

**PROCEEDINGS OF THE COMMITTEE ON FIXATION OF FEE IN RESPECT OF
SELF FINANCING PROFESSIONAL COLLEGES**

PROC. NO.CFF/ Engineering/ Fees/ 029 / 2017, Dated: 22.06.2017

**Hon'ble Mr. Justice N.V. Balasubramanian
Chairman**

**Thiru. Sunil Paliwal, IAS
Principal Secretary to Government
Higher Education Department
Member Secretary**

**Thiru. V. Jagadisan
Member (Chartered Accountant of repute)**

**Shri. R. Balamurugan
Member (representative of AICTE)**

**Dr. K.A. Baskaran
Member
(Independent person of repute in the field of Education)**

**Thiru. Rajendra Ratnoo, I.A.S.,
Commissioner of Technical Education
Special Invitee**

- Ref: 1) G.O. Ms. No.226, Higher Education (J2) Department, dated 11-7-2007
2) Letter No. Committee/Engineering/Fees/029/2017, dated.10.01.2017
3) Letter No. CFF/Engineering/Fees/029/2017, dated.01.03.2017
4) Letter No. Committee/Engineering/ Fees/ 029/2017. dated: 19.05.2017
5) Minutes of the meeting held on date:25.05.2017

ORDER:

1. With reference to G.O. 1st cited, the Committee was constituted for fixation of fee in respect of Self-Financing Professional Colleges under the Chairmanship of Hon'ble Mr. Justice N.V. Balasubramanian.

2. The Committee decided to get proposals for revision of fees in respect of all Self Financing Engineering and Stand Alone Colleges. In this connection, individual letters have been sent to the Principals of all the Self Financing Engineering Colleges asking them to submit their proposals for revision of fee for the year 2017-2018 and two subsequent academic years in a prescribed format vide ref(2).
3. The President of the Consortium of Self Financing Professional Colleges requested the committee (vide letter dated: 27.02.2017 to extend the last date for submission of the fee revision proposals, considering the request the committee extended the last date for submission of fee revision proposal, for which individual letter have been sent by register post to all the colleges (vide ref(3)).
4. Even after the individual Reminder letters have been sent to all the colleges, only the following colleges submitted the proposal.
 - a) 313 Self Financing Engineering Colleges for B.E./B.Tech./B.Arch courses (Annexure -A),
 - b) 137 Self Financing Colleges for M.E./M.Tech./M.Arch Courses (Annexure -B),
 - c) 122 Self Financing Professional Colleges for the MBA course and MCA course (Annexure -C),
 - d) Rest of the Self Financing Engineering Colleges (Annexure -D) have not submitted their fee revision proposals.
5. The Committee decided to verify the expenditure statement based on the 20 Major heads namely Salaries and allowances including PF(Teaching, Non-Teaching and Administration), Welfare Expenses, Electricity Charges, Telephone, Postage &

Internet, Equipment Purchase, Books & Periodicals, Printing & Stationary, Consumable, Research and Development, University affiliation fees and Inspection Charges, Sports, Games, Meetings and Functions, Awards, Merit Scholarship, Travelling and Conveyance, Repairs and Maintenance, Depreciation, Advertisement and Miscellaneous Expenditures.

6. The Committee also decided to verify the proposals in detail and requested Thiru. V.Jagadisan, Member and (Chartered Accountant of reputed) to verify the details of expenditure submitted by the colleges and prepare the consolidated expenditure statements.
7. The Committee analyzed the consolidate expenditure statements in detail, and it was found that an average expenditure per student based on the details submitted by the colleges varies from Rs.20,000/- to Rs.80,000/- To arrive at a comprehensive fee for the students studying in various colleges located in rural and urban areas also based on the maximum and minimum range of proposed fee submitted by the institutions, the Committee decided to invite the representative of the Consortium and Association for discussion (vide ref(5)).
8. In response to the request of the Committee, the following representatives of the Consortium and Associations appeared before the Committee on

Sl. No	Name of the Representatives & Designation	Name of the Consortium / Associations
1.	a) Mr.R.S. Munirathinam, President b) Prof. A. Kanagaraj, Vice President c) Mr. P. Selvaraj, Secretary d) Mr. P. Neelraj, Joint Secretary	Consortium of Self Financing Professional, Arts and Science Colleges in Tamil Nadu

2.	a) Mr. K. Paramasivam, President b) Dr. A.K. Natesan, Secretary c) Mr. TNP. Muthoo Nataraajan d) Er. Ba. Mahendhiran, Treasurer	Association of Management of Coimbatore Anna University Affiliated Colleges, Coimbatore
3.	Mr. S. Mohammed Jaleel, President	Tirunelveli Anna University of Technology Self Financing Engineering Colleges Management Association, Madurai
4.	a) Mr. A.M.M. Khaleel, President b) Mr. Ajith Kumar Lal Mohan, Secretary	Association of Self Financing Arts, Science and Management Colleges of Tamil Nadu, Coimbatore

9. The Committee held the meeting on 25.05.2017 and the President of the Consortium Mr. R.S. Munirathinam requested the Committee to fix the fee considering the maximum fee fixed by the Sri Krishna Committee constituted by AICTE and also the fee fixed in the neighboring states. The representatives were informed that the representation will be considered in during fixation the fee.

10. The following seat sharing for admission of students in Self Financing Engineering Colleges, is already in vogue for several years,

	Category -I (Govt. Quota)	Category -II (Seats retained by the institution)	Total
Non - Minority Institutions	65%	35%	100%
Minority Institutions	50%	50%	100%

11. Considering the following,

- i. Principal adopted by Sri Krishna Committee
- ii. The expenditure details submitted by the colleges in the proposals
- iii. Request submitted by the representative of Consortium and Associations
- iv. Seat sharing for admission of the students in self financing engineering colleges.

The Committee passes following the order.

ORDER:

12. The following maximum fee structure will take effect for the batch of the students admitted for the academic year 2017-2018, 2018 -2019 & 2019 -2020.

Sl. No	Name of the Course		Fee fixed by the Committee Rs.	Remarks
1	B.E./B.Tech./B.Arch. (Category-I)	Non-Accredited Courses	50,000 / Annum	The fee is an all inclusive annual fee including various fees like Tuition fee, Admission fee, Special fee, Laboratory / Computer / Internet fee, Library fee, Sports fee, Placement and Training fee, Maintenance and Amenities fee, Extra curricular activities fee and other recurring expenditure.
		Accredited Courses	55,000 / Annum	
2	B.E./B.Tech./B.Arch. (Category-II)	Non-Accredited Courses	85,000 / Annum	
		Accredited Courses	87,000 / Annum	
3	M.E./M.Tech./M.Arch.	Non-Accredited Courses	25,000 / Semester	
		Accredited Courses	30,000 / Semester	
4	MBA and MCA	Non-Accredited Courses	17,500 / Semester	
		Accredited Courses	20,500 / Semester	
5	M.Sc.-5 Years Integrated Course	Non-Accredited Courses	17,500 / Semester	
		Accredited Courses	20,500 / Semester	
6	PGDBM / PGDBA Courses	Non-Accredited Courses	12,500 / Semester	
		Accredited Courses		

13. In addition to the above fees, the institution is permitted to collect an amount of Rs.5,000/- per student as development fee.
14. In addition to the above recurring annual fee, the concerned Institutions are permitted to collect a refundable one time caution deposit not exceeding Rs.5, 000/- per student at the time of admission, to be refunded at the time the student leaving the institution.
15. It is made clear that the fee fixed by the Committee is maximum fee is to be charged by the institution. It is open to the institutions to charge lesser fee than the fee fixed by the committee.
16. If any institution seek revision of the fee fixed, it is always open to the said institution apply for revision of fee to the committee along with the relevant records and book of accounts to the committee.
17. The management of the Self Financing Engineering Colleges are directed to cover all the students under Students Group Insurance Scheme. The above fee does not include Hostel, Transport, Mess charges.
18. The Committee recommends to the institutions to consider granting of partial waiver / concession of Rs.5, 000/- per annum in case of deserving meritorious students.
19. The Committee directs the Institutions shall not collect or levy any other recurring or non-recurring fee including capitation fee.

20. Any deviation of the order of this committee will entail serious penal consequences like withdrawal of approval by AICTE and disaffiliation by the concerned University as well as imposition of fine.
21. Any student / parent aggrieved by overcharging of fees if any, by the Institutions is at liberty to approach the committee for redressal.

Sd/--
Shri. R. Balamurugan
Member

Sd/--
Dr. K.A. Baskaran
Member

Sd/--
Thiru V. Jagadisan
Member

Sd/--
Thiru. Sunil Paliwal, I.A.S.,
Member Secretary

Sd/--
Mr. Justice N.V. Balasubramanian
Chairman

/ By Order /


Special Officer

Copy to:

1. The Secretary to Government, Higher Education Department, Chennai 600 019
2. The Director, Directorate of Technical Education, Chennai 600 025
3. The President, Consortium of Self Financing Professional Arts and Science Colleges in Tamil Nadu
4. The President, Association of Management of Coimbatore Anna University Affiliated Colleges (Circulate to all member colleges)
5. The President, Tirunelveli Anna University of Technology Self Financing Engineering Colleges Management Association

**THE TAMIL NADU EDUCATIONAL INSTITUTIONS
(PROHIBITION OF COLLECTION OF CAPITATION
FEE) ACT, 1992**

Act No.57 of 1992

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Tamil Nadu Government Gazette, Extraordinary, Issue No. 626, Madras,
Wednesday, October 28, 1992, Aippasi 12, Aangeerasa,
Thiruvalluvar Aandu-2023

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 27th October 1992 and is hereby published for general information :—

An Act to prohibit the collection of capital fee for admission to educational institutions in the State of Tamil Nadu and to provide for matter relating thereto.

WHEREAS the practice of collecting capitation fee for admitting students into educational institutions is widespread in the State

AND WHEREAS this undesirable practice, besides contributing to large scale commercialisation of education, has not been conducive to the maintenance of educational standards;

AND WHEREAS it is considered necessary to effectively curb this undesirable practice, in public interest, by prohibiting the collection of capitation fee and to provide for matters relating thereto

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty third Year of the Republic of India as follows:

1. Short title, extent and commencement. — (1) This Act may be called the Tamil Nadu Educational Institutions (Prohibition of Collection of Capitation Fee) Act, 1992.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall be deemed to have come into force on the 20th day of August 1992.

2. Definitions. In this Act, unless the context otherwise requires

(a) "capitation fee" means any amount, by whatever name called, paid or collected directly or indirectly in excess of the fee prescribed under section 4;

(b) "educational institution" means any institution, by whatever name called; whether managed by any person, private body, local authority, trust or University, Carrying on the activity of imparting education leading to a degree or Diploma (including; a degree or diploma in law, medicine or engineering) conferred by any University established under any law made by the Legislature of the State of Tamil Nadu and any other educational institution or class or classes of educational institution (other than any educational institution established by the Central Government or under any law made by Parliament) as the Government may, by notification, specify;

(c) "Government" means the State Government;

(d) "management" includes the managing committee or any person, body of persons, committee or any other governing body, by whatever name called, in whom the power to manage or administer the affairs of an educational institution is vested;

Provided that the Board of Trustees or governing body of a Wakf Board, by whatever name called, constituted or appointed under any law for the time being in force relating to the charitable and religious institutions and endowments and wakfs shall be deemed to be a management for the purposes of this Act;

(e) "minority educational institution" means an educational institution of its choice established and administered by any minority, whether based on religion or language, as has the right to do so under clause (1) of Article 30 of the Constitution.

3. Prohibition of collection of capitation fee. — Notwithstanding anything contained in any law for the time being in force, or in any judgement, decree or order of any Court or other authority, no capitation fee shall be collected,-

(a) by any person who is in charge of, or is responsible for, the management of any educational institution ; or

(b) by any other person either for himself or on behalf of any such educational institution or on behalf of any such management of any educational institution.

4. Regulation of fee, etc — (1) Notwithstanding anything contained in any other law for the time being in force, the Government may, by notification, regulate tuition fee or any other fee or deposit that may be received or collected by any educational institution or class or classes of such educational institutions in respect of any or all class or classes of students :

Provided that before issuing a notification under this sub-section, the draft of which shall be published in the Tamil Nadu Government Gazette stating that any objection or suggestion which may be received by the Government, within such period as may be specified therein, shall be considered by them.

(2) No educational institution shall receive or collect any fee or accept deposit in excess of the amount notified under sub-section (1).

(3) Every educational institution shall issue an official receipt for the fee or deposit received or collected by it.

5. **Regulation of accounts.**— Government may regulate the maintenance of accounts by the educational institutions in such manner as may be prescribed.

6. **Submission of returns.**— The Government may require the educational institutions to submit such returns or statements in such form and in such manner as may be prescribed for carrying out the purposes of this Act.

7. **Penalties.** — (1) Whoever contravenes the provisions of this Act or the rule made thereunder shall, on conviction be punishable with imprisonment for a term which shall not be less than three years but which may extend to seven years and with fine which may extend to five thousand rupees.

Provided that the court may, for any adequate and special reason to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than three years

(2) Where the conviction is for an offence under Section 3 or under section 4, the educational institution or the person convicted thereunder shall refund to the person from whom-

(a) the capitation fee was collected in contravention of section 3, such capitation fee;

(b) the fee or deposit was received or collected in excess of the amount payable under section 4, such excess amount.

8. **Offences by companies.** — (1) Where an offence against any of the provisions of this Act or any rule made thereunder has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he has exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any such offence has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation. — For the purposes of this section —

(a) 'company' means any body corporate and includes a trust, a firm, a society or other association of individuals, and

(b) 'director' in relation to-

(i) a firm, means a partner in the firm;

(ii) a society, a trust or other association of individuals, means the person who is entrusted under the rules of the society, trust or other association with the management of the affairs of the society, trust or other association, as the case may be.

9. Power to enter and inspect. — (1) Any officer authorised by the Government in this behalf may, at any time, during the normal working hours of any educational institution, enter such educational institution or any premises thereof or any premises belonging to the management of such educational institution if he has reason to believe that there is or has been any contravention of the provisions of this Act or the rules made there under and search and inspect any record, accounts, register or other document belonging to such educational institution or of the management, in so far as any such record, accounts, register or other document relates to such educational institution and seize any such record, accounts, register or other document for the purpose of ascertaining whether there is or has been any such contravention.

(2) In order to secure proper and effective utilisation of the finances or resources or other assets of any educational institution in existence on the date of the commencement of this Act, it shall be competent for the Government to invoke the provisions of sub-section (1) and ascertain such finances, resources and assets of such educational institution and after such ascertainment to give such directions to the management as they deem fit.

(3) The provisions of the Code of Criminal Procedure, 1973, (Central Act 2 of 1974), relating to search and seizure shall apply, so far as may be, to search and seizure under sub-section (1).

10. Application of this Act to minority educational institutions — Nothing contained in this Act or the rules made thereunder shall apply to any minority educational institution to the extent to which they are inconsistent with the rights guaranteed under Article 30 of the Constitution.

11. Cognizance of offences. — No court shall take cognizance of any offence under this Act except with the sanction of the Government or such officer as the Government may authorise in this behalf.

12. Act to override other laws. — The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

13. Protection of action taken in good faith. — No suit, prosecution or other legal proceeding shall be instituted against the Government or any officer, authority or person empowered to exercise the powers or perform the functions by or under this Act for anything which is in good faith or intended to be done under this Act or under the rules made thereunder.

14. Power to make rules. — (1) The Government may make rules for carrying out all or any of the purposes of this Act.

(2) Every rule made under this Act shall, as soon as possible after it is made, be placed on the Table of the Legislative Assembly and if, before the expiry of this session in which it is so placed or the next session, the Assembly makes any modification in any such rule, or the Assembly decides that the rule should not be made, the rule shall there-later have effect only in such modified form or be of no effect, as the case may be, so, however that any such modification or annulment shall be without prejudice to the, validity of anything previously done under that rule.

15. Repeal and saving. — (1) The Tamil Nadu Educational Institutions (Prohibition of Collection of Capitation Fee) Ordinance, 1992 (Tamil Nadu Ordinance 10 of 1992) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the laid Ordinance shall be deemed to have been done or taken under the corresponding Provisions of this Act.