

**REGULATIONS FOR ADMISSION OF NRI /FOREIGN NATIONALS /  
PERSONS OF INDIAN ORIGIN (TYPED COPIES)**

**April 24, 2002**

**ALL INDIA COUNCIL FOR TECHNICAL EDUCATION  
New Delhi**

**NOTIFICATION**

No. 26-7/Legal/2002 - In exercise of the Powers conferred by Clause (j) and clause (o) of Section 10 read with Section 23 of All India Council for Technical Education Act (No. 52 of 1987), the Council hereby makes these Regulations within the meaning of Section 2(f) of the said Act, 1987 in supersession of the Regulations, 2000 and Circular dated October 03/09, 2001 mentioned herein below:

- a. The All India Council for Technical Education (for Admission under Foreign Nationals (FN)/Persons of Indian Origin (PIO) category/quota in AICTE approved institutions) Regulations, 2000 (as Published in the Gazette of India in Part III Section IV on March 31, 2001);
- b. Circular No. F.38-7/Legal/2001 dated October 03/9, 2001 issued by the Council providing guidelines for admission against NRI Seats.

**1.0 Short Title and Commencement**

- 1.1 These regulations may be called the All India Council for Technical Education (Admission under Non Resident Indian (NRI)/ Foreign Nationals (FN)/ Persons of Indian Origin (PIO) category/quota in AICTE approved institutions) Regulations, 2002.
- 1.2 They shall come into force with effect from the date of the official publication in the Gazette of India.

**2.0 Applicability**

These Regulations shall be applicable to all 'Self Financing Institutions'.

"Institutions" (including Departments/ Sections of Deemed Universities, Departments/ Sections and Constituent /Affiliated Colleges of Universities conducting/ offering courses/ programmes in Technical Education), other than 'Self Financing Institutions', may follow these regulations based on instructions of respective State Governments/ U.T. Administrations/ Central Government/ University Grants Commission.

**3.0 Definitions**

All the words and expressions used herein are not defined in Section 2 of All India Council for Technical Education Act (No. 52 of 1987). Unless the context otherwise requires, the words and expressions defined herein shall have the same

meanings respectively assigned to them under these Regulations. The words and expressions which are not explicitly defined in Section 2 of the said Act, 1987 are provided with the following definitions for the purpose of the present Regulations:

- 3.1 'Act' means All India Council for Technical Education Act, 1987 (52 of 1987);
- 3.2 "Competent Authority in AICTE" means the Council or the Executive Committee (EC) of the Council (or Sub-Committee of EC) or the Chairman of the Council or the Vice-Chairman of the Council in absence of the Chairman;
- 3.3 "Competent Authority for Admission" means Central Govt. or, State Govt. or Union Territory Administration or University or any other authority as may be designated by the Govt. by Law to allot students for admissions to "Technical Institutions" in a State or Union Territory.
- 3.4 "Institution" means "Technical Institution" as defined in Section 2 (h) of the Act, 1987.
- 3.5 "Fees" mean tuition and other fees, but does not include "Development Fee".
- 3.6 "Development Fee" means a fixed amount for each category of Technical Institution, prescribed by AICTE for Development of "Technical Institutions" to be charged from the students in addition to "Fees".
- 3.7 "Free Seats" means the seats on which the "Fees" payable are same as prescribed for the Govt. Institution / Govt. Aided Institution in the concerned state or Union Territory. In case of variation of "Fees" charged by different "Govt. Institutions / Govt. Aided Institutions", the highest "Fees" charged by any "Govt. Institution/ Govt. Aided Institution" for any programme in "Technical Education" shall be the "Fees" for "Free Seats".
- 3.8 "Payment Seats" means the seats on which the "Fees" payable shall be higher than the same for "Free Seats" as determined by the "State Level Fee Committee" or "National Fee Committee".
- 3.9 "NRI" in this context means Non-Resident Indian as defined in Income Tax Act, 1961 with the following clarifications:

An individual is Non-Resident when he is "not a resident" or who is "not ordinarily resident". A person is treated as "not ordinarily resident" when any of the following conditions is satisfied:

  1. If he/she has not been resident in India in nine out of ten preceding years; or
  2. If he/she has not been in India for a period of 730 days or more during the preceding seven years.
- 3.10 "NRI Seats" means the seats for admission of NRI to the programmes in "Technical Education".
- 3.11 "Persons of Indian Origin" (PIO) in this context means a person having foreign citizenship (except Pakistan and Bangladesh) without "NRI" status, but who holds a Foreign Passport at the time of sending application, consideration for admission and during the period of his study and he/she or any one/ both of his/her parents or any one/ both of his /her grand parents is (or was) / are (or were) citizen (s) of India by virtue of the provisions of the Constitution of India or Section 2 (b) of Citizenship Act, 1955 (Act No. 57 of 1955).



- 3.12 "Foreign National" (FN) in this context means an individual having citizenship of a foreign country (citizens of all countries other than India) and not having the status of "NRI" and/or "Persons of Indian Origin" (PIO).
- 3.13 "Foreign Student" in this context means a student with the status of Foreign National who possesses a foreign passport.
- 3.14 "National Fee Committee" means a Committee constituted by the Council for determining "Fees" and Development Fee for "Technical Institutions" on national basis.
- 3.15 "State Level Fee Committee" means a Committee constituted by the "Competent Authority in AICTE" for determining "Fees" for concerned State /Union Territory.
- 3.16 "Govt. Institution" means Govt. "Technical Institution" which is run, controlled and managed by the Government.
- 3.17 "Govt. Aided Institution" means Technical Institution receiving more than 50% recurring grants from Govt. or Govt. organizations for its operating expenses.
- 3.18 "MBA" means Master of Business Administration, a programme in the "Technical Education" (Management).
- 3.19 "MCA" means Master of Computer Application, a programme in the Field of "Technical Education" (Technology).
- 3.20 "M.E." means Master of Engineering, a post-graduate degree in Engineering/ Technology.
- 3.21 "M.Tech." means Master of Technology, a post-graduate degree in Engineering/ Technology.
- 3.22 "M.Pharm." means Master of Pharmacy, a post-graduate degree in Pharmacy.
- 3.23 "M.Arch. means Master of Architecture, a post-graduate degree in Architecture.
- 3.24 "Self-Financing Institution" means "Technical Institution" either not receiving any recurring grant from Govt. or Govt. organization or receiving recurring grants less than 50% of its operating expenses from Govt. or Govt. Organisations.
- 3.25 "Circular" means written statements issued by the "Competent Authority in AICTE" under the provisions of these regulations, which are circulated to all concerned either by post or by issuing an advertisement in Newspapers and/or Website in Internet of the "Council"

#### **4.0 Guidelines for Admission of Students to NRI Seats**

- 4.1 These guidelines shall be applicable to Technical Institution approved by AICTE offering courses in Technical Education leading to Diploma/ Post-Diploma/ Advanced Diploma/ Degree in Engineering (Engg.) & Technology (Tech.)/ Architecture (Arch.) & Town Planning/ Pharmacy (Pharm.)/ Applied Arts & Crafts/ Hotel Management & Catering Technology (HMCT), MBA, Post-graduate Diploma level programme in Management, MCA and Post-graduate Diploma in Computer Application, but shall not be applicable to Post- graduate Courses/ Programme of the level of M.E./ M.Tech./ M.Pharm./ M.Arch. etc. and Post-graduate Diploma in Engineering/ Technology.



- 4.2 In the self-financing Institutions, 50% seats shall be treated as free seats and other 50% seats shall be treated as payment seats. Out of payment seats, 5% seats of total intake shall be earmarked for NRIs. The NRI seats shall be treated within the 50% payment seats. Against NRI seats, only a person who is NRI himself/herself may seek admission and no other candidates without NRI status would be eligible.
- 4.3 The Technical Institutions shall be permitted by the competent authority for admission in respective States/ UTs to admit the NRI students up to maximum of 5% of the total sanctioned intake. In view of the difference in their backgrounds, the competent authority for admission in the State/UTs shall determine the merit of these candidates having regard to all the relevant factors.
- 4.4 There shall be no quota of seats for the Management on any basis such as caste, community, religion or family, which had established the Technical Institution.
- 4.5 Any seat remaining unfilled from the NRI quota will be reverted to the payment seats and this will have to be filled from the list of selected candidates prepared as per the procedure laid down for admissions to Technical Institutions. There is no provision for admission of "NRI sponsored" students. The Institution shall not be permitted to charge "equivalent amount" of NRI fees from the students admitted under vacant NRI seats.
- 4.6 The fees chargeable from the students admitted against vacant NRI seats shall be the same as chargeable for the students admitted against payment Seats and not against the NRI Seats.
- 4.7 The competent authority for admission shall make attempts to fill any vacant seats, which may remain unfilled in 5% NRI quota in each academic year, as payment seat.
- The "Fees" and "Development Fees" to be charged from the NRI students shall be as per the ceiling fixed by the duly constituted State Level Fee Committees or the National Fee Committee, which ever is applicable.

#### **5.0 Guidelines for Admissions of Foreign Nationals/ Persons of Indian Origin (PIO)**

Under these Regulations fifteen per cent (15%) seats in the Technical Institutions approved by AICTE offering technical courses leading to Diploma/ Post-diploma/ Advanced Diploma/ Degree/ Post-Graduate Degree in Engineering & Technology/ Architecture & Town Planning/ Pharmacy/ Applied Arts & Crafts/ Hotel Management & Catering Technology, MBA, Post-graduate Diploma level programme in Management, MCA, Post-graduate Diploma in Computer Application and Post-graduate Diploma in Engineering/ Technology shall be allowed on supernumerary basis from amongst Foreign Nationals/ Persons of India Origin (PIOs) over and above the approved intake. This is subject to the following conditions and availability of infrastructural facilities in the respective institutions:

- 5.1 The Institutions should be able to provide suitable hostels/ residential accommodation to the Foreign Students/ Persons of Indian Origin (PIOs).
- 5.2 The teacher : student ratio in the technical department/ section where Foreign



Nationals/Persons of Indian Origin are admitted is not below 1:15.

- 5.3 Institutions have a modern library as per norms & standards of AICTE with multi media facilities.
- 5.4 The total plinth area of the institution (excluding hostels and residential areas) is not less than 12.5 sq. mtrs. per student.
- 5.5 The Institute and its hostels have proper approach road, good environment, sufficient water supply and an arrangement for generators in absence of normal supply of electricity.
- 5.6 The concerned institutions was not put under "No Admission" or "Reduced Intake" category by AICTE due to poor infrastructural facilities at least during the last 3 years.
- 5.7 The institute is functioning at least for a period of 5 years after AICTE approval.
- 5.8 The results of the last two years for final year students are not less than 75%, calculated based on Number of students appeared for the final examination.

AICTE shall certify the availability of facilities for admission of Foreign Nationals/PIO. For this purpose, the institutions meeting the above criteria, may submit Status Reports alongwith written request to AICTE for inclusion of the institutions under the list of eligible institutions for admission of Foreign Nationals/PIOs. AICTE shall examine the Status Reports and will include only those institutions who fulfill all the above criteria. AICTE shall subsequently communicate the list of such institutions to the competent authority for admission.

The "Fees" and "Development Fees" to be charged from amongst Foreign Nationals/ Persons of India Origin (PIOs) students shall be as per the ceiling fixed by the duly constituted State Level Fee Committees or the National Fee Committee, which ever is applicable.

These supernumerary seats shall be exclusively meant for the foreign students in the diploma, under-graduate and post-graduate courses with a condition that under no circumstances a seat remained unfilled shall be allocated to any one other than a foreign student/PIO.

Foreign Nationals/Persons of Indian Origin (PIOs) admitted in an AICTE approved institutions through Indian Council for Cultural Relations (ICCR) or as Government of India nominee under various exchange/ other programme shall be included within the 15% Ceiling and the fees and development fee to be paid by these students may be decided separately by State Level Fee Committees or the National Fee Committee, as decided by these Committees.

## **6.0 General Provisions**

- 6.1 The decision of the competent authority in AICTE regarding clarification on any provision of these Regulations and for modifications of guidelines for admission and/or percentage of seats under NRI/ Foreign Nationals/ PIO category/quota, as and when required, will be communicated by issuing a circular.
- 6.2 The provisions of the latest circular will supersede the overlapping provisions of