

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATID. PURANDESWARI): (a) and (b) A legislative proposal for regulating the entry and operation of foreign educational institutions in India has been approved by the Government and a notice to introduce a Bill has been sent to Parliament. As the provisions of the Bill come into force only subject to approval by Parliament the response of foreign education providers to the Bill cannot be predicted.

(c) and (d) Universities and other public institutions may set up campuses abroad at present, if so permitted by the relevant legislative Act, or Memorandum of Association or the authority under which a university or institution is established.

Bill to abolish capitation fee

3171. PROF. P.J. KURIEN: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) whether Government proposes to bring a Bill to abolish the exorbitant capitation fee in educational institutions;
- (b) if so, the details thereof;
- (c) whether Government has fixed any time-frame for passing of the Bill;
- (d) if so, the details thereof and if not, the reasons therefor;
- (e) whether pending passage of the Bill, Government would consider promulgating an Ordinance to this effect; and
- (f) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATID. PURANDESWARI): (a) and (b) A legislative proposal to prohibit and punish unfair practices including the demand of capitation fee by technical and medical educational institutions and universities has been approved for introduction in Parliament. The Prohibition of Unfair Practices in Technical Educational Institutions, Medical Educational Institutions and Universities Bill, 2010, *inter-alia*, provides for—

- (a) prohibition of accepting admission fee and other fees and charges other than such fee or charges for such admission as declared by the institution in the prospectus for admission against any seat and without a proper receipt in writing issued for such payment to the concerned student so admitted in the institution;
- (b) prohibition of admission without specified admission test for selection of the students where such test is required to be conducted as per appropriate statutory authority;
- (c) mandatory publication of prospectus, its contents and its pricing;
- (d) prohibition of demanding or charging or accepting, directly or indirectly, capitation fee or demand by donation, by way of consideration for admission to any seat or seats in course or programme of study, by the institutions;

- (e) prohibition on refusal to return or withholding degree, diploma, or other documents deposited with the institution or refund of fee, if the student withdraws from the institution;
- (f) prohibition of advertisement not based on facts or misleading;
- (g) imposition of monetary penalty upto fifty lakh rupees for doing contrary to information in prospectus, demanding or accepting capitation fee and publishing false or misleading advertisement or untrue advertisement and penalty upto one lakh rupees for refusal or withholding documents ; confiscation of capitation fee or donation or any other charges collected in contravention of the provisions of the proposed legislation by the State Educational Tribunal and the National Educational Tribunal.
- (c) No, Sir.

(d) The Government has sent notice of its intention to introduce the Bill and passage of Bill, being within the legislative powers of Parliament, the government cannot fix any time-frame therefor.

(e) and (f) No, Sir. The power of President under article 123 cannot be exercised while Parliament is in Session.

Control over foreign universities' functioning in the country

3172. PROF. P.J. KURIEN: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) the details of foreign universities functioning in the country, directly or indirectly;
- (b) whether Government exercises any control over functioning of such universities;
- (c) if so, the details thereof;
- (d) if not, the reasons therefor; and
- (e) the action Government proposes to take in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI D. PURANDESWARI): (a) to (e) Due to the absence of regulatory mechanism, other than in technical education, there is no authentic information about the foreign education providers operating in the country.

At present, the All India Council for Technical Education (AICTE) has framed regulations, for entry and operation of foreign universities/institutions, imparting technical education in India and seven collaborations between Indian and foreign institutions have been registered by AICTE under the said regulations. These are (i) Institute of Hotel Management, Aurangabad, Maharashtra in collaboration with University of Huddersfield, U.K (ii) Asia Pacific Institute of Information Technology, Panipat, Haryana in collaboration with Staffordshire University, U.K, (iii) Sreenidhi Institute of Science and Technology, Hyderabad, Andhra Pradesh with Vaughn