तिथि से, उनके द्वारा इस आशय का वचन देने की शर्त पर नियुक्त करते हैं, कि वह दिल्ली उच्चतर न्यायिक सेवा में उनकी नियमित नियुक्ति के समय कोई वरिष्ठता का दावा नहीं करेंगे।

The Lt. Governor is further pleased to appoint Mr. B. S. Chumbuk, an officer of Delhi Judicial Service to the Delhi Higher Judicial Service on *ad hoc* basis against Ex-Cadre post meant for Fast Track Courts, on his furnishing an undertaking that he will not claim any seniority at the time of his appointment on regular basis in the Delhi Higher Judicial Service, with effect from the date his juniors were promoted.

राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार के उपराज्यपाल के आदेश से तथा उनके नाम पर,

By Order and in the Name of Lt. Governor of the National Capital Territory of Delhi,

बी. एस. माथुर, प्रधान सचिव

B. S. MATHUR, Pr. Secy.

आधार पर संस्थान द्वारा सूचित किए जाने के एक दिन के भीतर अपना निर्णय सूचित करेंगी।

(ix) सम्बद्ध संस्थान उक्त उप-खण्ड (vii) में उल्लिखित कट ऑफ डेट के बाद प्रबंधन कोटा सीटों पर प्रत्याशियों को प्रवेश देने के लिए प्राधिकृत नहीं होगी।

(x) यदि प्रबंधन कोटा सीटों के अन्तर्गत प्रवेश संबंधी कोई विवाद उत्पन्न होता है तो नामोद्विष्ट एजेंसी या सरकार को, जैसी भी स्थिति हो, संस्थान को ऐसे निर्देश जारी करने की अधिक शक्ति होगी जो सम्बद्ध संस्थान पर बाध्य होंगे।

(ख) सुरक्षा कार्मिकों के बच्चे

प्रत्येक अध्ययन कार्यक्रम के अन्तर्गत पांच प्रतिशत स्थान समय-समय पर राज्य सैनिक बोर्ड द्वारा निर्धारित क्रम में सशस्त्र बलों के कार्मिकों की विधवाओं के बच्चों के लिए आरक्षित होंगे।

(ग) शारीरिक रूप से विकलांग प्रत्याशी

प्रत्येक अध्ययन कार्यक्रम के तीन प्रतिशत स्थान निर्धारित प्राधिकरण द्वारा विधिवत् प्रमाणित विकलांगता वाले व्यक्तियों के लिए आरक्षित होंगे।

(घ) दिल्ली से बाहर स्थानान्तरण होने वाले व्यक्तियों के बच्चे

किसी अध्ययन कार्यक्रम में 0.5 प्रतिशत स्थान सरकार/विधान मण्डल/दिल्ली न्यायिक सेवा में कार्य कर रहे और दिल्ली से बाहर स्थानान्तरण होने वाले कर्मचारियों के बच्चों के लिए आरक्षित होंगे।

(ङ) अधिसंख्यक स्थान

(i) सक्षम सौविधिक प्राधिकरण से यथा अपेक्षित क्लीयरेंस के अनुसार प्रत्येक कार्यक्रम में पांच प्रतिशत अधिसंख्यक स्थान उन संस्थाओं में अनिवासी भारतीय के बच्चों के लिए निर्धारित होंगे जो पर्याप्त स्थान और मूलभूत संरचना वाले स्थायी शिविरों में चल रहे हैं और जिन संस्थाओं ने अनिवासी भारतीय श्रेणी में छात्रों को प्रवेश देने के लिए सरकार से इस आशय का विशेष "अनापत्ति प्रमाण पत्र" प्राप्त कर लिया है। अनिवासी भारतीय कोटा स्थानों में प्रवेश सरकार द्वारा अधिसूचित को जाने वाली प्रक्रिया के अनुसार मैरिट पर होगा।

(ii) प्रत्येक संस्थान में एक स्थान कश्मीरी प्रवासियों के लिए चिह्नित किया जाएगा तथा उसके लिए प्रवेश नामोद्विष्ट एजेंसी द्वारा आयोजित सामान्य प्रवेश परीक्षा के माध्यम से मैरिट पर अधिारित होगा तथा 11 जून, 2001 तक दिल्ली में पंजीकृत प्रवासी को प्राथमिकता दी जाएगी। इस कोटे के लिए प्रवेश प्राप्त करने हेतु सक्षम प्राधिकारी से प्रमाण पत्र उम्मीदवार द्वारा कार्डोसलिंग या प्रवेश के समय, जैसी भी स्थिति हो प्रस्तुत किया जाएगा। नामोद्विष्ट एजेंसी उस विधा तथा यूनिट को चिह्नित करेगी जिसमें किसी संस्थान द्वारा ऐसी अधिसंख्यक स्थान चिह्नित किया जाना है।

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(iii) अधिसंख्यक संस्थानों के लिए मैरिट के आधार पर भरे जाने वाले स्थान की प्रतिशतता संस्थान के प्रबंधन वर्ग द्वारा निर्णित की जाएगी तथा शेष स्थान गैर-अधिसंख्यक संस्थानों के लिए निर्धारित पद्धति के अनुसार भरे जाएंगे। इस प्रकार निर्णित स्थानों की प्रतिशतता संस्थान के प्रबंधन वर्ग द्वारा नामोद्विष्ट एजेंसी को अध्ययन के संबंधित कार्यक्रम हेतु कार्डोसलिंग के प्रारम्भ होने से कम से कम एक माह पूर्व भेजी जाएगी।

राष्ट्रीय राजधानी क्षेत्र दिल्ली के उप-राज्यपाल के आदेश से तथा उनके नाम पर,

डॉ. जी. नरेंद्र कुमार, सचिव

DEPARTMENT OF HIGHER EDUCATION

NOTIFICATION

Delhi, the 8th June, 2007

No. F. DHE.4(33)/2006-07/40.—In exercise of the powers conferred by Section 23 of the Delhi Professional Colleges or Institutions (Prohibition of Capitation Fee, Regulation of Admission, Fixation of Non-Exploitative Fee and Other Measures to Ensure Equity and Excellence) Act, 2007, the Government of National Capital Territory of Delhi hereby makes the following rules, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Delhi Professional Colleges or Institutions (Prohibition of Capitation Fee, Regulation of Admission, Fixation of Non-Exploitative Fee and Other Measures to Ensure Equity and Excellence) Rules, 2007.

(2) They shall come into force with effect from the date of their publication in the Delhi Gazette.

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

(a) "Act" means the Delhi Professional Colleges or Institutions (Prohibition of Capitation Fee, Regulation of Admission, Fixation of Non-Exploitative Fee and Other Measures to Ensure Equity and Excellence) Act, 2007 (Delhi Act 8 of 2007);

(b) "admission brochure" means the bulletin or booklet or prospectus mentioning various details pertaining to various activities regarding the University, its affiliated institutions, details of courses therein, their eligibility criteria for admission and other details with respect to professional degree courses, etc. and issued by or with the approval of the University/ designated agency for an academic year;

(c) "admission counselling" means the process of calling upon qualified applicants to give their choices of preferred branches/courses and

allotting seats based on relative merits and preferences of applicants:

- (d) "Chairperson" means the Chairperson of the Admission Regulatory Committee constituted under Section 4 or the Chairperson of the Fee Regulatory Committee constituted under Section 6 of the Act, as the case may be;
- (e) "member" means a member of the Admission Regulatory Committee constituted under Section 4 or a member of the Fee Regulatory Committee constituted under Section 6, as the case may be;
- (f) "persons with disabilities" means persons with disabilities as defined in the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1) of 1996;
- (g) "programme of study" includes all the units of a discipline of study in an institution;
- (h) "qualified applicants" means those applicants who fulfil the qualifications as laid down under Section 13 of the Act;
- (i) "qualifying examination" means the examination specified in the admission brochure and approved by the designated agency as the qualifying examination for a specific course of study;
- (j) "rank ordering" means ordering of qualified applicants in descending order of merit;
- (k) "section" means a Section of the Act;
- (l) Words and expressions used but not defined in these rules and defined in the Act shall have the same meanings respectively assigned to them in the Act.

3. *Terms and conditions of service of the Chairperson and members of the Admission Regulatory Committee.*—(1) The Chairperson of the Admission Regulatory Committee shall be entitled to receive such allowances and at such rates as may be fixed by the Government.

(2) The members of the Admission Regulatory Committee shall be paid sitting fees for attending the meetings thereof at such rates as may be fixed by the Government.

(3) The Chairperson and members of the Admission Regulatory Committee shall be entitled for travelling allowances and daily allowances at the rates as applicable to Group 'A' officers of the Government.

4. *Meetings of the Admission Regulatory Committee.*—The Admission Regulatory Committee shall

meet at such interval as may be decided by the Chairperson of the said Committee or as may be resolved by at least one-half of its members.

5. *Terms and conditions of service of the Chairperson and members of the Fee Regulatory Committee.*—(1) The Chairperson of the Fee Regulatory Committee shall be entitled to receive such allowances and at such rates as may be fixed by the Government.

(2) The members of the Fee Regulatory Committee shall be paid sitting fees for attending the meetings thereof at such rates as may be fixed by the Government.

(3) The Chairperson and members of the Fee Regulatory Committee shall be entitled for travelling allowances and daily allowances at the rates admissible for Group " " officers of the Government.

6. *Meetings of the Fee Regulatory Committee.*—The Fee Regulatory Committee shall meet at such interval as may be decided by the Chairperson of the said Committee or as may be resolved by at least one-half of its members.

7. *Educational qualification for admission to professional courses.*—The educational qualifications for admission to various courses shall be as specified in the admission brochure for admission to the concerned course. In case of courses not affiliated to a University, the guidelines, instructions and norms, if any, of the concerned statutory bodies or the Government shall be applicable.

8. *Allotment of seats.*—(1) Allotment of seats in an unaided professional college or institution shall be made college or institution-wise for each course.

(2) Every institution other than a minority institution, shall provide for seats in respect of management quota, wards of defence personnel, persons with disability and others in the manner as described below :

(a) *Management Quota :*

- (i) The Chairman or Secretary of the highest management body of the institution shall furnish an affidavit to the designated agency, mentioning therein that they have followed the procedure laid down in the Act and these rules in a transparent manner and that they have done so without any prejudice or undue favour. Such an affidavit shall accompany the list of successful candidates under management quota, to be lodged with the University in the manner laid down in sub-clause (viii).
- (ii) The institution shall advertise the admission notice for management quota seats in at least two leading daily newspapers, one in Hindi and the other in English in addition to displaying the same on the institution's website and the institution's notice board, kept at a conspicuous place. The admission notice shall be displayed at least a fortnight before the last date for closing of admission for the concerned course in the

University and shall include therein information necessary for the students seeking admission to management quota seats. The admission notice shall include therein the place from which admission forms will be available, the date, time and manner for submission of completed applications and the schedule for various admission processes and counselling. Prospective applicants shall be given a period of at least eighteen days to apply for seats under the management quota, in the aforementioned manner.

- 1st Counselling*
- (iii) While calculating the management seats, fraction less than 0.7 shall be ignored and above that converted into one full seat.
- (iv) Based on the aggregate marks obtained by qualified applicants at the qualifying examination, the institution concerned shall prepare and display the rank ordered merit list of such applicants on the institution's website and notice board kept at a conspicuous place of the institution, within two days of the closing date for receipt of the management quota applications. The criteria for rank ordering of applicants with a tie in the qualifying examination's aggregate marks shall be the same as those laid down in the admission brochure or as laid down by the designated authority.
- (v) Based on the merit list so drawn up, the institution concerned shall conduct admission counselling for allotment of branches/courses to qualified applicants within a period of three days of drawing up of the merit list of qualified management quota applicants. Such admission counselling will, however, be subject to the condition that there shall not be more than two rounds of counselling. The list of applicants who will be called for a given round of admission counselling shall be displayed on the institution's website and notice board, kept in a conspicuous place.
- (vi) Following the conduct of admission counselling, the list of applicants admitted to the management quota seats made on the basis of the merit list drawn up in the aforementioned manner and the balance of the management quota seats in each course shall be published at the end of each round of counselling on the website of the institution as well as that of the designated agency. A copy of such list shall be displayed on the notice board of the designated agency as well as that of the institution, kept at a conspicuous place for the information of the candidates and others. The list of the candidates being called for the first round of counselling shall be displayed in the aforementioned manner

alongwith the merit list, indicating therein the date, time and place at which the counselling will be held. The date, time and place of the second round of counselling will be displayed alongwith the list of candidates admitted in the first round of counselling:

2nd Counselling

Provided that the second round of counselling shall commence only twelve hours after publication of the list of applicants admitted in the first round of counselling and the discipline/course-wise balance of seats.

- (vii) The last date to fill up the management quota seats will be nine calendar days after the last date for regular admissions in the University and the concerned course.
- (viii) All admissions made to the management quota seats shall be provisional and will need ratification by the designated agency, which will convey its decision within a day of being informed by the institution of the list of successful candidates and the basis of their selection as per procedure mentioned herein before.
- (ix) The affiliated institutions shall not be authorized to admit candidates against the management quota seats after the cut-off date fixed as mentioned in sub-clause (vii) above.
- (x) If any dispute arises with regard to the admission under the management quota seat(s), the designated agency or the Government, as the case may be, shall have the overriding power to issue directions to the institution which shall be binding upon the institution concerned.

(b) Wards of Defence Personnel

Five per cent of the seats under each programme of study shall be reserved for widows/ wards of personnel of Armed Forces in the order prescribed by the Rajya Sainik Board from time to time.

(c) Physically Challenged Candidates

Three percent of seats for each programme of study shall be reserved for persons with disability, duly certified by the prescribed authority.

(d) Wards of persons with liability of transfer outside Delhi

0.5% of the seats in a programme of study shall be kept reserved for the wards of employees working in the Government/Legislature/Judicial Services of Delhi and having liability for transfer outside Delhi.

(e) Supernumerary seats

- (i) Subject to the clearances as may be required from the competent statutory authorities, five

per cent supernumerary seats in each programme will be earmarked for the wards of non-resident Indians in institutions which are being run from permanent campuses having adequate space and infrastructure and in institutions which have received specific 'No Objection Certificate' to that effect from the Government for admitting students from non-resident Indians category. Admissions to non-resident Indian quota seats shall be on merit as per procedure to be notified by the Government.

- (ii) One seat will be earmarked for Kashmiri migrants in each institution and admission for the same shall be based on merit through common entrance test conducted by the designated agency, preference being given to a migrant registered in Delhi upto the 11th day of June, 2001. A certificate from the competent authority for availing admission against this quota shall be produced by the candidate at the time of

counselling or admission, as the case may be. The designated agency shall earmark the branch and the unit in which such supernumerary seat is to be earmarked by an institution.

- (iii) For minority institutions, percentage of seats to be filled up on the basis of merit shall be decided by the management of the institution and the remaining seats shall be filled up as per the laid down procedure prescribed for the non-minority institutions. The percentage of seats so decided shall be communicated by the management of the institution to the designated agency at least a month before the commencement of the counselling for the concerned programme of study.

By Order and in the Name of the
Lt. Governor of the National Capital
Territory of Delhi,

Dr. G. NARENDRA KUMAR, Secy.