



Bill Summary

The Educational Tribunals Bill, 2010

- The Educational Tribunals 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 set up Educational Tribunals at the national and state level to adjudicate disputes involving teachers and other employees of higher education and other stakeholders such as students, universities (including foreign education providers) and statutory regulatory authorities.
- The Bill lays down the composition and manner of selection of the members of the tribunals. Each State Educational Tribunal shall consist of a Chairperson and two other members (one of whom should be a woman). A member shall be at least 55 years old, has knowledge and experience in higher education or public affairs for 20 years, has been Vice Chancellor or Chief Secretary in the state government. The members shall be appointed by the appropriate government on the recommendation of a Selection Committee.
- The state tribunals have jurisdiction over service matters of teacher and other employees of higher educational institution; dispute over affiliation and unfair practices of a higher educational institution prohibited by any law.
- The National Educational Tribunal shall consist of a Chairperson and a maximum of eight members (2 shall be judicial, 3 shall be academic and 3 shall be administrative). They shall be appointed by the central government on the recommendation of a Selection Committee.
- The jurisdiction of the Tribunal may be exercised by benches consisting of three members. The chairperson and judicial members shall be chosen among Judges of the Supreme Court. Academic members have to be at least 55 years old, have knowledge and experience in higher education or public affairs for 25 years, and have been Vice Chancellor of an University or Director of an institution of national importance. Administrative members have to be at least 55 years, have knowledge and experience in higher education or public affairs for 25 years, have Secretary to the government of India.
- The national tribunal shall adjudicate cases of dispute between higher educational institutions and statutory authorities; and higher educational institution and affiliating university (in case of central universities). It shall have appellate jurisdiction on orders of the state tribunals. Orders of the national tribunal can be appealed in the Supreme Court.
- An order of the tribunal shall be treated as decree of a civil court. If orders of the national or state tribunal are not complied with, the person shall be liable to imprisonment for a maximum of three years or with fine of upto Rs 10 lakh or with both.

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