



## **ABSTRACT**

Technical Education - Fixation of minimum percentage of marks to admit students in the first year B.E. / B.Tech. Degree courses from the academic year 2019-20 in all Engineering Colleges in Tamil Nadu – Orders – Issued.

### **Higher Education (J2) Department**

**G.O. (Ms.) No.34**

**Dated 26.02.2019.**

விளம்பி வருடம், மாசி 14,  
திருவள்ளூர் ஆண்டு 2050.

**Read :-**

1. G.O.(Ms) No. 151, Higher Education (J2) Department, dated 14.6.2010.
2. AICTE Approval Process Handbook – 2011-12 Chapter VI, Appendix I, Clause 1.1 under Item No.1.
3. Interim directions of the Hon'ble High Court of Madras in W.P.No.15783/2011, dated 30.06.2011.
4. All India Council for Technical Education's Notification No.1-MS/AICTE/2011, dated 04.07.2011.
5. G.O.(Rt) No.41, Higher Education (J2) Department, dated 14.3.2012.
6. Orders of the Hon'ble High Court of Madras in W.P.No.17670/2012 dated 20.07.2012.
7. Orders of the Hon'ble High Court of Madras in W.P.No.15783/2011 dated 27.07.2012.
8. Orders of the Hon'ble High Court of Madras in W.A.No.1794/2012 dated 17.04.2013.
9. Orders of the Hon'ble Supreme Court in SLP(C) No.19058 & 19059/2013 dated 11.12.2017.
10. From the Commissioner of Technical Education letter No.35101/ECA1/2018, dated 03.01.2019.

### **ORDER :**

In the Government Order first read above, minimum eligibility marks was fixed for admission to first year B.E. / B.Tech. Degree Courses as follows:

<b>Communal Category</b>	<b>% of Minimum Marks in Related Subjects</b>
OC	50% average in the related subjects
BC / BCM	45% average in the related subjects
MBC / DNC	40% average in the related subjects
SCA / SC / ST	35%

2. In the letter tenth read above, the Commissioner of Technical Education has sent a detailed proposal for fixing the minimum eligibility marks for admission to first year B.E. / B.Tech. Degree courses from the academic year 2019-20 in all the Engineering Colleges in Tamil Nadu, as follows:-

The All India Council for Technical Education (AICTE), National level Apex body had prescribed a mere pass in 10+2 examination with Physics and Mathematics as compulsory subjects along with one of the relevant subjects of study- Chemistry / Biotechnology / Biology as entry level qualification for admission to First Year B.E / B.Tech Degree courses till the year 2010-2011.

The State of Tamil Nadu have always prescribed minimum eligibility marks higher than that prescribed by AICTE (except for SC / STs where it is a mere pass in concurrence with AICTE norms) and G.Os were issued from time to time. The minimum eligibility marks prescribed in the Government Order first read above, has been adopted for admission to First Year B.E / B.Tech degree courses from the year 2008-09 till 2010-11.

During the academic year 2011-12, AICTE revised the minimum eligibility criteria which has been published in the AICTE Approval Process Hand Book for the year 2011-2012 as follows:

“Passed 10+2 examination with Physics and Mathematics as compulsory subjects along with one of the Chemistry / Biotechnology / Biology

Obtained at least 50% marks (45% in case of candidates belonging to reserved category) in the above subjects taken together”

On comparison with AICTE revised norms for 2011-12, the State Government has not followed the AICTE norms for MBC (40% against 45%) and SC/SCA/ST (a mere pass against 45%) communities.

Therefore, the State Government preferred to challenge the revised AICTE Regulations for the year 2011-12 in respect of the reserved categories, MBC / SC / SCA / ST communities (reserved categories) before the Hon'ble High Court of Madras. Accordingly, the State Government represented by the Principal Secretary to Government, Higher Education Department has filed Writ Petition in W.P. No. 15783 of 2011 before the Hon'ble High Court of Madras challenging the AICTE Regulations Chapter VI, Clause 1.1 under Appendix I which relates to the revised AICTE Regulations for First year B.E / B.Tech admissions for the year 2011-2012.

The Hon'ble High Court in its judgment dated 30.6.2011 in M.P. No. 2 of 2011 in Writ Petition No. 15783 / 2011, while admitting the Writ petition has granted an interim stay of the operation of the impugned AICTE Regulations referred above and also interim directions allowing the Selection Committee constituted by State Government (Anna University, Chennai-25) to grant admission as per the norms fixed by the State Government vide G.O. (Ms) No. 151, Higher Education (J2) Department, dated 14.6.2010.

AICTE however, in its Executive Committee meeting held on 28<sup>th</sup> June 2011 and 30<sup>th</sup> June 2011 reviewed the entry level qualification and the Council decided to adopt the eligibility for under graduate programmes (full time) given under 1.1 of Appendix I of Approval Process Hand Book 2011-12 as 45% at qualifying level for general category students and 40% for reserved category students for admission for

the year 2011-12. The notification to this effect (Council's decision to reduce the entry level qualification marks) was published by AICTE in its Notification fourth read above.

With AICTE announcing the revised marks criteria, still it was found that the State Government norms do not comply AICTE norms in respect of SC / SCA / ST communities (i.e a mere pass against AICTE prescribed 40%). However, in view of the stay granted by the Hon'ble High Court the State Government gave directions to adopt norms as prescribed in G.O.(Ms) No. 151, Higher Education (J2) Department, dated 14.6.2010 for conduct of Single Window Counseling for admissions under Government quota for the year 2011-12 by Anna University, Chennai. Thus, the admissions to First year B.E / B.Tech degree courses for the year 2011-12 was completed by August 2011 based on State Government norms itself.

At this juncture, AICTE had filed counter affidavit in the W.P. 15783 of 2011 and moved the Hon'ble High Court by filing Miscellaneous petitions (M.P. Nos. 3 & 4 of 2011) to vacate the interim stay of the Hon'ble High Court. The Hon'ble High Court of Madras in its Interim directions disposed off the Miscellaneous Petitions M.P. No.2 to 5 of 2011 in W.P. No.15783 of 2011 dated 30.9.2011 with the following directions:

"5. Taking into consideration the subsequent event, namely, the Notification dated 04.07.2011, the order of stay granted on 30.06.2011 is restricted to the academic year 2010-2011 and the stay granted is modified to the extent indicated above. The Miscellaneous Petitions are disposed of accordingly."

With no information about the modified stay, the Government was in the presumption that the interim stay granted has not been vacated. Therefore in the first meeting of the TNEA (Tamil Nadu Engineering Admissions 2012) Co-ordination Committee constituted by the State Government vide G.O.(Rt) No. 41, Higher Education (J2) Department, dated 14.3.2012, resolved to adopt the minimum eligibility marks prescribed in G.O.(Ms) No. 151, Higher Education (J2) Department, dated 14.6.2010 for admission to First year B.E / B.Tech degree courses under Government quota through single window Counseling for the year 2012-13.

The Anna University based on the resolution adopted in the Co-ordination Committee meeting also published the minimum eligibility marks for admission to Government quota seats as prescribed in G.O(Ms) No. 151, Higher Education (J2) Department, dated 14.6.2010 in the prospectus issued along with TNEA 2012 application form. The Counseling for TNEA 2012 admissions started on 7.7.2012.

Meanwhile it was noticed that in the AICTE Approval Process Hand Book for 2012-13, the revised eligibility norms were published i.e. 45% at qualifying level for general category students and 40% for reserved category students for admission. Just one week before the start of counseling only it was brought to the notice by the SRO office, AICTE at Chennai that AICTE has obtained orders modifying the stay granted and that the stay is restricted to the year 2011-12 only. Then, the State Government filed a new Writ petition W.P. No. 17670 of 2012 challenging the AICTE norms of minimum eligibility marks for SC /SCA /ST students during 2012-13.

Both the above said Writ petitions were dismissed by the Hon'ble High Court of Madras above and therefore students with less than 40% marks were not considered under Government quota during 2012-13. However, students with less than 40% marks were admitted under Management quota during 2012 -13.

The State Government then filed a Writ Appeal W.A No.1794 of 2012 challenging orders passed in W.P. No. 17670 of 2012 and a direction petition to permit the Selection committee constituted by Government (Anna University, Chennai-25) to proceed with the counseling as per State Government norms. The W.A filed by Government (No.1794 /2012) was also dismissed by the Hon'ble High Court.

During 2013-14, the State Government filed SLP before the Supreme Court of India challenging the orders passed in W.A.1794 of 2012.

But no interim stay was granted when SLP came up for hearing before the Hon'ble Supreme Court. Therefore for the year 2013-14 students with less than 40% were not considered under both Government quota and Management quota.

In the Hon'ble Supreme Court in its order dismissed the SLPs (C) No.19058 & 19059/ 2013 filed by Government against the above W.A.

In view of the above orders of Hon'ble Supreme Court, the Commissioner of Technical Education has requested the Government to issue necessary Government Order for the fixation of minimum % of marks to admit students in the first year B.E/B.Tech Degree courses from the academic year 2019-20 in all Engineering Colleges in Tamil Nadu.

3. The Government after careful examination, decided to accept the recommendation of Commissioner of Technical Education in para 2 above and fix the minimum eligibility marks to admit students in the first year B.E/ B.Tech Degree courses from the year 2019-20 in all the Engineering Colleges in Tamil Nadu on par with the AICTE norms as follows:

<b>Programme</b>	<b>Communal Category</b>	<b>Eligibility Minimum marks in relevant subjects - average %</b>
Engineering and Technology First Year B.E / B.Tech UG Degree courses (4 years duration)	OC	45%
	All other reserved categories BC/MBC/SC/ST	40%

(BY ORDER OF THE GOVERNOR)

**MANGAT RAM SHARMA,**  
**PRINCIPAL SECRETARY TO GOVERNMENT.**

To  
The Commissioner of Technical Education, Chennai - 25.  
The Registrar, Anna University, Chennai-25.

The Secretary, Tamil Nadu Engineering Admissions, Anna University, Chennai-25.  
All Engineering Colleges (through the Commissioner of Technical Education).

Copy to:

The Chairman, AICTE, 7<sup>th</sup> Floor, Chanderlok Building, Janpath, New Delhi- 110 001.

The Secretary to Government of India, Ministry of Human Resource Development,  
New Delhi – 110 001.

The Secretary to Government of India, Ministry of Law, Justice & Company Affairs,  
New Delhi – 110 001.

The office of Hon'ble Chief Minister, Chennai -9.

The Special PA. to Hon'ble Minister (Higher Education), Chennai -9.

The Law Department, Chennai-9.

The Health and Family Welfare Department, Chennai -9.

The Private Secretary to Principal Secretary to Government, Higher Education  
Department, Chennai-9.

G.O.(Ms.) No.151, Higher Education (J2) Department, dated 14.06.2010.

Sf/Sc

//Forwarded by order//

*Dr. @3307 26/2/2019*

Section Officer.

*pmj*  
*26-2-19*