



Bill Summary

The Prohibition of Unfair Practice in Technical Educational Institutions, Medical Educational Institutions and University Bill, 2010

- The Prohibition of Unfair Practice in Technical Educational Institutions, Medical Educational Institutions and University Bill, 2010 was introduced in the Lok Sabha on May 3, 2010. The Bill was referred to the Standing Committee on Human Resource Development, which is scheduled to submit its report within two months.
- The Bill seeks to prohibit certain unfair practices in technical and medical educational institutions and universities in order to protect the interest of students. Unfair practices include accepting capitation fee; admitting students without specified admission tests or specified merit criteria; not giving receipt for any fee charged by the institution; publishing advertisement misleading students; and withholding degree or diploma to compel a student to pay a fee.
- Each institution has to publish a prospectus containing information about tuition fee, number of seats approved by a statutory authority, conditions of eligibility, details of teaching faculty, minimum pay of teaching faculty and other employees, etc.
- Monetary penalty shall be imposed on institutions in case they violate the provisions of the law. Penalties shall be adjudicated by the state and national educational tribunals.
- If any person contravenes provisions of this Act, he shall be liable to imprisonment of upto three years or a fine or with both. If any person fails to pay the penalty imposed by State or National Educational Tribunals, he shall be liable to imprisonment for a minimum of one month and maximum of three years or a fine between Rs 50,000 and Rs 5 lakh or with both.
- The court shall not take cognizance of an offence unless the person authorised by the central or state government makes the complaint in writing. Only courts of a Metropolitan Magistrate or a Judicial Magistrate of the First Class (or higher) can try a case under this Act. Every offence shall be deemed to be non-cognizable except taking or giving capitation fees.
- The Bill does not affect the right of minorities to establish and administer educational institutions.

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