

महाराष्ट्र शासन
सक्षम प्राधिकारी तथा प्रधान सचिव
अल्पसंख्याक विकास विभाग,
मंत्रालय, मुंबई - ४०० ०३२.

क्रमांक:अशैसं-२००९/ १२२६/प्र.क्र.३९/२००९/का.१,

दिनांक :- ४ मार्च, २०१०

अल्पसंख्याक दर्जाच्या मान्यतेचे प्रमाणपत्र

शेठ त्रिभुवनदास जमनादास एज्युकेशन सोसायटी, कलेक्टर ऑफीसच्या मागे, खारकर आळी, ठाणे (प), या शैक्षणिक संस्थेने त्यांच्या संस्थेस भाषिक अल्पसंख्याक शैक्षणिक संस्था म्हणून दर्जाच्या मान्यतेचे प्रमाणपत्र मिळण्यासाठी दि.२३.१२.२००९ रोजी अर्ज सादर केला होता. दि.४.०३.२०१० रोजी माझ्या समक्ष संबंधित संस्थेसोबत झालेल्या सुनावणी दरम्यान संस्थेच्या पदाधिकार्यांनी केलेल्या सादरीकरणाच्या आधारे सदर संस्था ही अल्पसंख्याक विकास विभाग, शासन निर्णय, क्र.अशैसं-२००८/ प्र.क्र.१३३/२००८/का.१, दि.४ जुलै, २००८ अन्वये विहित करण्यात आलेल्या निकषांतर्गत राज्य शासनाने घोषित केलेल्या भाषिक (गुजराथी) अल्पसंख्याकामधील व्यक्तीकडून अथवा व्यक्तीच्या समुदायाकडून स्थापित व संचालित करण्यात येत असल्याबाबत माझे समाधान झाले आहे. परिणामतः सदर संस्था ही भारतीय संविधानाच्या कलम ३० अन्वये अल्पसंख्याक शैक्षणिक संस्था असल्याचे याद्वारे घोषित करण्यात येत आहे.

हे प्रमाणपत्र केवळ महाराष्ट्र राज्यापुरते लागू असेल. सदर संस्थेस प्रदान करण्यात आलेला भाषिक अल्पसंख्याक दर्जा हा संस्था संचालित करत असलेल्या सर्व शैक्षणिक शाखांना लागू राहिल.

उपरोल्लेखित शैक्षणिक संस्थेस याद्वारे प्रदान करण्यात आलेला भाषिक अल्पसंख्याक दर्जा हा शैक्षणिक वर्ष २००९-१० पासून विधिग्राह्य असेल. संबंधित संस्थेने अल्पसंख्याक विकास विभाग, शासन निर्णय, क्र.अशैसं-२००८/प्र.क्र.१३३/२००८/का.१, दि.४ जुलै, २००८ अन्वये विहित करण्यात आलेल्या निकष व अटीची सातत्याने व विनिर्देशपूर्वक पूर्तता करणे बंधनकारक राहिल.

टी.एफ. थेंकेकरा

(टी. एफ. थेंकेकरा)

सक्षम प्राधिकारी तथा प्रधान सचिव
अल्पसंख्याक विकास विभाग, महाराष्ट्र शासन
मंत्रालय, मुंबई - ४०० ०३२.



University of Bombay



No. CONCOL/2433 of 1993

BOMBAY- 400 032.

07/5 May, 1993.

The President,
Seth T.J.Edu. Soc.'s
College of Commerce,
Near C.K.P. Hall,
Kharkar Ali,
Thane- 400 601.

Sub : Grant of Minority Status.

Ref : Your letter No. SOC/198/92-93 dated
1st December, 1992.

Dear Sir,

Please refer to your letter mentioned above, enclosing therewith an affidavit sworn in by you alongwith the amended copy of Rules and Memorandum of Society and claiming the minority status in respect of your Seth T.J. Edu. Society college of commerce at Thane.

The above documents have been verified and I am directed to inform you that -

- i) The affidavit has been accepted;
- ii) the condition (ii) and (iii) of the condition ~~x~~ attached to revised scale of pay of teachers vide Appendix II of the University circular No. 192 dated 7.6.1978~~8~~ are relaxed in favour of your above college (Seth T.J. Edu. Society College of Commerce) in so far as they relate to composition of selection committee for recruitment of teachers and principal,
- iii) that the other provisions of the said condition such as appointments on the basis of All India Advertisement, qualifications, etc. shall however, apply to the said college.

Yours faithfully,


REGISTRAR

yny/5593

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1726 OF 2001

- 1 St. Xavier's College
through its Principal,
Fr. J.M. Dias,
Mahapalika Marg,
Mumbai 400 001.
- 2 Maharashtra Association of Minority
Educational Institutions
a Society registered under the
Societies Registration Act, 1860
through its President and having
its office at Kashmirira Road,
Thane – 401 104.Petitioners

V/S

- 1 University of Mumbai
Through its Vice Chancellor,
Fort, Mumbai 400 023.
- 2 The Registrar,
University of Mumbai
Fort, Mumbai – 400 023.
- 3 State of Maharashtra
through Government Pleader
Annexue Building, High Court,
Bombay.Respondents

Dr.Birenda Saraf with Mr.Jai Chhabria, Mr. Vishesh Malviya and
Ms.Ayushi Anandpara i/by Federal & Rashmikant for Petitioners.
Mr.Rui Rodrigues for Respondent Nos.1 & 2.
Mr.Abhay Patki, Addl.Govt.Pleader for Respondent No.3.

**CORAM : A.A. SAYED &
M. S. KARNIK, JJ**
DATE : 12 OCTOBER 2017

JUDGMENT: (Per A.A.Sayed, J.)

The challenge in this Petition under Article 226 of the Constitution is to the Circular dated 30-05-2001 issued by the Respondent No.1 University directing reservation for students belonging to backward classes in educational institutions conducting courses in Arts, Commerce, Science and other professional courses affiliated to the Respondent No.1 University including such educational institutions established and administered by minorities.

2. The Petitioner No.1 is a College established by the Bombay St.Xavier's College Association which imparts education to students pursuing degree courses in Arts, Science and Commerce streams, registered under the Societies Registration Act, 1860 and the Bombay Public Trust Act 1960. The Petitioner No.2 is the

17 To sum up, upon insertion of Article 15(5) to the Constitution, the 'minority' educational institutions (both aided and unaided) are exempted from enforcement of the reservation policy of the State in respect of backward class of citizens as interpreted by the judgments of the Constitution Benches of the Apex Court in **Ashoka Kumar Thakur vs. Union of India** (supra) and **Pramati Educational and Cultural Trust vs. Union of India** (supra), whilst upholding the validity of Article 15(5) of the Constitution.

18. The upshot of the above discussion is that the impugned Circular to the extent it provides for reservation of seats for students of backward class for admission in minority colleges, cannot be sustained. The impugned Circular is violative of Article 30(1) read with Article 15 (5) of the Constitution of India. Hence, the following order:

ORDER

- i) The Writ Petition is allowed.
- ii) The impugned Circular dated 30/05/2001 to the extent it provides 50% reservation of seats for backward class

students for admission to all courses as mentioned in the impugned Circular in minority colleges is quashed and set aside.

- iii) Rule is made absolute accordingly. There shall be no order as to costs.
- (iv) It is clarified that we have not gone into the issue whether the members of the Petitioners' Association, list whereof is annexed to the Petition, are in fact minority institutions and the verification in that regard is left to the Respondents.

(M.S.KARNIK, J.)

(A.A.SAYED, J.)



सत्यमेव जयते

University of Mumbai



No. Aff./Recog./Admission/ (2018-19) /10/ of 2018

C I R C U L A R :-

The Principal of the affiliated colleges in Arts, Science, Commerce and Co-ordinator University sub center are hereby informed to follow the procedure of admission scrupulously.

1. The reservation for different reserved categories are as under % allocation seats:-

i)	13% Seats	: S.C.
ii)	7% Seats	: S.T.
iii)	3% Seats	: D.T. (A)
iv)	2.5% Seats	: N.T. (B)
v)	3.5% Seats	: N.T. (C)
vi)	2% Seats	: N.T. (D)
vii)	19% Seats	: O.B.C.
viii)	A) Women	: As per circular No. aff/Recog./322 of 2000 dated 7 th September, 2000

B) S.B.C. : 2% As per circular No.

BCC/29/334 of 1997 dated
25th September, 1997

C) Physically Handicapped : As per circular No.

Special Cell/2/2008 dated
25th January, 2008

ix) 3% Seats : खालील संवर्गातील (परिपत्रक क्रमांक मान्यता/संलग्नता/निर्देश/२२१
दिनांक ६.६.१९९८ प्रमाणे)

१. बदलून आलेले केंद्रीय / राज्य शासकिय कर्मचारी / अधिकारी यांचे पाल्य
२. संरक्षण दलातील आजी / माजी सैनिकांचे पाल्य
३. राष्ट्रीय / राज्य पातळीवर किडा व संस्कृतिक कार्यक्रमात विशेष नैपुण्य मिळवलेले विद्यार्थी
४. विधवा / अशक्त विद्यार्थिनी
५. स्वातंत्र सैनिकांचे पाल्य / मातवंडे

x. Two supernumerary seats for students from Jammu & Kashmir as per University Circular No. Aff/ICC/2012-13/22 dated 8th January, 2013

2. The Quota:-

Minority Colleges

अल्पसंख्यांक संस्थेमधील प्रवेशाबाबत सेंट झेविअर्स कॉलेज आणि महाराष्ट्र असोसिएशन ऑफ मायनॉरिटी एज्युकेशनल इन्स्टिट्युशन v/s मुंबई विद्यापीठ आणि स्टेट ऑफ महाराष्ट्र यांनी मा. उच्च न्यायालयात सादर केलेल्या याचिका क्र. १७२६/२००१ बाबत दिनांक १२/१०/२०१७ रोजी दिलेल्या निकालानुसार प्रवेश प्रक्रिया राबवावी.

1. In house Students be admitted first as per practice followed in the preceding years for admission to F.Y.B.A./ B.Sc./B. Com. Classes only.

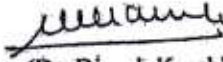
2. Fees:- Strictly as prescribed by the University . Further fees be charged from Reserved category students as per circular no वि.क./भासशि(२४)/३६०/२००४ दिनांक २५ ऑगस्ट, २००४ and circular no वि.क./भासशि/पदवि/२/२०१३ दिनांक ७ जून, २०१३

3. No. Colleges shall conduct its own CET test for admission to any course of University unless it is an autonomous college.

Further, they are requested to form the Admission cell/ Committee Comprising of Senior Teaching Staff inclusive of representative of Reserved Category for smooth conduct of the admission process. The vacant representative seats should be indicated on notice board and to be converted as per the prescribed procedure.

They are further informed that the communication regarding Centralized Admission Co-ordination Cell for admission to the Students deprived/ unable to seek admission at the F.Y.B.A., F.Y.B.Sc & F.Y.B.Com etc. classes during the academic year 2018-19, will be issued separately.

Merit list of reserved category should be displayed separately and category wise as per admission schedule.


(Dr. Dinesh Kamble)
I/o REGISTRAR

Mumbai-400-032
30th May, 2018

To,
The Principals of the all affiliated colleges in Arts, Science, Commerce, Management and Co-ordinator University sub centers for information and necessary action.

Copy forwarded for information to:-

1. The Deputy Registrar, Enrollment Section
2. The Deputy Registrar, (Public Relation)
3. The Deputy Registrar, Special Cell
4. The Co-ordinator, W.C.C., Vidyanagari
5. E.S. to Vice-Chancellor
6. P.A. to Pro-Vice-Chancellor
7. P.A. to Director, (A&P)
8. P.A. to Registrar
9. P.A. to Director of Examination & Evaluation
10. P.A. to F & A.O.
11. P.A. to Director, IDOL
12. Receptionist/ Telephone Operators (Fort/Vidyanagari/Campus)