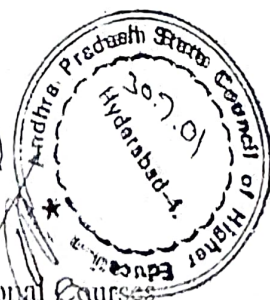


G.O.

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT



Technical Education - EAMCET Engineering and other Professional Courses admissions - Implementation of reservations for SC/ST/BC's in Engineering and other professional courses - Certain instructions - Issued.

HIGHER EDUCATION(EC.2)DEPARTMENT

31.7.01

G.O.R.No.550.

Dated:30-07-2001

Read the following:

1. G.O.Ms.No.184 Edn. dt.20-08-1993.
2. Supreme Court order dt.15-2-1996 in W.P. (C) No. 693 of 1995
3. A.P. High Court Order dt.23-2-2000 in W.P.No.26404 of 1999 & W.A.No.795 of 2000 & Batch
4. From the CTE., Al. Hyd. Letter No.H2/8216/2001 Dt. 6-6-2001.

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ORDER:-

The Commissioner of Technical Education, Andhra Pradesh, Hyderabad is informed that the issue of implementing reservations to Scheduled Castes/Scheduled Tribes/Backward Classes in Engineering Admissions has been examined in detail in the light of the judgement of the Supreme Court in Ritesh R. Shah Vs Dr.Y.L.Yamul AIR 1996 SC 1378 which was relied by the High Court of Andhra Pradesh in its judgement, dated 23-2-2000 in W.P.No. 26404 of 1999 & W.A.No. 795/2000 and batch and also in consultation with Backward Classes Welfare Department. The Legislature Committee on Welfare of Backward Classes in its meeting held on 24-01-2001 has also discussed about the procedure adopted for the implementation of Backward Classes reservations for admission in Engineering Colleges and other professional courses and observed that the same procedure be adopted as followed in the admissions in the M.B.B.S. course. Besides this, there are certain representations from Backward Classes Welfare Association requesting to follow the judgement of the Hon'ble Supreme Court in Ritesh Shah's case in Engineering admissions and to implement the rule of reservation for Scheduled Caste/Scheduled Tribe/Backward Classes in true spirit.

2. The Andhra Pradesh Professional Educational Institutions (Regulation of Admission into Under-graduate Professional courses through Common Entrance Test) Rules, 1993 issued in G.O.Ms.No. 184 Education dated.20-08-1993 stipulate the following reservations, namely:-

(i) SC's 15%

(ii) ST's 6%

(iii) BC's 25% and shall be allocated among the four groups of Backward Classes as follows:-

i) Group A - 7 %

ii) Group B- 10%

iii) Group C - 1%

iv) Group D - 7%

3. In the case of 'Ritesh R.Shah Vs. Dr.Y.L.Yamul and others' (A.I.R. 1996 S.C. 1378) the Supreme Court held as follows:-

"A student who is entitled to be admitted on the basis of merit though belonging to a reserved category cannot be considered to be admitted against seats reserved for reserved category. But at the same time the provisions should be so made that it will not work out to the disadvantage of such candidate and he may not be placed at a more disadvantageous position than the other less meritorious reserved category candidates. The aforesaid objective can be achieved if after finding out the candidates from amongst the reserved category who would otherwise come in the open merit list and then asking their option for admission into the different colleges which have been kept reserved for reserved category and there after the cases of less meritorious reserved category candidates should be considered and they will be allotted seats in whichever colleges the seats should be available. In other words, while a reserved category candidate entitled to admission on the basis of his merit will have the option of taking admission in the colleges where a specified number of seats have been kept reserved for reserved category but while computing the percentage of reservation he will be deemed to have been admitted as an open category candidate and not as a reserved category candidate".

4 Keeping in view of the judgement of the Supreme Court, the High Court in its order dated 23.2.2000 in batch of W.P. Nos. including