
(1993) 05 SC CK 0013

In the Supreme Court Of India

Case No : Review Petition No's. 483/93, 524/93 in WP (C) No's. 607 and 770/92, RP (C) No. 782/93 in WP No. 836/92, RP No. 887/93 in WP No. 855/92, RP No.../93 in WP No. 779/92, RP No.../93 in WP No. 607/92, RP (C) No. 894/93 in WP No. 678/92, IA No's. 2 in RP No

Unnikrishnan P.J. and Others

APPELLANT

Vs

State of A.P. and Others

RESPONDENT

Date of Decision : 14-05-1993

Acts Referred:

Citation : (1993) 3 SCALE 248 : (1993) 4 SCC 111

Hon'ble Judges : S. Ratnavel Pandian, J;S. P. Bharucha, J;S. Mohan, J;S. C. Agrawal, J;B.P. Jeevan Reddy, J

Bench : Full Bench

Final Decision : Dismissed

Judgement

1. The Scheme framed by this court in its judgment dated February 4, 1993 in Writ Petition (C) No. 607 of 1992 and connected matters is modified to the following extent only:-

2. It shall 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 50 payment seats. The Nonresident Indian students shall be admitted on the basis of merit. But in view of 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 or payment seats alongwith others on the basis common to all. The observations made in Miss. Mohini Jain Vs. State of Karnataka and others, in relation to Non-resident Indian students will stand modified to the above extent.

4. Subject to the above, all the Review Petitions and I.As. are dismissed. No costs.