

Closure of Private Universities

*84. SHRI MANOJ BHATTACHARYA:

SHRI AMAR SINGH:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether about a hundred private universities in different parts of the country have been closed following a recent judgement of the Supreme Court of India;

(b) if so, the details thereof; and

(c) the steps proposed to be taken by Government to protect interest of a large number of affected students?

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH): (a) and (b) The Supreme Court of India *vide* its judgment dated 11 February, 2005 in writ Petition (Civil) No. 19/2004: Prof. Yash Pal & Ors. Vs. State of Chhattisgarh & Ors., has declared the provisions of Section 5 and 6, of the Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthapana Aur Viniyaman) Adhiniyam, 2002, to be ultra vires of the Constitution. All notifications issued by the State Government in the Gazette in the purported exercise of powers under Section 5 of the aforesaid Act, notifying the Universities, have been quashed and such Universities cease to exist. The Supreme Court also held that "the impugned Act which specifically makes a provision enabling a University to have an off-campus center outside the State is deary beyond the legislative competence of the Chhattisgarh legislature." The Supreme Court also directed that if any institutions have been established by such Universities, steps may be taken for their affiliation to already existing State Universities.

(c) In view of above, the Chhattisgarh Government has been requested to inform whether any specific intervention is required to be taken by the Government of India in the matter. The UGC has also been requested to examine the judgement and its implications, particularly for the bonafide students enrolled with these "universities" so that, should the need arise, the Commission could be requested to take appropriate steps in the matter.

Funds to Maharashtra for tribal welfare

*85. SHRI BALAVANT ALIAS BAL APTE:

SHRI RUDRA NARAYAN PANY:

Will the Minister of TRIBAL AFFAIRS be pleased to state: