

Thirteenth Kerala Legislative Assembly

Bill No. 158

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**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) SECOND AMENDMENT  
BILL, 2012**

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Kerala Legislature Secretariat

2012

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*further 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 further 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 Sixty-third 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) Second Amendment Act, 2012.

(2) It shall come into force at once.

2. *Amendment of section 4.*—In 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), in sub-section (1) of Section 4, for item(ii), the following item shall be substituted, namely:—

“(ii) An officer not below the rank .. Member Secretary”  
of Joint Secretary to Government of the Higher Education Department nominated by the Government (*ex-officio*)

## STATEMENT OF OBJECTS AND REASONS

Sub-section (1) of Section 4 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 for the constitution of an Admission Supervisory Committee to supervise and guide the process of admission of students to unaided professional colleges or institutions and as per item (ii) of sub-section (1) of the said section Secretary to Government, Higher Education Department is the Member Secretary of the Committee. The Head Quarters of the Admission Supervisory Committee is at Ernakulam, which holds, at least one meeting in a month. The Member Secretary of the Admission Supervisory Committee, i.e. the Principal Secretary, Higher Education Department is expected to attend such meetings. Owing to the hectic schedule and official assignments, the Member Secretary will not, always be, in a position to attend all the meetings of Admission Supervisory Committee. The Government have, therefore, decided to amend item (ii) of sub-section (1) of section 4 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) so as to relieve the Principal Secretary, Higher Education Department from the charge of the Member Secretary of the Admission Supervisory Committee and to place an officer, not below the rank of Joint Secretary of the Higher Education Department as Member Secretary of the Admission Supervisory Committee.

2. The Bill is intended to achieve the above objects.

## FINANCIAL MEMORANDUM

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

P. K. ABDU RABB

EXTRACT OF THE RELEVANT PORTIONS 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  
(19 OF 2006)

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4. *Admission Supervisory Committee.*—(1) The Government shall constitute an Admission Supervisory Committee to supervise and guide the process of admission of students to unaided professional colleges or institutions consisting of the following members, namely :—

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|--|---|------------------|
| (i) A retired Judge of the Supreme Court<br>or a High Court                                      | : | Chairperson      |
| (ii) The Secretary to Government, Higher<br>Education Department ( <i>ex-officio</i> )           | : | Member Secretary |
| (iii) The Secretary to Government, Health<br>and Family Welfare Department ( <i>ex-officio</i> ) | : | Member           |
| (iv) The Secretary to Government,<br>Law Department ( <i>ex-officio</i> )                        | : | Member           |
| (v) The Commissioner for Entrance<br>Examinations, Kerala ( <i>ex-officio</i> )                  | : | Member           |
| (vi) An Educational Expert belonging to the<br>Scheduled Caste or Scheduled Tribe<br>Community   | : | Member           |

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