



**Admission Overseeing Committee**  
**ಪ್ರವೇಶ ಮೇಲ್ವಿಚಾರಣಾ ಸಮಿತಿ**

**ORDER OF THE ADMISSION OVERSEEING COMMITTEE**  
**25<sup>TH</sup> DAY OF JULY 2017**

**JUSTICE ANAND BYRAREDDY**

**CHAIRMAN**

**IN CONSULTATION WITH THE**

**PRINCIPAL SECRETARY,  
DEPARTMENT OF HIGHTER EDUCATION,  
GOVERNMENT OF KARNATAKA**

**-- MEMBER**

**THE VICE CHANCELLOR,  
VISHWESHWARAIH TECHNOLOGICAL UNIVERSITY**

**-- MEMBER**

In exercise of power under Sub-Section (7) of Section 5 of the Karnataka Professional Educational Institution Regulation of Admission and Determination of Fee Act, 2006, the following order is made having regard to the sequence of events and circumstances as briefly stated hereunder:

Candidates seeking admission to Engineering Courses IN THE State of Karnataka for the Academic Year 2017-18 follow the prescribed Rules in getting selected for admission. As per the Schedule of Seat Allotment, a candidate has the option to select an Engineering Seat at counselling conducted by Consortium of Medical, Engineering and Dental Colleges of Karnataka ( herein after referred to as COMED-K for brevity) it is noticed that as per the Schedule announced by the COMED-K the First Round of counselling was conducted on 25.06.2017 and the Second Round has been concluded on 19.07.2017. And as per the procedure stipulated by COMED-K the last date for surrender of seats which were opted

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for by the candidates during the First Round was, 10.07.2017. This date necessarily leaves little option for a candidate who would otherwise have a choice of a seat selection through other channels such as the JEE.

Further, the CET First Round of counselling was conducted on 25.06.2017 coinciding with the First Round of counselling conducted by the COMED-K, on the same date. The Second Round of CET counselling was conducted on 17<sup>th</sup> July 2017 and that of COMED-K, was conducted on 19<sup>th</sup> July 2017. The last date for confirmation of choices was on 22<sup>nd</sup> July 2017 as fixed by the COMED-K, and there is no further round of counselling by COMED-K.

It is also possible that those candidates who have been selected at the JEE and also selected through the CET are likely to abandon their seats under CET. Such seats would not be available for candidates through COMED-K, in the absence of an extended Second Round or Mop Up Round of counselling to be conducted before the last date prescribed for admission namely, 30<sup>th</sup> July 2017.

Further it is seen that for the year 2017-18 many Engineering Colleges have prescribed a cut off ranking which would necessarily oust a large number of candidates from being eligible for the Government quota of seats and those candidates would then necessarily be required to opt for the management quota seats in the absence of a further extended Second Round of counselling by COMED-K, before the last date for admissions.

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It is also found that under the Consensual Agreement, entered into between the State Government and Karnataka Unaided Private Engineering Colleges Association ( herein after referred to as KUPECA for brevity), 45% of the seats are filled through CET counselling and not more than 30% to be filled by COMED-K and not more than 25% to be filled by the managements of institutions.

In view of the above this Authority having sought a response from KUPECA by a letter dated 21.07.2017, through the COMED-K, a reply has been issued dated 24.07.2017, expressing its inability to conduct a further round of counselling on the ground of paucity of time, while drawing attention to the Judgment of the Apex court in Parshvanath Charitable Trust 's case.

In the light of the above piquant situation where COMED-K does not choose to conduct a further Casual round, after the Second Round, a large number of candidates who would yet be enabled to get admissions through COMED-K, and such admissions which would be well within the percentage of seats in terms of the sharing agreement, in so far as KUPECA is concerned, and not also thereby reducing the percentage agreed to be reserved for the managements. But, on the other hand, if no such opportunity is provided, the seats available for the managements of institutions would far exceed the 25% agreed to be shared, which would defeat the very purpose of the arrangement and result in the entire exercise being a futility.

The other aspect of the rigour of a Schedule being required to be adhered to, as laid down by the Hon'ble Supreme Court in the case of Parshvanath Charitable Trust Vs. All India Council For Technical Education, (2013) 3 SCC 385, would not also be an excuse for

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KUPECA to claim that it would be a violation of the directions of the Hon'ble Supreme Court. The Hon'ble Supreme Court itself has prescribed a rider whereby though the last date for admitting candidates is 30<sup>th</sup> July 2017, the court has indicated that " **any number of rounds for counselling could be conducted depending on local requirements**". In that view of the matter, there is no bar for the COMED-K to conduct an extended Second Round of counselling, as even according to COMED-K the document verification after the Second Round allotment would continue from 24<sup>th</sup> July 2017 to 29<sup>th</sup> July 2017. It would be possible for an extended Round of counselling to be conducted, simultaneously, during those dates, for candidates who are otherwise out of the reckoning. Further, even as per the Schedule prescribed by the Apex Court, " the last date up to which students can be admitted against vacancies arising due to any reason", is 15<sup>th</sup> August. The present circumstances are valid reasons to apply the said extended date. By virtue of an extended last date for admission the process of document verification after allotment of seats ( at the extended round ) could correspondingly be carried out beyond 30<sup>th</sup> July.

In the above circumstances, this Committee directs KUPECA to conduct an extended Second Round of counselling through the COMED-K to accommodate candidates to opt for those seats which would be available in circumstances aforesaid. The exact date or dates for such extended Round of counselling is left to the discretion of the COMED-K. However, the last date for admission of candidates selected therein, being shall be as 15<sup>th</sup> August, 2017. There shall be immediate compliance with this order.

  
(JUSTICE ANAND BYRAREDDY)  
Chairperson, AOC