



GOVERNMENT OF KERALA

Abstract

Health & Family Welfare Department - Academic - Self Financing Medical Colleges -  
Fees and admission of students during 2011-2012 - Sanction Accorded - Orders issued.

**HEALTH & FAMILY WELFARE (S) DEPARTMENT**

**G.O(Rt)No.3096/2011/H&FWD**

**Dated, Thiruvananthapuram, 27.08.2011**

- Read: -1. Judgment dated 17.08.2011 of the Hon'ble High Court in  
WP(C) No.18513/2011 filed by Amina Nahna  
2. Order dated 26.08.2011 of the Hon'ble Supreme Court in Special Leave  
Appeal (Civil) No. 23936/2011.

**ORDER**

As per the Judgment read as 1<sup>st</sup> paper above, the Hon'ble High Court had stayed the Separate Entrance Examination conducted by the Kerala Private Medical College Management Association for admission to M.B.B.S Course in their Member Colleges for the academic year 2011-2012 and directed the Government to take over the management quota seats in these institutions and allot students from the merit list of the Common Entrance Test conducted by the Commissioner for Entrance Examinations. But as per the judgment read as 2<sup>nd</sup> paper above, the Hon'ble Supreme Court of India have ordered the interim stay of the order dated 17.08.2011 of the High Court of Kerala with an interim direction permitting the petitioner Association to proceed with the admission process and complete it by 31<sup>st</sup> August 2011.

In view of the Apex Court Order read as 2<sup>nd</sup> paper above, Government have discussed the matter of allotment of seats and fees to be levied with the Private Medical College Management Association and a consensus has been arrived at for executing an agreement with them for the admissions for the year 2011-2012.

2. In the circumstances, sanction is accorded to the Commissioner for Entrance Examinations for including the colleges under Private Medical College Management Association who have agreed to execute agreement with Government in respect of admission and collection of fees from students to be admitted for MBBS Course 2011-2012, in the list of Institutions for allotment of students subject to the terms and conditions specified below: -
3. **Terms and Conditions: -**
  1. 50% of the total seats in the member colleges will be filled up by the Government from the list prepared by the Commissioner for Entrance examinations in accordance with merit and reservation principles followed by Government from time to time, subject to clauses 2 and 3 below.
  2. Whereas the member college has minority status, 30% seats out of the above 50% seats will be filled up by the Government from the list prepared by the Commissioner for Entrance Examinations by the students

belonging to the community which established the member college based on their *interse* merit. In the case of other colleges 30% of the seats will be filled up by the Government by the students belonging to the community which established the college. The remaining 70% seats shall be filled up by Government in accordance with merit and principles of reservation followed by Government from time to time.

3. Dr. Somervell Memorial CSI Medical College, Karakonam, which is an institution having minority status, the Government shall allot 30% out of the 50% seats agreed to be filled up by the Government i.e., 15 students, from among the students belonging to the minority backward community concerned on the basis of their *interse* merit from the rank list published by the Commissioner for Entrance Examinations. While allotting such students to the Dr.Somervell Memorial C.S.I Medical College, Karakonam, it shall be ensured that 13 (thirteen) candidates shall be those belonging to SIUC - South Kerala Diocese (other than Scheduled Caste Converted Christians of the South Kerala Diocese) having SIUC certificate and 2 (two) students shall be Scheduled Caste Converted Christians belonging to SIUC SKD having SIUC-SKD Certificate. SIUC - South Kerala Diocese status shall be proved/ established by certificate issued by the Bishop, South Kerala Diocese, duly endorsed by the appropriate Revenue authority. In the absence of eligible SIUC - SKD and SC Converted to SIUC - SKD candidates, such seats shall be filled by the Government from the said minority backward community from the students in other areas in the State.
- 3(a). 30% out of the 50% seats agreed to be filled up by the Government i.e., 15 students in the MES Medical College, Perinthalmanna shall be made from the students belonging to Muslim community on the basis of their *interse* merit in the rank list published by the Commissioner for Entrance Examination.
- 3(b). 30% out of the 50% seats agreed to be filled up by the Government i.e., 15 students in the Kannur Medical College shall be made from the students belonging to Muslim community from the district of Kannur, on the basis of their *interse* merit in the rank list published by the Commissioner for Entrance Examinations. In the absence of eligible candidates, such seats shall be filled by the Government from the list of students belonging to the same community.
- 3(c). 30% out of the 50% seats agreed to be filled up by the Government i.e., 15 students in the Karuna Medical College shall be made from the students belonging to Muslim community from the district of Palakkad, on the basis of their *interse* merit in the rank list published by the Commissioner for Entrance Examinations. In the absence of eligible Muslim candidates as above, such seats shall be filled by the Government from the students of the said minority backward community in other districts.

- 3(d). 30% out of the 50% seats agreed to be filled up by the Government i.e., 15 students in the KMCT Medical College shall be made from the students belonging to Muslim community from the district of Kozhikode, Malappuram and Wayanad on the basis of their *interse* merit in the rank list published by the Commissioner for Entrance Examinations. In the absence of eligible Muslim candidates as above, such seats shall be filled by the Government from the students of the said minority backward community in other districts
- 3(e). 30% out of the 50% seats agreed to be filled up by the Government i.e., 15 students in the SUT Medical College shall be made from the students belonging to Hindu community on the basis of their *interse* merit in the rank list published by the Commissioner for Entrance Examinations.
- 3(f). 30% out of the 50% seats agreed to be filled up by the Government i.e., 15 students in the Azeezia Medical College shall be made from the students belonging to Muslim community from the district of Thiruvananthapuram and Kollam on the basis of their *interse* merit in the rank list published by the Commissioner for Entrance Examinations. In the absence of eligible Muslim candidates as above, such seats shall be filled by the Government from the students of the said minority backward community in other districts.
- 3(g). 30% out of the 50% seats agreed to be filled up by the Government i.e., 15 students in the Travancore Medical College shall be made from the students belonging to Muslim community from the district of Kollam, Alappuzha and Pathanamthitta on the basis of their *interse* merit in the rank list published by the Commissioner for Entrance Examinations. In the absence of eligible Muslim candidates as above, such seats shall be filled by the Government from the students of the said minority backward community in other districts.
- 3(h). 30% out of the 50% seats agreed to be filled up by the Government i.e., 15 students in the Sree Narayana Institute of Medical Sciences shall be made from the students belonging to Ezhava community on the basis of their *interse* merit in the rank list published by the Commissioner for Entrance Examinations.
- 3(i). 30% out of the 50% seats agreed to be filled up by the Government i.e., 22 students in the Sree Gokulam Medical College shall be made from the students belonging to Ezhava community on the basis of their *interse* merit in the rank list published by the Commissioner for Entrance Examinations.
- 3(j). 30% out of the 50% seats agreed to be filled up by the Government i.e., 22 students in the Malabar Medical College shall be made from the students belonging to Ezhava community from the district of Kozhikode on the basis of their *interse* merit in the rank list published by the Commissioner for Entrance Examinations. In the absence of eligible Ezhava candidates as above, such seats shall be filled by the Government from the students of the said community in other districts.

- 3(k). In the absence of eligible candidates as per paras 3, 3(a) to 3(j) as above, such seats shall be filled by the management from the said community in the manner followed by the management in filling up of Management seats (35% seats).
- 3(l). Candidates claiming membership in the community which established the member college to be eligible for reservation under Clause 3, 3(a) to 3(j) above shall produce Community Certificate from the Village Officer concerned.
4. The Government shall furnish the list of the students to be admitted in the college by the management concerned and the management concerned shall admit the students specified in the list. The students in the list will be given specific instructions as to the date and time of presentation before the college for admission, the amount of fees to be paid, and the records to be submitted at the time of admission. The management concerned shall admit the students who have complied with the instructions as certified by the Government. The Government shall furnish such lists on or before the 28<sup>th</sup> day of September 2011.
5. If any student is not admitted by the management concerned for specific defects or for reasons to be recorded in writing, it shall intimate the Government the defects or reasons as the case may be and the Government shall rectify the defects or state the reasons for accepting the list or furnish a revised list which the management concerned shall accept and admit the students accordingly following the above procedures but in any case not later than 5 pm on 28<sup>th</sup> September 2011. The management concerned shall be entitled to fill those seats still remaining unfilled after 28<sup>th</sup> September. The Government shall not have any claim over such seats after 28<sup>th</sup> September 2011 and the forfeited seats shall not be brought forward to succeeding year for compensation.
6. As per the consensus arrived at between the Government and the Managements of Private Self-Financing Medical Colleges, the Managements have agreed to give concession in the fees collected to the candidates belonging to BPL families as per state norms/students having low annual family income up to a maximum number of 14% of those allotted by the Commissioner for Entrance Examination. The Managements have agreed to give fee concession to the students belonging to SEBC category numbering up to a maximum of 26% of those allotted by the Commissioner for Entrance Examination in each institution. The details of concessional fees shall be as follows:
- a) 14% of candidates from among those allotted by the Commissioner for Entrance Examinations in each institution coming under BPL families as per Kerala State norms irrespective of rank or category need only pay an annual tuition of ₹ 25,000/- (Rupees Twenty Five Thousand only). If enough number of candidates belonging to BPL category as above are not available, the balance number of candidates will be allowed concessional fees of



₹ 25,000/- (Rupees Twenty Five Thousand only) per annum to be selected from among those allotted by the Commissioner for Entrance Examinations in each institution from those having lower family income, irrespective of rank or category. However SC/ST category of candidates, who already enjoy fee concession benefits, will not be considered for the above purpose. In addition, 26% of candidates who have been allowed SEBC status by the Commissioner for Entrance Examination in each institution shall also pay an annual tuition fee of ₹ 25, 000/- (Rupees Twenty Five Thousand only). They will be selected on the basis of the rank. However, if the required number of SEBC candidates is not available among the students allotted by the CEE in the institution, the remaining number of candidates will be selected from among the general category on the basis of income, irrespective of rank or category with the total number of SEBC students eligible for concessional fee not exceeding 26% as above.

b) The same principle as explained in clause (a) is applicable to the minority institutions also.

c) The fee benefits will be granted only after the closure of allotments to Private Self financing Medical Colleges. Hence candidates (except SC/ST) allotted to these institutions will have to remit the fee of ₹ 1, 38,000/- (Rupees One Lakh Thirty Eight Thousand only) provisionally at the time of the allotment. The Commissioner for Entrance Examination will refund the balance amount to the candidates who will become eligible for fee benefits after the completion of the allotment process, based on the verification of income certificate to be produced by them.

d) Annual fee for SC/ST students shall be paid by the Government to the concerned college, at the rate of uniform fees fixed by the Government.

7. The annual fees fixed as above shall be inclusive of all amounts collected as in the case of similarly situated students in Government Colleges. However, the management concerned shall be entitled to collect such other statutorily permitted fees including University fees and charges and such other amounts collected from similarly situated students in Government colleges or the Government controlled Medical Colleges, which shall be specifically listed out and published each year, during the entire course of study. The management concerned shall not collect any amount from any student so admitted, other than those specified above.
8. 35% of the total seats shall be filled up by the management concerned from the merit list prepared on the basis of the common entrance test conducted by the Kerala Private Medical College Management Association, complying with the conditions stipulated in the prospectus of the Association and the regulations of the Medical Council of India.
9. Dr.Somervell Memorial C.S.I. Medical College, Karakonam and MES Medical College, Perinthalmanna, Karuna Medical College, Palakkad KMCT Medical College, Kozhikode and Kannur Medical College.

Anjarakandy which are declared as minority education institutions covered under Article 30 of the constitution of India by the National Commission of the Minority Educational Institutions, Government of India can set apart the entire 35% seats mentioned in clause 8 above or a portion thereof for being filled by members of the community/ management of the college as may be decided by the management concerned.

10. Each student thus admitted by the management concerned to the above mentioned 35% seats shall pay annual tuition fees upto ₹ 5,95,000/- (Rupees Five Lakhs and Ninety Five Thousand only), for which signed and sealed receipts shall be given by the management concerned. In addition to this the Managements can collect an amount of ₹ 5,00,000/- (Rupees Five Lakhs only) from the students in this category as interest free deposit. It shall be refunded at the end of the course without interest. In addition to the above the managements shall be entitled to collect such other fees payable by the managements to the University, Government, Medical Council of India and transportation charges, examination conducting charges, extra curricular and other establishment charges etc.

(a) The management concerned shall be entitled to fill up 15% seats, as practiced in the case of aided Colleges/Schools, by the dependents of the members of the Trust/Society, Management Committee on the basis of interse merit from the applicants who have qualified in the Entrance test conducted by the Private Medical College Management Association.

11. The management concerned shall be entitled to fill up the remaining 15% of the total seats by eligible students who are children/ dependants of Non Resident Indians. Such students shall be liable to pay annual tuition fees up to ₹ 9, 00,000/- (Rupees Nine Lakhs only).
12. The management concerned will ensure that no consideration in cash or kind other than those specified above shall be received, accepted or collected in any form whatsoever from any student admitted to the college. It shall be the liability of the Association and educational agency concerned jointly and severally to redress complaints from the students, parents or interested parties on any matter other than those covered by the terms and conditions of this consensus. Where the Second Party fails to redress any complaints referred to, as above or on any matter covered under this agreement, it shall be the duty of the First Party to take such steps as required under law to redress the complaint.
13. The Government shall arrange to provide PHC/CHC facilities and ensure supply of cadavers required for the member colleges of the association mentioned above as per the norms fixed by the Government to the member colleges, which have arrived at the consensus with the Government.

14. The Management will be free to execute appropriate Service bond from the students admitted under Government quota, except SC/ST students, for a period not exceeding one year, on similar terms as the Bond executed by the students admitted in Government medical colleges.
15. This consensual agreement shall be submitted by the Government before the Admission Supervisory Committee and the Fee Regulatory Committee constituted by the State for post-facto approval.
16. The admission and allotment to these member colleges shall be made subject to the approval of the Medical Council of India or the authorities concerned and shall be made after 30<sup>th</sup> June 2011.
17. The member Colleges of the Association mentioned above shall be entitled to collect uniform fees of ₹ 3,50,000/- (Rupees Three Lakhs Fifty Thousand only) per year and not exceeding the highest amount of fees approved/endorsed for MBBS course for the College concerned, by the Fee Regulatory Committee in the State, from all (100%) students, excluding those admitted under NRI quota, in the event of this consensual agreement is not approved as stipulated in clause 15 above or the consensual agreement proposed to be entered into between Government of Kerala and the Kerala Private Medical College Management Association or the fees structure mentioned in clauses 6,10 and 11 above are declared to be void or not enforceable by the Courts or any authority competent to declare so.

By Order of the Governor

**RAJEEV SADANANDAN,**  
Principal Secretary to Government

To

The Commissioner for Entrance Examinations, Thiruvananthapuram  
The Director of Medical Education, Thiruvananthapuram  
The Director of Health Services, Thiruvananthapuram  
The Registrar, Kerala University of Health Sciences, Thrissur  
The Accountant General (A&E/Audit), Kerala, Thiruvananthapuram  
The Secretary, Kerala Private Medical College Management Association  
The Member Colleges concerned  
The Finance Department  
The SC/ST Development Department  
The Higher Education Department  
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Section Officer

