

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

UNSTARRED QUESTION NO:1252
ANSWERED ON:10.12.2003
CAPITATION FEES
IQBAL AHMED SARADGI

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

- (a) whether the Supreme Court has banned private professional colleges from charging capitation fees;
- (b) if so, the details thereof;
- (c) whether the Government has appointed two committees, each to be headed by a retired high court judge, to approve fee structures and supervise admission procedures;
- (d) if so, the norms fixed by the Supreme Court regarding the private colleges in respect of fee structure;
- (e) the extent to which the Government has agreed;
- (f) whether the orders of the Supreme Court have been implemented by the State Governments in this regard; and
- (g) if so, the details thereof?

Answer

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

(a) to (g) : Yes, Sir. The Hon'ble Supreme Court in its Judgement delivered on 14th August, 2003 interpreting the Eleven Judge Bench Judgement in T.M.A. Pai Foundation Case held that capitation fees cannot be charged by the educational institutions. The Hon'ble Court directed that the respective State Government's concerned authority shall set up, in each State, two Committees, each headed by a retired High Court Judge to look into the fee structure and to ensure that the tests conducted by the association of colleges are fair and transparent, respectively. Each educational institute is required to place before the Committee its proposed fee structure with all relevant documents. The fee fixed by the Committee shall be binding for a period of three years. The State Governments are required to comply with the orders passed by the Hon'ble Supreme Court.