

Unnikrishnan P. J. and Others

Vs

State of A. P. and Others

Review Petition Nos. 483 of 1993 in Writ Petition No. 678 of 1993... Etc.

(S. R. Pandian, S. C. Agarwal, S. Mohan, B. P. Jeevan Reddy, S. P. Bharucha JJ)

14.05.1993

ORDER

1. The Scheme framed by this Court in its judgment dated February 4, 1993 in Writ Petition (Civil) No. 607 of 1992 [Unni Krishnan, J.P. v. State of A.P., (1993) 1 SCC 645] and connected matters is modified to the following extent only.
2. It shall be open to the professional college to admit Non-Resident Indian students to the extent of only five per cent of their total intake for a given year. By way of illustration if the permitted intake of a professional college is 100 for a given year, 50 seats out of it will be free seats and other 50 seats will be seats on payment. The five seats for Non-Resident Indian students shall be out of the 50 payment seats. The Non-Resident Indian students shall be admitted on the basis of merit. But in view of the different backgrounds they come from it is for the management of the college concerned to judge the merit of these candidates, having regard to the relevant factors. The fees payable by such students shall be as may be prescribed by the Committee referred to in clause (6) of the Scheme.
3. The Non-Resident Indian students admitted against these 5 seats need not however take the entrance examination, if any prescribed for admission to that course. It is made clear that the above provision does not preclude the Non-Resident Indian students from seeking admission either to free seats of payment seats along with others on the basis common to all. The observations made in Mohini Jain case [Mohini Jain v. State of Karnataka, (1992) 3 SCC 666] in relation to Non-Resident Indian students will stand modified to the above extent.
4. Subject to the above, all the review petitions and IAs are dismissed. No costs.

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