



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part - IVA	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ೧೮, ಮೇ, ೨೦೨೩ (ವೈಶಾಖ, ೨೮, ಶಕವರ್ಷ, ೧೯೪೫) BENGALURU, THURSDAY, 18, MAY, 2023 (VAISHAKHA, 28, SHAKAVARSHA, 1945)	ಸಂ. ೧೮೮ No. 188
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GOVERNMENT OF KARNATAKA

No: SDEL 79 ITA 2021

Karnataka Government Secretariat
Multistoried Building
Bengaluru, Dated:18/05/2023.

NOTIFICATION

Whereas the draft of the Karnataka Industrial Training Institution (Recognition of Minority Educational Institutions Terms and Conditions)(Technical Education) Rules,2022 was published as required by sub-section(1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 01 of 1995) in Notification No.SDEL 79 ITA 2021 dated:19.01.2023 in part- IV A of the Karnataka Gazette dated 19.01.2023 inviting objections and suggestions from all the persons likely to be affected thereby within fifteen days from the date of its publication in the Official Gazette.

Whereas, the said Gazette was made available to the public on 19th day of January 2023.

And whereas, objections and suggestions received in this behalf have been considered by the State Government.

Now, therefore, in exercise of the powers conferred by clause (e) of sub section (2) of section 3 read with sub section (1) of section 49 and section 145 of the Karnataka Education Act, 1983 (Karnataka Act 01 of 1995), the Government of Karnataka hereby makes the following rules, namely:-

RULES

1. Title and commencement.-(1) These rules may be called the Karnataka Industrial Training Institution (Recognition of Minority Educational Institutions Terms and Conditions)(Technical Education) Rules, 2023.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Definition.- (1) In these rules unless the context otherwise requires,-

(a) 'Act' means the Karnataka Education Act, 1983(Karnataka Act 1 of 1995);

(b) "Form" means form appended to these rules;

(c) "Industrial Training Institution" means an institution imparting Technical Education affiliated to the National Council for Vocational Education Training for imparting craftsman training according to the norms specified in the Training Manual published by the Director General Training, New Delhi;

(d) "Minority" means a community notified under the provisions of the National Commission for Minority Educational Institutions Act, 2004 (Central Act 02 of 2005) ;

(e) "Minority Educational Institution" means minority educational institutions as defined in clause (21) of section 2 of the Karnataka Education Act 1983 (Karnataka Act 1 of 1995);

(f) "Section" means a section of the Act; and

(g) "Screening committee" means the screening committee constituted under sub-rule (9) of rule 5.

(2) All other words and expressions used herein but not defined and defined in the Act shall have the same meaning as respectively assigned to them in the Act.

3. Competent Authority to declare Minority status.- The Secretary to Government or the Principal Secretary or Additional Chief Secretary to Government, Department of Skill Development, Entrepreneurship and Livelihood shall be the Competent Authority for declaration of Religious/Linguistic Minority status to Industrial Training Institutions offering one/two year National Council for Vocational Education and Training courses affiliated to the Directorate General of Training, New Delhi at Industrial Training Institutions level.

4. Eligibility Criteria for Recognition.- (1) Those Industrial Training Institution which have been declared as a Minority Educational Institution by the department or by the State Government by a specific order or by the National Commission for Minority Educational Institutions, New Delhi, or by the order of any Court need not apply again for declaration of minority status under these rules, but have to file periodical reports on compliance of conditions specified in sub-rule (5) and (6) and regarding any change in Management Committee or Governing Council of the Institution.

Provided that, such Industrial Training Institution shall be subjected to compliance of rule 10 and for renewal the provisions of rule 12 and for periodical review by the competent authority about the compliance of the conditions specified in sub-rule (5) and (6).

(2) The new Industrial Training Institution applying for the Minority status shall be registered under the Act or as a Trust under the Bombay Public Trust Act, 1950 as a Society under the Karnataka Societies Registration Act, 1960(Karnataka Act 17 of 1960) or under any other relevant law. The institution shall indicate in its bye laws or rules that it has been formed to serve the interest of the minority community to which it belongs.

(3) An Industrial Training Institution established by a Religious Minorities notified by the Government of India and the Government of Karnataka, shall be eligible to apply for declaration of minority status to such Industrial Training Institution as Religious Minority Educational Institution.

(4) An Industrial Training Institution established by the linguistic minorities shall be eligible to apply for the declaration of minority status to such institutions run by them, as Linguistic Minority Industrial Training Institution.

(5) At least two-third of the trustees or members of the managing committee of the Society of the Industrial Training Institution shall belong to the Minority.

(6) Not less than Fifty percent of the children enrolled in the said Institution shall belong to the said minority community to which applicant the institution belongs to, out of which at least Seventy Five Percent of students shall be from Karnataka.

(7) Subject to the provisions of Article 29(2) and Article 30 of the Constitution of India, an Industrial Training Institution shall provide forty percent seats in its total intake to the Government.

5. Procedure for declaration of minority status:- (1) The Industrial Training Institution seeking declaration of minority status as a Religious or Linguistic Minority Educational Institution, shall apply to the competent authority in Form-A, along with documents specified in rule 7 indicating specifically whether they are seeking declaration of minority status either as Religious or Linguistic Minority Educational Institution, along with the attested photo copies of the relevant documents to prove that such Institution has fulfilled the conditions specified in rule 4 and 6.

(2) Non Judicial Court Fee stamp of Rupees five hundred only shall be affixed on each application.

(3) New Industrial Training Institution which seek declaration of minority status shall pay non-refundable processing fee of Rupees ten thousand only. The fee shall be paid by a Demand Draft in the name of the Commissioner of Industrial Training and Employment.

(4) The Applicant Educational Institution shall also file a notarized affidavit in Form-B on Non Judicial stamp paper of Rupees two hundred only.

(5) The members of the Governing Council and the managing committee shall produce community/linguistic certificate to which they belong issued by the Tahasildar in the prescribed form.

(6) Details of the students belonging to Minority studying in that institution along with relevant certificate.

(7) The application received by the Competent Authority shall be scrutinized by the Commissioner of Industrial Training and Employment on the day of submission of the application itself. The incomplete applications and applications not filed in the prescribed form, without the prescribed fees or without supporting documents shall be informed to the applicant during preliminary scrutiny and acknowledgement and if applicant still pursues the application, rejection of application due to incomplete information or document shall be informed to the applicant in writing within sixty days from the date of application through the Competent Authority.

(8) In case where applications are accepted the Commissioner of Industrial Training and Employment shall constitute a Verification Committee headed by an officer not below the rank of Joint Director and two other members including a woman member from the cadre of Principal Grade-I, which shall visit the concerned Institution and verify the documents and actual position, as per the check list prescribed in Form-“C” and the application along with recommendations shall be submitted to the Commissioner of Industrial Training and Employment within twenty days, from the date of receipt. The Commissioner shall verify the proposal as per the check list processed by the Verification Committee, pass remarks and submit to the Government within ten days from the receipt of the report of verification Committee.

(9) There shall be a Screening Committee at Government Level of applications recommended by the Commissioner for verification or enquiry which shall consist of the following members, namely:-

Designation	
1) Deputy/Joint/Additional Secretary to Government, Department of Skill Development, Entrepreneurship and Livelihood	Chairman
2) The Under Secretary, Department of Skill Development, Entrepreneurship and Livelihood.	Member Secretary
3) The Under Secretary, Minority Welfare Department	Member

(10) The Screening Committee shall review claims of minority status of the applicant and submit the proposal to the competent authority within 2 months from the date of receipt of application.

(11) The Screening committee in case of any matter to be enquired / verified shall entrust or authorize the concerned Joint Director to verify the actual position. The concerned Joint Director shall verify the factual position as observed by the screening committee, and shall submit the report in Form-“D”.

(12) The Competent Authority shall hear the Applicant Institution, through its authorized representatives, with prior notice of at least ten days, before deciding the application. The Applicant shall be required to furnish all information at the time of the hearing of the application, which is required to be furnished while filing the application under sub-rule (5) and (6).

(13) After hearing the Applicant, the competent authority may issue a certificate in Form-E.

(14) In case of rejection, the Competent Authority shall issue a speaking order to the applicant institution recording the reasons for rejection.

(15) The Competent authority shall decide the status of the minority Institution and the decision shall be communicated to the Applicant within a period of 40 days from the date of receipt of the proposal from the Screening Committee.

6. Terms and Conditions for the declaration of minority Industrial Training Institution:- (1) The declaration of Minority status shall be accorded to each Industrial Training Institution and not to the Parent Trust or Body.

(2) The Applicant Institution shall abide by all the criteria indicated in rule-4. Any change in the composition of the trust or society or management committee or shortfall in the intake of Minority Students shall be intimated to the Competent Authority within fifteen days of such a change being affected.

(3) Managements having headquarters outside Karnataka are not entitled to claim linguistic minority status in Karnataka.

7. Copies of Documents to be attached with application - The following documents shall be attached with the application:-

(1) Attested Photo Copy of Trust Deed or Society Registration;

(2) Attested photo copy of schedule indicating the names of the original Trustees/members of Managing committee;

(3) Attested photo copy of change report if any, regarding change in the names of Trustees/members of Managing Committee;

(4) Proof of Religious affiliation or linguistic background of the Trustees/members of managing Committee such as baptism certificate, school leaving certificate etc.,

(5) Proof of running educational institution, by the applicant trust/ Society;

(6) An affidavit by the Industrial Training Institution to ensure that fifty percent

of the children enrolled in the said institution belong to the minority community of the applicant institution; and

(7) Attested photo copy of the admission register or extract of the admission register of the Industrial Training Institution which indicate the religious or Linguistic status of the children.

8. Procedure for review of minority status to the existing institution.- (1) Industrial Training Institution which have been declared or deemed to have been declared as Minority institutions by the Government or by the Commissioner Industrial Training and Employment before the commencement of these rules shall file a periodical report on the change of the management or governing council and regarding compliance of sub-rule (5) and (6) of rule 4.

(2) The Institution shall send the proposal to the Commissionerate before the end of November of an academic year. The Commissionerate shall scrutiny the application and send report to the Competent Authority before the end of January of an academic year. The Competent Authority will issue the minority status to the institution before the end of March of an academic year.

9. Filing of Returns by Minority Industrial Training Institution.-

On the completion of the admission process, every year every Minority Industrial Training Institution declared as minority institution under these provisions, shall file a return through the Commissioner Industrial Training and Employment within fifteen days with the breakup of girls and boys, admitted belonging to minority and non-minority.

10. Redressal of grievance.- If any complaint is received by the State Government with regard to the veracity of the Minority status of an Institution which has been declared as religious/linguistic minority institution under these rules, or as regards injustice to any minority student in the admission process, or any such matter, the Competent Authority may enquire into the matter by giving a reasonable opportunity of being heard, to the institution concerned, by conducting a hearing and examining the parties and verifying the records of the institution or cause the matter to be enquired into by the Commissioner. The issue of notices of enquiry to all the concerned parties shall be followed by the hearing of the applicant Institution, taking the evidence from the affected parties and checking the records of the institution etc. The Commissioner shall then submit a report to the Competent Authority who shall then pass necessary speaking orders in the matter.

11. Grounds for Revoking status of minority.- The declaration of Religious or Linguistic Minority Educational status to an Institution once accorded, can be revoked any time on the following grounds namely:-

(1) When the Institution has obtained the status of minority by submitting false information to the Competent Authority.

(2) Non-filing of Returns under Rule-9;

(3) Violations of any of the provisions of Sub-rule (2), (3), (4), (5) and (6) of rule-4;

(4) If a complaint is received by the Government as regards the veracity of the Minority status or the fraudulent admission process adopted by the institution to the detriment of the concerned Minority Community students and the complaint is found to be true on enquiry.

Provided that, it shall be necessary for the Competent Authority to hear the Institution before passing any orders of Revocation of declaration of status of minority.

12. Appeals against orders of the Competent Authority.- An appeal shall lie the National Commission for Minority Educational Institutions, New Delhi, against any order passed by the Competent Authority rejecting the declaration of Minority status or revoking the declaration of Minority status to an Industrial Training Institution in Karnataka or any order passed in terms of these rules.

13. Procedure for the renewal of minority status certificate.-(1) The tenure of minority status certificate of Industrial Training Institution shall be valid for five years from the date of issue or whenever there is change/transfer of management or relocation of the management or the non-compliance sub-rule (5) and (6) of rule 4 as the case may be, whichever is earlier the institution shall apply for renewal along with a fee of Rupees ten thousand only in the same manner specified rule 5.

(2) Whenever there is change in management or transfer of management, the new management shall submit a fresh application to the Commissionerate who in turn shall submit the same to the screening committee.

By order and in the name
of Governor of Karnataka

(SRIRANGAMMA)

Under Secretary to Government (I/c)
Skill Development, Entrepreneurship and
Livelihood Department

FORM-A**[See rule 5(1)]****(APPLICATION TO GET THE MINORITY STATUS TO INDUSTRIAL TRAINING INSTITUTION /S)**

SL. NO.	SUBJECT	DETAIL/PARTICULARS
1	Name and address of the Managing committee (In Block letters)	
2	1. Name of the Industrial Training Institute: 2. Date of establishment : 3. Medium of instruction :	
3	1.No. of institutions run by the management: 2. Enclose the list : 3. Submit the proposal for each Industrial Training Institute separately :	
4	1. Whether the managing committee is registered? (enclose the Copy) 2. If Yes, Registration No. and date : 3. Last date of renewal of registration : 4. Furnish the latest renewal copy of registration :	
5	1. Whether the institution has affiliated to NCVET Director General Training, New Delhi? If Yes furnish the details. 2. Enclose the NCVET Affiliation letter: 3. Last date of Affiliation of recognition: 4. Enclose the copy of the same:	
6	Type of management: 1. Religious: Muslims/ Christians/ Buddhist/ Sikhs/ Jains/Parsis 2. Linguistic : (Mention the language)	

7	<p>1. Are the members of the managing committee belong to religious minority group? If Yes, Furnish the Names, addresses and religious details.</p> <p>2. Is the members of the managing committee belongs to linguistic minority group? If Yes, Furnish the Names, addresses and language detail.</p>	
8	<p>Are the two third of the managing committee belongs to minority group? If Yes, Furnish the details.</p>	
9	<p>If the members belongs to religious/ linguistic minority, Enclose the certificate issued by the Tahasildar individually.</p>	
10	<p>Type of Industrial Training Institute (Aided or Unaided)</p>	
11	<p>According to the census data, Total area population, where the institution is located:</p> <p>1. Total Population:</p> <p>2. Population of the concerned religion/ linguistic minority where the institution is located:</p>	
12	<p>1. Enclose the list of students Trade/unit wise, religion wise and language wise.</p> <p>2. Trade/unit wise student abstract for the current year with % of concern minority students.</p>	

<p>Seal and signature of the Secretary of the Management</p> <p>Date:</p>		<p>Seal and Signature of the Principal of the Institution</p> <p>Date:</p>
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Form – B
[See rule 5(4)]

I, _____(name of chairman of the society /Trust) S/o or D/o _____ aged ____ years the chairman of _____ Society / Trust running _____ Industrial Training Institute at _____ do hereby solemnly affirm, state and undertake in connection with our application for extension of Minority Status to _____ (Institute name & address) as under;

1. That I am the Chairman of _____ Society / Trust.
2. That the information given by _____ (Name & address of Institute) in the application made for extension of Minority Status to Government of Karnataka is true and complete. Nothing is false & nothing material has been concealed.
3. That any of the information is found to be false, incomplete, misleading and / or that the institute fails to disclose all the information and / or suppress any information and / or misrepresentation the information I shall be liable to government.
4. The department shall also be free to take any action including withdrawing of approval and / or any other action as deemed necessary against the institution and others as the case may be and or the individuals associated with institution.
5. That the facts stated in this affidavit are true to my knowledge. No part of the same is false and nothing material has been concealed there from.
6. That two-third of the trustees or members of the managing committee of the Society, of the Industrial Training Institution belong to the Minority community.
7. I hereby declare that 50% of students enrolled in _____ (Institute name) belongs to _____ (Religion name) Minority Community to which applicant the institution belongs to, out of which at least Seventy Five Percent of students are from Karnataka.

Sd/-
Chairman
Deponent

Verification

I, the above named deponent do hereby verify that the facts stated in the above affidavit are true to my knowledge. No part of the same is false and nothing material has been concealed there from.

Verified on this date _____

Chairman
Deponent

FORM-C

[See rule 5(8)]

**CHECK LIST FOR THE RECOMMENDATION OF AN INSTITUTION FOR
DECLARATION OF MINORITY STATUS**

SL. NO	SUBJECT	DETAIL/ PARTICULAR S	RECOMMENDATION/RE JECTION (If rejection furnish reasons)
1	Name and address of the Managing committee (In Block letters)		
2	1. Name of the Industrial Training Institute: 2. Date of establishment : 3. Medium of instruction :		
3	1. No. of institutions run by the management: 2. Enclose the list : 3. Submit the proposal for each Industrial Training Institute separately :		
4	1. Whether the managing committee is registered? (enclose the Copy) 2. If Yes, Registration No. and date : 3. Last date of renewal of registration : 4. Furnish the latest renewal copy of registration :		
5	1. Whether the institution has affiliated to NCVET Director General Training, New Delhi? If Yes furnish the details. 2. Enclose the NCVET Affiliation letter: 3. Last date of Affiliation of recognition: 4. Enclose the copy of the same:		
6	Type of management: 1. Religious: Muslims/Christians/ Buddhist/ Sikhs/Jains/Parsis 2. Linguistic : (Mention the language)		

7	<p>1. Are the members of the managing committee belong to religious minority group? If Yes, Furnish the Names, addresses and religious details.</p> <p>2. Is the members of the managing committee belongs to linguistic minority group? If Yes, Furnish the Names, addresses and language detail.</p>		
8	<p>Are the two third of the managing committee belongs to minority group? If Yes, Furnish the details.</p>		
9	<p>If the members belong to religious/ linguistic minority, Enclose the certificate issued by the Tahasildar individually.</p>		
10	<p>Type of Industrial Training Institute (Aided or Unaided)</p>		
11	<p>According to the census data, Total area population, where the institution is located:</p> <p>1. Total Population:</p> <p>2. Population of the concerned religion/ linguistic minority where the institution is located:</p>		
12	<p>1. Enclose the list of students Trade/Unit wise, religion wise and language wise.</p> <p>2. Trade/unit wise student abstract for the current year with % of concern minority students.</p>		

<p>Signature and Seal of Chairman, Verification Committee</p> <p>Date:</p>	<p>Signature and Seal of Member Verification Committee</p> <p>Date:</p>	<p>Signature and Seal of Member Verification Committee</p> <p>Date:</p>
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FORM-E**[See rule 5(13)]****CERTIFICATE FOR ACCEPTANCE OR REJECTION OF APPLICATION
BY COMPETENT AUTHORITY**

SL. NO	PARTICULAR	ACCEPTED (WITH REASONS)	REJECTED (WITH REASONS)
1	Name and address of the Managing committee (In Block letters)	Information enclosed	Information not enclosed
2	1. Name of the Industrial Training Institute: 2. Date of establishment : 3. Medium of instruction :	Information enclosed	Information not enclosed
3	1. No. of institutions run by the management: 2. Enclose the list : 3. Submit the proposal for each Industrial Training Institute separately :	Information enclosed	Information not enclosed
4	1. Whether the managing committee is registered? (enclose the Copy) 2. If Yes, Registration No. and date : 3. Last date of renewal of registration : 4. Furnish the latest renewal copy of registration :	Information enclosed	Information not enclosed
5	1. Whether the institution has affiliated to NCVET Director General Training, New Delhi? If Yes, furnish the details. 2. Enclose the NCVET Affiliation letter: 3. Last date of Affiliation of recognition: 4. Enclose the copy of the same:	Information enclosed	Information not enclosed
6	Type of management: 1. Religious: Muslims/Christians/ Buddhist/ Sikhs/Jains/Parsis 2. Linguistic : (Mention the language)	Information enclosed	Information not enclosed
	1. Are the members of the managing committee belong to religious minority group? If Yes, Furnish the Names,		Information

7	addresses and religious details. 2. Is the members of the managing committee belongs to linguistic minority group? If Yes, Furnish the Names, addresses and language detail.	Information enclosed	not enclosed
8	Are the two third of the managing committee belongs to minority group? If Yes, Furnish the details.	Information enclosed	Information not enclosed
9	If the members belong to religious/ linguistic minority, Enclose the certificate issued by the Tahasildar individually.	Information enclosed	Information not enclosed
10	Type of Industrial Training Institute (Aided or Unaided)	Information enclosed	Information not enclosed
11	According to the census data, Total area population, where the institution is located: 1. Total Population: 2. Population of the concerned religion/ linguistic minority where the institution is located:	Information enclosed	Information not enclosed
12	1. Enclose the list of students- Trade/Unit wise, religion wise and language wise. 2. Trade/Unit wise student abstract for the current year with % of concern minority students.	Information enclosed	Information not enclosed

By order and in the name
of Governor of Karnataka

(SRIRANGAMMA)
Under Secretary to Government (I/c)
Skill Development, Entrepreneurship and
Livelihood Department