

Twelfth Kerala Legislative Assembly
Bill No. 134

**THE KERALA PROFESSIONAL COLLEGES OR INSTITUTIONS
(PROHIBITION OF CAPITATION FEE, REGULATION OF
ADMISSION, FIXATION OF NON-EXPLOITATIVE FEE
AND OTHER MEASURES TO ENSURE EQUITY AND
EXCELLENCE IN PROFESSIONAL EDUCATION)
AMENDMENT BILL, 2007**

©
Kerala Legislature Secretariat
2007

KERALA NIYAMASABHA PRINTING PRESS

Twelfth Kerala Legislative Assembly

Bill No. 134

**THE KERALA PROFESSIONAL COLLEGES OR INSTITUTIONS
(PROHIBITION OF CAPITATION FEE, REGULATION OF
ADMISSION, FIXATION OF NON-EXPLOITATIVE FEE
AND OTHER MEASURES TO ENSURE EQUITY AND
EXCELLENCE IN PROFESSIONAL EDUCATION)
AMENDMENT BILL, 2007**

944/2007.

Twelfth Kerala Legislative Assembly

Bill No. 134

**THE KERALA PROFESSIONAL COLLEGES OR INSTITUTIONS
(PROHIBITION OF CAPITATION FEE, REGULATION OF ADMISSION ,
FIXATION OF NON-EXPLOITATIVE FEE AND OTHER
MEASURES TO ENSURE EQUITY AND EXCELLENCE IN
PROFESSIONAL EDUCATION) AMENDMENT BILL, 2007**

A

BILL

to amend the Kerala Professional Colleges or Institutions (Prohibition of Capitation Fee, Regulation of Admission, fixation of Non-exploitative Fee and Other Measures to Ensure Equity and Excellence in Professional Education) Act, 2006.

Preamble.—WHEREAS, it is expedient to amend the Kerala Professional Colleges or Institutions (Prohibition of Capitation Fee, Regulation of Admission , Fixation of Non-Exploitative Fee and Other Measures to Ensure Equity and Excellence in Professional Education) Act, 2006, for the purposes hereinafter appearing ;

BE it enacted in the Fifty-eighth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Professional Colleges or Institutions (Prohibition of Capitation Fee, Regulation of Admission, Fixation of Non Exploitative Fee and Other Measures to Ensure Equity and Excellence in Professional Education) Amendment Act, 2007.

(2) It shall be deemed to have come into force on the 1st day of June, 2007.

2. *Amendment of Section 6.*—In section 6 of the Kerala Professional Colleges or Institutions (Prohibition of Capitation Fee, Regulation of Admission, fixation of Non-Exploitative Fee and other measures to Ensure Equity and Excellence in Professional Education) Act, 2006 (19 of 2006) (hereinafter referred to as the principal Act,—

(i) in sub-section (1), after the words “for determination of the fee” the words “from time to time” shall be inserted;

944/2007.

(ii) in sub-section (5), the words “for a period of three years” shall be omitted.

3. *Repeal and Saving.*—(1) The Kerala Professional Colleges or Institutions (Prohibition of Capitation Fee, Regulation of Admission, Fixation of Non-Exploitative Fee and Other Measures to Ensure Equity and Excellence in Professional Education) Ordinance, 2007 (58 of 2007) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

Section 6 of the Kerala Professional Colleges or Institutions (Prohibition of Capitation Fee, Regulation of Admission, fixation of Non-Exploitative Fee and Other Measures to Ensure Equity and Excellence in Professional Education) Act, 2006 (19 of 2006) provides that the fee fixed by the Fee Regulatory Committee shall be in force for a period of three years. In order to empower the Fee Regulatory Committee to revise the fee from time to time, the Government have decided to make suitable provisions in the said Act by an amendment.

2. As the Legislative Assembly was not in session and as the aforesaid proposal had to be given effect to immediately, the Kerala Professional Colleges or Institutions (Prohibition of Capitation Fee, Regulation of Admission, Fixation of Non Exploitative Fee and Other Measures to Ensure Equity and Excellence in Professional Education) Amendment Ordinance, 2007 was promulgated by the Governor of Kerala on the 2nd day of August, 2007 and was published as Ordinance No. 58 of 2007 in the Kerala Gazette Extraordinary No. 1452 dated 3rd August, 2007.

2. The Bill seeks to replace the above said Ordinance by an Act of the State Legislature.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

M. A. BABY

EXTRACT FROM THE KERALA PROFESSIONAL COLLEGES OR
INSTITUTIONS (PROHIBITION OF CAPITATION FEE, REGULATION
OF ADMISSION, FIXATION OF NON-EXPLOITATIVE FEE AND
OTHER MEASURES TO ENSURE EQUITY AND EXCELLENCE
IN PROFESSIONAL EDUCATION) ACT, 2006.

(ACT 19 OF 2006)

** ** ** **

6. *Fee Regulatory Committee.*—(1) The Government shall constitute a Committee called the Fee Regulatory Committee for determination of the fee for admission to the unaided professional colleges or institutions consisting of the following members, namely:—

** ** ** **
** ** ** **

(5) The fee determined by the Committee shall be binding on the unaided professional college or institution for a period of three years. The fee so determined shall be applicable to a candidate who is admitted to a college or institution in that academic year and shall not be revised till the completion of his course in the said college or institution. No unaided professional college or institution shall collect a fee amounting to more than one year's fee from a candidate in an academic year. Collection of more than one year's fee in an academic year shall be construed as collecting of capitation fee and shall be liable to be proceeded against.

** ** ** **
