

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

BACKWARD CLASSES WELFARE DEPARTMENT - Guidelines for implementation of 10% Reservation to the Economically Weaker Sections for admissions into Educational Institutions for the academic year 2019-20 - Orders - Issued.

BACKWARD CLASSES WELFARE (F) DEPARTMENT

G.O.Ms.No. 60.

Dated: 27.07.2019

Read the following: -

1. From the Ministry of Law and Justice (Legislative Department), the Constitution (One Hundred and Third Amendment) Act, 2019, Dt:12.01.2019.
2. From the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), Government of India, Office Memorandum F.No.36039/1/2019-Estt (Res.) Dt: 19.01.2019.
3. Act No.14 of 2019, Dated.20.02.2019 and Act No.15 of 2019, Dated.20.02.2019, published in PART IV-B EXTRAORDINARY, Dated: 20th February 2010.
4. G.O.Ms.No.45, and G.O.Ms.No.46, BCW(F) Dept., Dated: 08.03.2019.
5. G.O.Ms.No.52, BC Welfare (F) Dept., Dated: 06.05.2019.
6. W.P. (CIVIL) No. 343 of 2019 with I.A.No. 45038/2019 filed by Sri P.V. Ramakrishna and others before the Hon'ble Supreme Court of India.
7. W.P. No. 4568 of 2019 filed by Dr. Gajula Madhusudana and others before the Hon'ble High Court of Andhra Pradesh.
8. W.P. No. 5206 of 2019 filed by Dr. Gajula Madhusudana and others before the Hon'ble High Court of Andhra Pradesh.
9. W.P. No. 8556 of 2019 filed by Sri Kalle Chandra Sekhar Sharma and Smt. Kalle Mitravinda before the Hon'ble High Court of Andhra Pradesh.

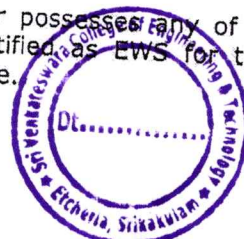
ORDER:

The Government of India, in the reference 1st read above, has brought out the Constitution (One Hundred and Third Amendment) Act, 2019 inserting Clauses 15 (6) and 16 (6) in the Constitution providing for 10% reservation in admissions into Educational Institutions and appointments to posts in favour of Economically Weaker Sections of citizens other than the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes.

2 In pursuance of the Constitution (One Hundred and Third Amendment) Act, 2019, the Government of India have, in the reference 2nd read above, prescribed the eligibility criteria to get the benefit of 10% reservation in admissions into Educational Institutions and appointments to posts provided in favour of Economically Weaker Sections of citizens other than the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes among others which are as follows:

1) The persons who are not covered under existing scheme of reservations for the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes and whose gross annual family income is below Rs.8.00 lakh are to be identified as EWS for the benefit of reservation.

2) The persons whose family owns or possesses any of the following assets shall be excluded from being identified as EWS for the benefit of reservation, irrespective of the family income.



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- i. Five (5) Acres of agricultural land and above.
- ii. Residential flat of 1000 Sq. Ft. and above.
- iii. Residential plot of 100 Sq. Yards and above in notified Municipalities / Corporations.
- iv. Residential plot of 200 Sq. Yards and above in areas other than notified Municipalities / Corporations.

The property held by a "Family" in different locations or different places/cities would be clubbed while applying the land or property holding test to determine EWS status.

The term "Family" for this purpose will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years.

3. After passing of the Constitution (One Hundred and Third Amendment) Act, 2019, the Government of Andhra Pradesh have bifurcated the 10% reservation and brought out two Acts, namely, Act No.14 of 2019, Dated.20.02.2019 and Act No.15 of 2019, Dated.20.02.2019, providing for 5% reservation to Economically Weaker Sections among Kapus and 5% reservation to Economically Weaker Sections among other than Kapus respectively, towards admissions into Educational Institutions and appointments to posts in the Public Services under the State. There shall be 1/3rd horizontal reservation for women within in the reservation provided both to Kapus and other than Kapus.

4. In the reference 4th read above, the Government have issued orders bringing the provisions of the Act 14 of 2019 and Act 15 of 2019 into force with effect from 08.03.2019.

5. In the reference 5th read above, Government have constituted a Committee for formulation of draft guidelines for implementation of 5% reservation provided to Economically Weaker Sections among Kapus and 5% reservation provided to Economically Weaker Sections other than Kapus.

6. Meanwhile, a Writ Petition bearing No. WP (CIVIL) No. 343 OF 2019 with I.A.NO. 45038/2019 has been filed before the Hon'ble Supreme Court of India praying for quashing the Constitution (One Hundred and Third Amendment) Act, 2019 as violative of basic structure of the Constitution and also quashing Act 14 & Act 15 of 2019 enacted by Government of Andhra Pradesh as being violative of Articles 15 (1) & 16 (2) of the Constitution.

7. In the reference 7th & 8th read above, two Writ Petitions have been filed before the Hon'ble High Court of Andhra Pradesh praying for issuing an appropriate Writ or Order or direction more particularly one in the nature of Writ of Mandamus to the respondents to notify the Rules for implementing the 10% reservation provided to Economically Weaker Sections among Kapus and other than Kapus in Act No.14 of 2019 and Act No.15 of 2019 enacted by the State of Andhra Pradesh.

8. In the reference 9th read above, one more Writ Petition has been filed before the Hon'ble High Court of Andhra Pradesh praying for issuing an appropriate Writ or Order or direction more particularly one in the nature of Writ of Mandamus declaring Act No.14 of 2019 and Act No.15 of 2019 as ultra vires and un-constitutional, violative of the purport of the 103rd Constitutional Amendment Act, 2019 and violative of Article 15 of the Constitution of India and consequently, Act No.14 of 2019 and Act No.15 of 2019, have to be struck down. The Hon'ble High Court of Andhra Pradesh passed the following interim orders in this case;

"Notice before admission.

Petitioners filed the Writ Petition seeking Mandamus declaring Act No.14 and Act 15 of 2019, as ultra vires, unconstitutional, violative of the purport of the 103rd Constitutional Amendment. violative of



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Article 15 of the Constitution of India and consequently to strike down Act 14 and Act 15 of 2019.

Petitioners also sought interim relief, to direct the Respondents 6 and 7 to follow 103rd Constitutional Amendment Act during admissions into Medical and Engineering Courses and allot seats in the supernumerary seats created by the 4th Respondent, only in accordance with the policy of the 4th Respondent, with regard to Economically Weaker Sections, pending disposal of the writ petition.

It is the case of the petitioners that Act 14 and Act 15 of 2019, creating reservation in Educational Institutions to Kapu community based on their economic backwardness, is contrary to the 103rd Amendment.

In fact, it is brought to the notice of the Court that a petition challenging 103rd Constitutional Amendment is pending before the Honourable Supreme Court, but the main contention is that Act 14 and Act 15 are inconsistent with the purport of 103rd Constitutional Amendment. At this stage, it is not possible to decide the core issue i.e. the vires of Act 14 and 15 of 2019, making another class within the original class, without inviting counter-affidavit from the respondents.

Therefore, there shall be a direction to the respondents to complete the admission process, pending further orders, subject to the result of the Writ Petition, by obtaining an undertaking from the petitioners to the effect that in case the petitioners do not succeed in the writ petition, they shall not claim any equities in future based on the admissions.

Post after three weeks, by which time respondents shall file their counter-affidavits".

9. In view of the above Government hereby decided to fill up the EWS quota of supernumerary seats in Higher Educational Institutions in accordance with 103rd Constitutional Amendment Act, 2019 and the guidelines issued by Govt., of India vide Office Memorandum F.No.36039/1/2019-Estt(Res.) Dated: 19.01.2019. The guidelines relevant for current academic year 2019-2020, in regard to the subject matter consistent with 103rd Constitutional Amendment, would read as under:

- i. All Castes which are not covered under any reservation category (SC / ST / BC) are entitled to avail of the reservation facility under EWS Category.
- ii. The students admitted under EWS Category will be adjusted against the 10 percent of the sanctioned seats granted additionally, as is followed by the Government of India. However, 1/3rd (33 1/3) of the seats enhanced for the purpose of accommodating the EWS Category students shall be earmarked to women among them.
- iii. The model format of the EWS Certificate prescribed by Government of India in Annexure-I vide their O.M.No.36039/1/2019-Estt. (Res), Dated: 31-1-2019 shall be followed along with the conditions referred in para 2 above.
- iv. The persons seeking the benefit of reservation under EWS category shall obtain the necessary EWS Certificate issued by the Tahsildar concerned.
- v. The eligibility conditions for a person to avail of the facility of EWS reservation are the same as fixed by the Government of India as referred in Para 2 above:

10. Further, in regard to implementation of reservations to EWS Category in appointments to the posts or services under State, necessary orders will be issued separately.

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11. All the Administrative Departments concerned / Districts Collectors are therefore requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**R. KARIKAL VALAVEN
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To
All the Departments in Secretariat.
All the Heads of Departments in the State.
All the District Collectors in the State.
The Secretary, APPSC, Vijayawada.
The Advocate General, A.P.
The Law Department, A.P. Secretariat.
The Registrar (Admn.), Hon'ble High Court of A.P.
The Hon'ble High Court of A.P., Amaravathi.

Copy to :-

The P.S. to Secretary to the Hon'ble C.M.,
The P.S. to the Hon'ble Minister for B.C. Welfare.
The OSD to Chief Secretary to Government.
The P.S. to Spl. C.S, B.C. Welfare Dept.
Sc/Sf.

//FORWARDED :: BY ORDER//

SECTION OFFICER



.. PRINCIPAL
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S.No. 1627



F No: 12-4/2019-U1
Government of India
Ministry of Human Resource Development
Department of Higher Education

Shastri Bhawan, New Delhi
Dated: 17 January, 2019

OFFICE MEMORANDUM

Subject: Reservation for Economically Weaker Sections (EWSs) for admission in Central Educational Institutions.

In accordance with the provisions of the Constitution (One Hundred and Third Amendment) Act 2018, and the reference of Ministry of Social Justice and Empowerment vide OM No. 20013/01/2018-EC-II dated 17th January 2019, enabling provision of reservation for the Economically Weaker Sections (EWSs) who are not covered under the existing scheme of reservations for the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes, it has been decided to provide reservation in admission to educational institutions subject to a maximum of ten per cent of the total seats in each category. This would not apply to the minority educational institutions referred to in clause (1) of Article 30 of the Constitution of India.

2. The provision of reservations to the Economically Weaker Sections shall be in accordance with the directions contained in the OM No. 20013/01/2018-EC-II dated 17th January 2019 of the Ministry of Social Justice & Empowerment and shall be subject to the following:

- The reservations shall be provided to EWSs for admission in Central Educational Institutions, (as defined in clause (d) of section (2) of The Central Educational Institutions (Reservation in Admission) Act, 2006) from the academic year 2019-20 onwards.
- The above reservation would not be applicable to the 8 institutions of excellence, research institutions, institutions of national & strategic importance as specified in the Schedule to The Central Educational Institutions (Reservation in Admission) Act, 2006, as amended from time to time, and appended to this OM, and to the minority educational institutions referred to in clause (1) of article 30 of the Constitution.
- Every Central Educational Institution shall, with the prior approval of the appropriate authority (as defined in clause (c) of section 2 of The Central Educational Institutions (Reservation in Admission) Act, 2006), increase the number of seats over and above its annual permitted strength in each branch of



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study or faculty so that the number of seats available, excluding those reserved for the persons belonging to the EWSs, is not less than the number of such seats available, in each category, for the academic session immediately preceding the date of the coming into force of this O.M.


- d) Where, on a representation by any Central Educational Institution, the appropriate authority is satisfied that for reasons of financial, physical or academic limitations or in order to maintain the standards of education, the annual permitted strength in any branch of study or faculty of such institution cannot be increased for the academic session following the commencement of this Act, it may permit such institution to increase the annual permitted strength over a maximum period of two years beginning with the academic session following the commencement of this Act; and then, the extent of reservation for the Economically Weaker Sections shall be limited for that academic session in such manner that the number of seats made available to the Economically Weaker Sections for each academic session shall not reduce the number and the percentage of reservations provided for SC/ST/OBC categories.

- e) The scheme for implementing the reservation for the EWS shall be displayed on the website of the institution as soon as possible, but no later than 31st March 2019.

3. The Chairman UGC, Chairman AICTE and Chairperson NCTE and the Bureau Heads of the Department of Higher Education in the Ministry of Human Resource Development responsible for management of the Institutions of National Importance are requested to ensure immediate compliance of this O.M.

4. This issued with the approval of the Minister for Human Resource Development.

End: As above


(Smita Srivastava)
Director

1. Chairman UGC
2. Chairman AICTE
3. Chairperson NCTE
4. All Bureau Heads of Department of Higher Education

Copy to:

Chief Secretaries of all State Governments/UTs with a request to give effect to the provisions of the Constitution (One Hundred and Third Amendment) Act, 2019 for all higher educational institutions funded/aided, directly or indirectly, by the State Government in such manner that the provision for reservation for EWS would become operational from the academic year 2019-20.




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All India Council for Technical Education

(A Statutory body under Ministry of Education, Govt. of India)

Nelson Mandela Marg, Vasant Kunj, New Delhi-110070 Website: www.aicte-india.org



APPROVAL PROCESS 2022-23

Extension of Approval (EoA)

F.No. South-Central/1-10973027233/2022/EOA

Date: 03-Jul-2022

To,

The Principal Secretary
(Higher Education) Govt. of Andhra Pradesh,
J Block, 4th Floor, Secretariat Building,
Hyderabad-500022

Sub: Extension of Approval for the Academic Year 2022-23

Ref: Application of the Institution for Extension of Approval for the Academic Year 2022-23

Sir/Madam,

In terms of the provisions under the All India Council for Technical Education (Grant of Approvals for Technical Institutions) Regulations, 2022 Notified on 4th February, 2022 and amended on 24th February 2022 and norms standards, procedures and conditions prescribed by the Council from time to time, I am directed to convey the approval to

Permanent Id	1-14627816	Application Id	1-10973027233
Name of the Institution	SRI VENKATESWARA COLLEGE OF ENGINEERING & TECHNOLOGY	Name of the Society/Trust	VIKAS EDUCATIONAL SOCIETY
Institution Address	NH-5, MRO OFFICE ROAD, BESIDE DR.B.R.AMBEDKAR UNIVERSITY ETCHERLA, ETCHERLA, SRIKAKULAM, Andhra Pradesh, 532410	Society/Trust Address	NH-5, MRO OFFICE ROAD, ETCHERLA, ETCHERLA, SRIKAKULAM, Andhra Pradesh, 532410
Institution Type	Private-Self Financing	Region	South-Central
Year of Establishment	2008		

To conduct following Courses with the intake indicated below for the Academic Year 2022-23

Level	Program	Course	Affiliating Body (University /Body)	Intake Approved for 2021-22	Intake Approved for 2022-23	NRI Approval Status	FN / Gulf quota/ OCI/ Approval Status
UNDER GRADUATE	ENGINEERING AND TECHNOLOGY	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING	Jawaharlal Nehru Technological University, Kakinada	60	60	NA	NA
UNDER GRADUATE	ENGINEERING AND TECHNOLOGY	CIVIL ENGINEERING	Jawaharlal Nehru Technological University, Kakinada	60	60	NA	NA

Application No:1-10973027233

Note: This is a Computer generated Report. No signature is required.
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ALL INDIA COUNCIL FOR TECHNICAL EDUCATION

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Letter Printed On: 6 July 2022

Level	Program	Course	Affiliating Body (University /Body)	Intake Approved for 2021-22	Intake Approved for 2022-23	NRI Approval Status	FN / Gulf quota/ OCI/ Approval Status
UNDER GRADUATE	ENGINEERING AND TECHNOLOGY	COMPUTER SCIENCE AND ENGINEERING	Jawaharlal Nehru Technological University, Kakinada	60	120	NA	NA
UNDER GRADUATE	ENGINEERING AND TECHNOLOGY	COMPUTER SCIENCE AND ENGINEERING (ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING)	Jawaharlal Nehru Technological University - Gurajada, Vizianagaram (JNTUGV)	0	30 ^{##}	NA	NA
UNDER GRADUATE	ENGINEERING AND TECHNOLOGY	ELECTRICAL AND ELECTRONICS ENGINEERING	Jawaharlal Nehru Technological University, Kakinada	60	30	NA	NA
UNDER GRADUATE	ENGINEERING AND TECHNOLOGY	ELECTRONICS AND COMMUNICATIONS ENGINEERING	Jawaharlal Nehru Technological University, Kakinada	60	60	NA	NA
UNDER GRADUATE	ENGINEERING AND TECHNOLOGY	MECHANICAL ENGINEERING	Jawaharlal Nehru Technological University, Kakinada	120	60	NA	NA
POST GRADUATE	ENGINEERING AND TECHNOLOGY	THERMAL ENGINEERING	Jawaharlal Nehru Technological University, Kakinada	18	18	NA	NA
POST GRADUATE	ENGINEERING AND TECHNOLOGY	CONTROL SYSTEMS	Jawaharlal Nehru Technological University, Kakinada	9	9	NA	NA
POST GRADUATE	MANAGEMENT	MBA	Jawaharlal Nehru Technological University, Kakinada	120	120	NA	NA
POST GRADUATE	ENGINEERING AND TECHNOLOGY	POWER ELECTRONICS	Jawaharlal Nehru Technological University, Kakinada	18	18	NA	NA
POST GRADUATE	ENGINEERING AND TECHNOLOGY	VLSI	Jawaharlal Nehru Technological University, Kakinada	18	18	NA	NA

Application No:1-10973027233

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Level	Program	Course	Affiliating Body (University /Body)	Intake Approved for 2021-22	Intake Approved for 2022-23	NRI Approval Status	FN / Gulf quota/ OCI/ Approval Status
POST GRADUATE	ENGINEERING AND TECHNOLOGY	COMPUTER SCIENCE & ENGINEERING	Jawaharlal Nehru Technological University, Kakinada	18	18	NA	NA

Approved New Course(s)

\$\$ New Course(s)/Increase in Intake should be offered in Emerging Area

\$\$ New Course(s)/Increase in Intake should be offered in Emerging Area

It is mandatory to comply with all the essential requirements as given in APH 2022-23 (Appendix 6)

Important Instructions

1. The State Government/ UT/ Directorate of Technical Education/ Directorate of Medical Education shall ensure that 10% of reservation for Economically Weaker Section (EWS) as per the reservation policy for admission, operational from the Academic year 2019-20 is implemented without affecting the reservation percentages of SC/ ST/ OBC (NCL)/ General. However, this would not be applicable in the case of Minority Institutions referred to the Clause (1) of Article 30 of Constitution of India. Such Institution shall be permitted to increase in annual permitted strength over a maximum period of two years.
2. The Institution offering courses earlier in the Regular Shift, First Shift, Second Shift/Part Time are now amalgamated as total intake and shall have to fulfil all facilities such as Infrastructure, Faculty and other requirements as per the norms specified in the Approval Process Handbook 2022-23 for the Total Approved Intake. Further, the Institutions Deemed to be Universities/ Institutions having Accreditation/ Autonomy status shall have to maintain the Faculty: Student ratio as specified in the Approval Process Handbook. All such Institutions/ Universities shall have to create the necessary Faculty, Infrastructure and other facilities WITHIN 2 YEARS to fulfil the norms based on the Affidavit submitted to AICTE beginning with the Academic Year 2022-23
3. Strict compliance of Anti-Ragging Regulation, Establishment of Committee for SC/ ST, Establishment of Internal Complaint Committee (ICC), Establishment of Online Grievance Redressal Mechanism, Barrier Free Built Environment for disabled and elderly persons, Fire and Safety Certificate should be maintained as Approval Process Handbook and provisions made in AICTE Regulation notified from time to time.
4. In case of any differences in content in this Computer generated Extension of Approval Letter, the content/information as approved by the Executive Council / General Council as available on the record of AICTE shall be final and binding.

Pharmacy Institute: In compliance with the order dated 05.03.2020 passed by the Hon'ble Supreme Court of India in Transferred Petitions (CIVIL) No 87-101 of 2014, for the existing institutions offering courses in Pharmacy Programme, approval of Pharmacy Council of India (PCI) is mandatory and AICTE approval is NOT required. The requirements for running the Programme (Diploma / UG / PG) such as Land & Build-up Area, Student-faculty ratio, Intake etc. will be as per the respective regulatory body (PCI). In case of any inconsistency in the course name and intake for EoA issued by AICTE and the approval by PCI, the approval of PCI shall prevail.

Architecture Institute: In compliance with the order dated 08.11.2019 passed by the Hon'ble Supreme Court of India in CA No.364/ 2005, for the existing Institutions offering Courses in Architecture Programme, approval by the Council of Architecture (CoA) is mandatory and AICTE approval is NOT required. The requirements for running the Programme (Diploma / UG / PG) such as Land & Build-up Area, Student-faculty ratio, Intake etc. will be as per respective regulatory body (CoA). In case of any inconsistency in the course name and intake for EoA issued by AICTE and the approval by CoA, the approval of CoA shall prevail.

Deemed to be University: Institutions Deemed to be Universities (Running Technical Education Programmes), it is mandatory to have AICTE approval from the Academic Year 2018-19 in compliance of the Hon'ble Supreme Court Order dated 03-11-2017 passed in CA No.17869- 17870 /2017.

(Handwritten Signature)
PRINCIPAL
 Sri Venkateswara College of Engineering & Technology
 ETCHERLA, Srikulam-532410 (A.P.)

Prof.Rajive Kumar
Member Secretary, AICTE

Copy to:

1. **The Director Of Technical Education**, Andhra Pradesh**
2. **The Registrar**,
Jawaharlal Nehru Technological University, Kakinada**
3. **The Principal / Director,
SRI VENKATESWARA COLLEGE OF ENGINEERING & TECHNOLOGY
Nh-5,
Mro Office Road,
Beside Dr.B.R.Ambedkar University
Etcherla,
Etcherla,Srikakulam,
Andhra Pradesh,532410**
4. **The Secretary / Chairman,
NH-5, MRO OFFICE ROAD, ETCHERLA
ETCHERLA,SRIKAKULAM
Andhra Pradesh,532410**
5. **The Regional Officer,
All India Council for Technical Education
First Floor, old BICARD Building
Jawaharlal Nehru Technological University
Masab Tank, Hyderabad-500076**
6. **Guard File(AICTE)**

Note: Validity of the Course details may be verified at <http://www.aicte-india.org/>

** Individual Approval letter copy will not be communicated through Post/Email. However, consolidated list of Approved Institutions(bulk) will be shared through official Email Address to the concerned Authorities mentioned above.

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