



सत्यमेव जयते

# The Gujarat Government Gazette

## EXTRAORDINARY

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

#### PART IV

**Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.**

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 17<sup>th</sup> December, 2019 is hereby published for general information.

**K. M. LALA,**  
Secretary to the Government of Gujarat,  
Legislative and Parliamentary Affairs Department.

#### GUJARAT ACT NO. 30 OF 2019.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 17<sup>th</sup> December, 2019).

#### AN ACT

further to amend the Gujarat Professional Technical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007.

It is hereby enacted in the Seventieth Year of the Republic of India as follows:-

- (1) This Act may be called the Gujarat Professional Technical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) (Amendment) Act, 2019.

**Short title and commencement.**

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

**Amendment  
of section 2 of  
Guj. 2 of 2008.**

2. In the Gujarat Professional Technical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007 (hereinafter referred to as "the principal Act"), in section 2,-

**Guj. 2 of  
2008.**

(i) after clause (d), the following clause shall be inserted, namely:-

“(dd) Foreign National (FN) Student” means the student other than Non-Resident Indian (NRI) who possesses a foreign passport and fulfils the equivalency of eligibility requirements ascertained by the competent authority as may be specified by the Ministry of Human Resource Development, Government of India, for admission;”;

(ii) in clause (g), for sub-clause (ii), the following sub-clause shall be substituted, namely:-

“(ii) fifty per cent. (50%) seats of the professional courses of the total approved seats in the unaided colleges or institutions;”;

(iii) after clause (g), the following clause shall be inserted, namely:-

“(gg) “GTERS or the Gujarat Technical Education and Research Society (GTERS)” means a society constituted by the Education Department, Government of Gujarat under the Government Resolution No. MIS/102013/104/S. dated the 31<sup>st</sup> December 2013;”;

(iv) for clause (h), the following clause shall be substituted, namely:-

“(h) Management seats" means fifty per cent. (50%) seats of the professional courses of the total approved seats in the unaided colleges or institutions including fifteen per cent. (15%) of Non-Resident Indian seats; and also includes seats for Foreign National Students; and students from any State (including Gujarat);”;

(v) in clause (i), for the words “in the professional educational colleges or institutions”, the words “on the management seats in the unaided educational colleges or institutions on the basis of fulfillment of equivalency of eligibility requirements for admission as ascertained by the competent authority as may be specified by the Ministry of Human Resource Development, Government of India.” shall be substituted.

3. In the principal Act, in section 4, for sub-section (3), the following sub-section shall be substituted, namely:-

**Amendment of section 4 of Guj. 2 of 2008.**

“(3) The Gujarat Technical Education and Research Society (GTERS) shall guide, supervise, promote and control the entire process of admission of students to the professional educational colleges or institutions.”.

4. In the principal Act, for section 5, the following section shall be substituted, namely:-

**Substitution of section 5 of Guj. 2 of 2008.**

**Preparation of merit list for admission.**

“5. (1) For the purpose of admission on the Government seats in the professional courses, the Admission Committee shall prepare the merit list of students based on common entrance test or on such other criteria as may be prescribed.

(2) For the purpose of admission on the management seats in the professional courses, the unaided college or institution shall prepare the merit list of students based on common entrance test or on such other criteria as may be prescribed:

(3) The Foreign National Students or, as the case may be, NRI students shall be admitted in any professional educational college or institution in such manner and on such criteria as may be prescribed:

Provided that it shall not be necessary to conduct common entrance test for preparing merit list for admission to such professional courses as may be specified by the State Government by notification in the *Official Gazette*.”.

**Amendment  
of section 6  
of Guj. 2 of  
2008.**

5. In the principal Act, in section 6, in sub-section (1), for the existing provisos, the following provisos shall be substituted, namely:-

“Provided that if any unaided college or institution requests to fill up all or any portion of the management seats by the Admission Committee, such management seats shall be considered as the Government seats:

Provided further that if any Government seat remains vacant, such seat shall be filled in as the management seat in the manner as may be prescribed:

Provided also that if any Non-Resident Indian seat remains vacant, such seat shall be filled in as the management seat.”;

**Amendment  
of section  
7A of Guj. 2  
of 2008.**

6. In the principal Act, in section 7A, in sub-section (1), for the words “students from other States may be given admission in the unaided colleges or institutions”, the words “students from other States and other countries may be given admission in any college or institution” shall be substituted.

**Amendment  
of section 10  
of Guj. 2 of  
2008.**

7. In the principal Act, in section 10,-

- (i) in sub-section (1), the words and letters “and students who are Foreign Nationals and NRI” shall be added at the end;
- (ii) in sub-section (2), to clause (c), the following proviso shall be inserted, namely:-

“Provided that the unaided professional educational college or institution may raise the fee up to five per cent. of existing fee for the fee block upto three years, or make any reduction in the existing fees without following the procedure as referred to in clauses (a) and (b) above. However, the unaided professional educational college or institution shall provide a “Declaration cum Undertaking” regarding the revised fee structure under this section in the form of affidavit as may be prescribed.”

- (iii) after sub-section (2), the following sub-section shall be inserted, namely:-

“(2A) Any unaided college or institution may charge differential fee for different courses/ branch subject to the maximum ceiling prescribed by Fee Regulatory Committee.”.

8. In the principal Act, in section 13, after sub-section (2), the following sub-section shall be added, namely:-

“(3) On receipt of any complaint, the State Government may conduct an inquiry into the matter and take necessary action.”.

**Amendment  
of section 13  
of Guj. 2 of  
2008.**

9. In the principal Act, for section 14, the following section shall be substituted, namely:-

**Penalties.** “14. Whoever contravenes any of the provisions of this Act or the rules made thereunder shall, after giving opportunity of being heard, be punishable with fine which may extend to rupees fifty lakhs; or any penal action that may be taken by the State Government under the respective University Acts or both.”.

**Substitution  
of section 14  
of Guj. 2 of  
2008.**

