

**GOVERNMENT OF INDIA  
HUMAN RESOURCE DEVELOPMENT  
LOK SABHA**

UNSTARRED QUESTION NO:1302  
ANSWERED ON:30.07.2003  
IRREGULARITIES IN ADMISSION  
AJAY CHAKRABORTY;BHAN SINGH BHAURA;CHINTAMAN NAVSHA WANAGA

**Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:**

- (a) whether the Government are aware of the reports about irregularities in admissions in various Engineering colleges as reported in the Indian Express dated July 4, 2003;
- (b) if so, the details and the Government's reaction to such uncontrolled trade in professional education field;
- (c) whether it is a fact that the private colleges have resorted to this practice misinterpreting a Supreme Court judgement in December, 2002 freeing unaided private colleges from the Government fee control;
- (d) if so, the Government's reaction thereto;
- (e) whether the Government have any proposals to formulate suitable enactment for regularising college fees;
- (f) if so, the details thereof; and
- (g) if not, the reasons therefor?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DR. VALLABHBHAI KATHIRIA)

(a) to (g) : Yes, Sir. As per the judgement of Hon'ble Supreme Court dated 31st October, 2002 in the T.M.A. Pai Foundation & Others Versus State of Karnataka and Others Case, in professional un-aided institutions, a rational fee structure should be adopted by the Management, which would not be entitled to charge a capitation fee. Appropriate machinery can be devised by the State or University to ensure that no capitation fee is charged and that there is no profiteering, though institutions may be permitted to accumulate a reasonable surplus for furtherance of education. Accordingly, an Interim Policy Regulation was notified by AICTE on 20th March, 2003, according to which, State Governments are to decide a fee structure for the Institutions in the respective State for the academic year 2003-2004. The matter is at present sub-judice.