

Decisions taken by Executive Council of Manipur University

*170. SHRI D. P. TRIPATHI: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Academic Council or Executive Council of a Central University including Manipur University has the authority to take decision to alter the provisions of the Central Educational Institutions (Reservation in Admission) Act, 2006 as amended by Parliament in 2012;

(b) if so, the details of rule position thereof; and

(c) if not, whether the various decisions taken by the Academic Council of Manipur University especially, relating to the above Act, in the year 2016 would be considered as null and void?

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI PRAKASH JAVADEKAR): (a) and (b) No, Sir.

(c) With coming into force of Central Educational Institutions (Reservation in Admission) Amendment Act, 2012 w.e.f 19th June, 2012, the Manipur University implemented the percentage of reservation for different categories as 31% for ST, 2% for SC and 17% for OBC in the academic session 2015-16.

This decision of the University was challenged through a petition in the High Court of Manipur. In a judgment passed by single Judge of Hon'ble High Court of Manipur in WP(C) No. 753/2014 on 1.9.2015, it was directed that the percentages of reservation for the STs, SCs and OBCs shall be 31%, 2% and 17% respectively for admission to various courses of Manipur University.

Manipur University filed a Misc. Case being M.C.(W.A.) No. 54 of 2016 in the Hon'ble High Court of Manipur praying for a clarification on reservations to be followed by the University. Hon'ble High Court of Manipur passed an order dated 03.10.2016 which mentioned, *inter alia*that earlier order of High Court of Manipur dated 1.9.2015 has not been stayed by the Hon'ble Supreme Court andUniversity would be free to take decision in the matter relating to reservation.....

By Misinterpreting the judgment dated 3.10.2016 of the Hon'ble High Court, a meeting of the Academic Council was convened on 08.10.2016 and it resolved that the Central Educational Institutions (Reservation in Admission) Act, 2006 (*viz.* 7.5% for ST, 15% for SC and 27% for OBC) be adopted as an interim measure. The Deans and Heads of Departments in their meeting held on 22.10.2016 resolved that for this academic session, 2016-17, the University shall follow the reservation policy

as per the resolution of the emergency meeting of the Academic Council held on 8.10.2016 i.e. 7.5% for ST, 15% for SC, and 27% for OBC.

The Ministry of Human Resource Development vide its letter dated 24.10.2016 communicated to the Vice Chancellor (incharge) that the Academic Council/Deans and Heads of Departments are not competent to take decisions on or change reservation in admission prescribed in the Central Educational Institutions (Reservation in Admission) Act, 2006 and Central Educational Institutions (Reservation in Admission) Amendment Act, 2012.

The resolution dated 22.10.2016 was also challenged vide WPC No. 855 of 2016 in the High Court of Manipur. The High Court of Manipur vide its order dated 26.10.2016 directed as under:-

“that the percentage of reservation as mentioned in the impugned decisions/directions of the Manipur University, i.e., 7.5% for ST, 15% for SC and 27% for OBC shall not be applicable in the ongoing admission process BUT the percentages of reservation as directed in the judgment and order dated 01.09.2015 in W.P.(C) No. 753 of 2014 i.e., 31% for ST, 2% for SC and 17% for OBC shall be applicable in the ongoing admission process.”

Apart from this, Writ Appeal No. 40 of 2015 (Manipur) and 83 of 2016 (Meghalaya) have also been filed in the Division Bench of the High Court of Meghalaya for staying the order dated 01.09.2015 of Hon'ble High Court of Manipur in WP(C) No. 753/2014.

The matter is still *sub-judice* in the Hon'ble High Court of Meghalaya.

Ban on broadcasting of Pakistani TV/Radio channels in India

†*171. DR. VINAY P. SAHASRABUDDHE: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government proposes to ban the broadcasting of Pakistani TV/Radio channels in India, if so, the details thereof;

(b) the total number of such TV/Radio channels directly broadcasting in India; and

(c) the manner in which Government monitors their audio/video contents?

† Original notice of the question was received in Hindi.