



GOVERNMENT OF KERALA

Abstract

Higher Education – Self-financing Engineering Colleges – Discussion with the Kerala Self Financing Engineering College Managements' Association. Agreement between Government and the Kerala Self Financing Engineering College Management Association - Approved - Orders issued.

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HIGHER EDUCATION (G) DEPARTMENT

G.O (Ms) No., 113 /2010/H.Edn.

Dated, Thiruvananthapuram, 09/06/2010.

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- Read: -
- 1) G.O. (MS) 85/2009/HEdn. dated 06.07.2009
  - 2) G.O. (MS) 203/2009/ HEdn. 17/11/2009
  - 3) G.O (MS) 110/2010 /HEdn. dated. 03.06.2010.
  - 4) Agreement executed on 31.05.2010.
  - 5) Lr.No.CEE/2424/09/KEAM 2010 /TA1/ dated 26/4/2010 from the Commissioner for Entrance Examinations, Thiruvananthapuram.
  - 6) Letter No. FRC 374/2010 dated. 02.06.2010 of the Fee Regulatory Committee.
  - 7) Letter No. CA/DTE/2010 dated. 08.06.2010 from the Director of Technical Education.
  - 8) Letter No. KSFECA/178/10/1180 dated 09.06.2010 from Sri. G.P.C. Nayar, President, Kerala Self Financing Engineering College Managements' Association.

ORDER

The prospectus for Admission to Professional Degree Courses, Kerala 2010, has been published as per G.O. read as second paper above.

2. As per Clause 1.6 of the Prospectus, "Allotment of seats from the State Rank Lists for all courses in Self- financing Colleges will be made in accordance with the orders of the Hon'ble Supreme Court of India/Hon'ble High Court of Kerala or Govt of Kerala/Govt of India/ as per the law in existence at the time of Centralized Allotment Process (CAP) and will be notified separately".

3. The Kerala Self Financing Engineering College Managements' Association a consortium of 60 Private Self Financing Engineering Colleges have collectively resolved to enter into a consensual agreement with the Government with regard to allotment of students to their respective Colleges by the Commissioner for Entrance Examinations and the collection of fees, interest free deposit, and other amounts from the students admitted to their college. Accordingly detailed discussions were conducted between the Govt and the Managements' Association. Consensus was arrived at between the Government and Managements' Association and an agreement executed as per reference read as fourth paper above.

4. As required in the agreement approval of Fee Regulatory Committee constituted under 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 was sought.

5. The Fee Regulatory Committee has communicated its approval of the agreement vide Letter read as 3<sup>rd</sup> above.

6. Accordingly sanction was accorded to the Commissioner for Entrance Examinations (CEE) for including the said 60 Private Self-financing Engineering Colleges, which are members of the Kerala Self Financing Engineering College Managements' Association which entered into Agreement with Government, in the list of institutions to which options for allotment can be given by students and allotments, can be made by CEE for the Academic year 2010-11 as per G.O. read as 4<sup>th</sup> paper above.

7. Government are hereby pleased to approve the agreement reached with the Kerala Self Financing Engineering College Managements' Association and hereby publish the clauses of the agreement for information and appropriate action by all concerned.

- "i). 50% of seats in the member colleges will be filled up by the Commissioner for Entrance Examinations from the list prepared by the Commissioner for Entrance Examinations in accordance with merit basis and reservation principles followed by Government from time to time. The remaining 50% seats will be filled up by the Managements of the member colleges. 35% of the total seats will be filled up by the managements and 15% of the total seats filled up by the managements from the Non Resident Indian category.
- ii). The Commissioner for Entrance Examinations shall furnish the list of the students to be admitted in the college by the educational agency and the educational agency shall admit the students specified in the list. The students in the list will be given specific instruction as to the date and time of presentation before the college for admission, the amount of fees to be paid, the amount of refundable deposit to be remitted, and the records to be submitted at the time of admission. The educational agency shall admit the students who have complied with the instructions as required by the Commissioner for Entrance Examinations. The Commissioner for Entrance Examinations shall furnish the fourth allotment lists of the students to be admitted' to the member colleges on or before the 14<sup>th</sup> Day of July, 2010. The Commissioner will not re-allot students already admitted in the Member Colleges after the fourth allotment.
- iii). If any student is not admitted by the educational agency for specific defects or for any reason whatsoever, it shall intimate the Commissioner for Entrance Examination the defects or reasons as the case may be and the Commissioner for Entrance Examination shall rectify the defects or state the reasons for accepting the list or furnish a revised list which the educational agency shall accept and admit the students accordingly following the above procedures but in any case not later than 5 PM on 21<sup>st</sup> July, 2010. The educational agency shall be entitled to fill those seats still remaining unfilled after 5 PM on 21<sup>st</sup> July, 2010.
- iv). In view of the representation of the educational agency with regard to the expenses incurred for establishing and administering and for further developing the infrastructure and facilities in the college, the educational agency may collect Rs 35,000/0 (Rupees Thirty Five Thousand Only) as annual tuition fees during the entire course of study from each student admitted from the list furnished by the Commissioner of Entrance Examination. Signed and sealed receipt shall be given for such amounts collected.

- v). 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 educational agency shall be entitled to collect caution deposit of Rs. 10,000/- (Rupees Ten Thousand Only) and such other statutorily permitted and such other amounts collected from similarly situated students in Government self-financing colleges, which shall be specifically listed out and published each year during the entire course of study. The educational agency will also be entitled to collect from such students their proportionate share of all fees payable to the university. The Association and the educational agency hereby undertake not to collect any amount from any student so admitted, other than those specified above.
- vi). 35% of the seats shall be filled up by the educational agency on the basis of marks obtained in the qualifying examination and Common Entrance Examination from among the applications received by the educational agency or on the basis of the qualifying marks of eligibility examinations as fixed by the concerned universities or from the rank list published by the Association after conducting an examination from among the applications received by the Association or from the rank list published by the Commissioner for Entrance Examinations.
- vii). Each student thus admitted by the educational agency from the above mentioned 35% seats shall be required to pay annual tuition fees up to Rs 99, 000 (Rupees Ninety nine Thousand Only) and an amount of up to Rs. 25,000/- (Rupees Twenty Five Thousand) payable annually as expenses towards workshop charges, laboratory expenses and consumables and up to Rs.1,50,000 (Rupees One Lakh Fifty Thousand Only) as deposit refundable without interest at the end of the course of study. Signed and sealed receipt shall be given for such amount collected.
- viii) The educational agency shall be entitled to fill up 15% remaining seats by admitting qualified students who are dependants of Non Resident Indians. Such students shall be required to pay annual tuition fees up to Rs.1,50,000 (Rupees One Lakh Fifty Thousand Only) and an amount of up to Rs. 25,000/- (Rupees Twenty Five Thousand) payable annually as expenses towards workshop charges, laboratory expenses and consumables and up to Rs.1,50,000 (Rupees One Lakh Fifty Thousand Only) as deposit refundable without interest at the end of the course of study. Signed and sealed receipt shall be given for such amount collected.
- ix). The Government shall allot 10% of the total seats from among the students belonging to the minority community to which the educational agency belongs on the basis of merit from the 50% category of seats filled up the Government.
- x). The educational agency is authorized not to refund the tuition fee of the course in the event a student admitted under the management or government quota, deserts or discontinues his/her studies for any reason at any time after 21<sup>st</sup> July, 2010. Students allotted by the Government shall be entitled to seek higher option on or before 21<sup>st</sup> July 2010. Students seeking higher options shall intimate the educational agency and the Commissioner for Entrance Examinations of their decision in writing to withdraw from the allotment under the educational agency on or before 21<sup>st</sup> July, 2010. In such cases the educational agency shall be

bound to refund the amounts received/collected. In case, any student admitted to the college decides to cancel the admission for any reason whatsoever after the 21<sup>st</sup> July, 2010 the educational agency shall be entitled to collect the tuition fees for entire course as fixed under this agreement. The documents pertaining to such student shall be released only on payment of the above amount. The Commissioner for Entrance Examinations shall not allot any student to the educational agency after the 21<sup>st</sup> July, 2010.

- xi). The students allotted by the Commissioner for Entrance Examination shall remit the first year tuition fee and statutory and other miscellaneous fees at the specified bank and fees so remitted will be paid by the Commissioner for Entrance Examination before 20<sup>th</sup> August, 2010 to the respective institutions.
- xii). With regard to the introduction of new courses and increase in intake of existing courses, the Government would follow the guidelines issued by the AICTE and issue necessary orders to Universities concerned for affiliating the course/s or increased intake as the case may be in the member colleges subject to the fulfillment of orders issued by the Government and in accordance with the Statutes of the concerned University.
- xiii). It is also agreed that in the event of the Government entering into any similar consensual agreement, wherein a lesser percentage of seats are specified to be filled by the Commissioner for Entrance Examinations than which is hereinbefore provided in clause 1 above, such reduced percentage will be applicable to the member colleges of the Association also. It is also further agreed that in the event of the government entering into any similar consensual agreement wherein a higher amount of annual fees is specified to be collected from each student admitted to B.Tech, course from the list furnished by the Commissioner for Entrance Examinations, than which is hereinbefore provided in clause 4 above, such higher fees will be applicable to such students admitted by the member colleges of the Association also. In the event of the Government deciding to admit 15% of the total seats from among the students belong to the minority community to which educational agency belongs on the basis of merit from the 50% category of seats filled up by the Government, allotments shall be made at such percentage in respect of those institutions.
- xiv). This agreement is valid for the academic year 2010-11 only and shall not prejudicially affect the rights of the parties by virtue of the clauses herein, in respect of the cases pending before any Court of Law.
- xv). The parties to this agreement shall file this agreement for the approval of the Admission Supervisory Committee and Fee Regulatory Committee.
- xvi). The Association and educational agency hereby undertake 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 by the educational agency to the college. It shall be the liability of the Association and the educational agency 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 agreement. 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 to redress the complaint”.

8. The Government had entered into an agreement with the Kerala Private Self Financing Engineering College Managements' Association during 2009-10 also, in respect of admission of students and collection of fees to the member colleges of the Association. The said agreement covered 42 Private Self Financing Engineering Colleges. Several Private Self Financing Engineering Colleges who were member colleges in the said agreement had started new courses and increased intake to existing courses by executing separate agreements. Several Private Self Financing Engineering Colleges who were not among the member colleges in the said agreement were permitted to start new colleges during the year 2009-10 by entering into separate agreements with Government. One of the conditions in these separate agreements was that NOC shall be valid only for the year 2009-10 and that the individual management shall renew their agreement for continued NOC for the year 2010-11. The concerned Universities were also informed that continued affiliation for each year shall be granted only on receipt of NOC from the Government for that year.
9. The matter has been discussed with the Association. It has been decided that in consideration of the agreement entered into with the Kerala Self Financing Engineering College Managements' Association for the year 2010-11, all Private Self Financing Engineering Colleges who are now part of the Kerala Self Financing Engineering College Managements' Association need not be required to enter into separate agreement as required in the agreement entered into with them in respect of those courses covered in the respective agreements entered into with them.
10. Accordingly NOC granted to all Private Self Financing Engineering Colleges who are now part of the Kerala Self Financing Engineering College Managements' Association need not be renewed this year and shall be valid for the year 2010-11.
11. In view of the above it will be in order for the Universities concerned to grant continued affiliation and AICTE to grant continued sanction / recognition to those colleges and courses covered under the agreement read as fourth paper above.
12. The Kerala Self Financing Engineering College Managements' Association has complained that the Commissioner for Entrance Examination has notified in the website that admission to 23 Colleges (list submitted) is subject to the approval of Central bodies and Universities. They have further pointed out that the AICTE and the Universities have granted sanction / affiliation last year to these colleges and these bodies have not withdrawn the sanction /affiliation. Most of the other colleges not included in the list also do not have continued sanction / affiliation. The Association also represented that the act of the Commissioner will create an impression among the candidates that these colleges do not have the required facilities and infrastructure.
13. The Director of Technical Education vide his letter referred seven above has reported it has been decided to admit candidates to all courses in the Engineering Colleges who have entered into an agreement with Government.

14. Continuous sanction from the AICTE and continued affiliation from the University is mandatory for conducting courses in Engineering Colleges. In view of the delay in obtaining the same, the Association representing the member colleges of the Association who do not have continuous sanction/affiliation for the year 2010-11, shall furnish an undertaking to the Government that continuous sanction/affiliation from the AICTE/University shall be obtained and submitted to the Government in due course. The President Kerala Self Financing Engineering College Managements' Association has vide letter read as eight above has furnished an undertaking to that effect.
15. In view of the above the Commissioner for Entrance Examinations shall accept options and make allotments to all the member colleges covered under the agreement read as fourth paper above in accordance with the terms of the agreement entered into by the Kerala Self Financing Engineering College Managements' Association with the Government.
16. Complaints from Private Self Financing Engineering Colleges in respect of continued sanction, NOC, continued affiliation, Inspection etc. shall be looked into by a 3 member committee comprising of Director of Technical Education, Commissioner for Entrance Examinations and a representative of the University concerned and appropriate decision taken which shall be final.
17. Complaints regarding admission to M.Tech Programmes and allied matters will be sorted out by the DTE in consultation with the Management.

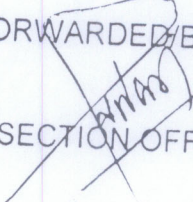
BY ORDER OF THE GOVERNOR

K. LALITHAMBIKA  
Additional Secretary to Government

To

The Commissioner for Entrance Examinations, Thiruvananthapuram.  
The Director of Technical Education, Thiruvananthapuram.  
The Accountant General (A&E) (Audit), Kerala, Thiruvananthapuram.  
The Manager, Justice PA Mohammed Committee, Old High Court Building, Ernakulam  
The President, Kerala Self Financing Engineering College Management Association,  
Stock File/Office Copy.

FORWARDED BY ORDER

  
SECTION OFFICER