



ಪ್ರವೇಶ ಮೇಲ್ವಿಚಾರಣಾ ಸಮಿತಿ

ADMISSION OVERSEEING COMMITTEE

Dt.04.09.2017

To

The Dean, Director and Principal of all
Private Medical, Dental and Engineering Colleges
in Karnataka.

Sub: Prohibition of collection of fees other than the prescribed
Tuition fee, University fee, Hostel fee and Messing fee.

In terms of Section 4 (A) of the Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) Act, 2006 (Herein after referred to as the Act of 2006, for brevity), Consensual Agreements have been entered into between the State Government and the several Associations representing the respective colleges imparting undergraduate courses in Medicine, Dental and Engineering.

In terms of the said Consensual Agreements, with regard to the fee structure, in the absence of acceptance of the Report of the Fee Regulatory Committee constituted under the Act of 2006, the Tuition fee payable in respect of the following categories, namely, the Government Quota, Management Quota, NRI Quota and others has been fixed. The upper limit has been prescribed .

It is also noticed that in agreeing upon the said fee structure the actual cost due to implementation of the 6th Pay Commission's recommendation as regards the pay scales and the University related fees has been taken into consideration in computing the costs.

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It is, in this background that the Directorate of Medical Education had by its common letter dated 21.07.2017 bearing No. DME/MCS/07/2017-18 specifically indicated that the fee structure as agreed upon in the Consensual Agreements and as displayed on the notice board of the Karnataka Examination Authority was final. And that any other proposed fee submitted by the colleges in a prescribed proforma earlier was not accepted and hence was not displayed on the notice board. It is now further clarified by the Director of Medical Education, upon enquiry, by a letter dated 4.09.2017 bearing No. DME/ MCS/09/2017-18 that the upper limit of fee prescribed under the Consensual Agreements is not inclusive of the University fee, the hostel fee and the mess fee which are permissible. Apart from these, there is no other head of fees under which the respective colleges could demand and collect fee above the upper limit prescribed under the respective Consensual Agreements. This would equally apply in respect of Engineering colleges.

This Authority has received a large number of complaints of colleges demanding and accepting fees under various heads, in varying degrees, far beyond the upper limit prescribed in terms of the Consensual Agreements. This is impermissible and clearly a breach of the said agreements.

It is also seen that the Ministry of Human Resource Development (Department of Education) Government of India, has also indicated that Fee would have two broad categories, namely, 'Tuition Fee' and 'Development Fee'. This is apart from the boarding or hostel fee and the messing fee.



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And that, " Tuition Fee' would seek to recover the actual cost of imparting education. In that regard the following could be taken into account:-

- i) Salary and allowances including bonus, if admissible, to teaching and non-teaching employees;
- ii) Expenditure on administrative services;
- iii) Cost of maintenance of laboratories including consumables;
- iv) Contingent expenditure including statutory requirements like audit fee;
- v) Cost of acquisition of books and journals for libraries; and
- vi) Maintenance of buildings and other assets including rents and tariffs.

('Development fee' is what is contemplated under the Karnataka Educational Institutions (Prohibition of Capitation Fee) Act, 1984)

It is also noticed that under certain heads, such as what is termed as 'clinical fee', by the medical colleges, has been collected for the entire course though it is claimed that such clinical fee is payable to the hospitals where facilities are availed of by the respective colleges, which do not have their own hospital attached to the college. And such a fee is collected in advance which is not permissible, when such facility may not even be utilized during the initial period of the course. This is again a violation, as no fees can be collected in advance except such fees payable for the year of admission.

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In so far as Engineering courses are concerned, the State Government has, by an order dated 24.06.2017, bearing No. ED 160 TEC 2016, inter-alia, specified that the tuition fees chargeable shall not exceed the upper limit prescribed under the respective Consensual Agreements.

Hence, in all cases where colleges have openly announced the several heads under which additional fees, apart from the tuition fee prescribed, university fee, hostel and messing fee, has been collected shall show cause as to why action should not be initiated against each such erring college, whether any complaint has been received or not by this Authority. An explanation is expected from each such college, within three days from the date of receipt of this notice.

In those cases where no such additional amounts have been collected, the colleges are prohibited from demanding and collecting any such amounts. As there are admitted cases of such illegal demand and collection, it is possible for this Authority to take prompt punitive action which may result in serious consequences for the College and may place the careers of hundreds of students in jeopardy. Therefore, you are called upon to respond immediately to this communication.

As a first step, all colleges who have collected such additional fees, under whatever head, (other than the prescribed Tuition fee, University fee, Hostel fee and Messing fee) shall be keep the same in a fixed deposit with a nationalized bank for a period of three months, immediately, under intimation to this office within three days from the date of receipt of this communication.

(JUSTICE ANAND BYRAREDDY)
Chairperson, AOC