

ITEM NO.1502

COURT NO.5

SECTION IV-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 3978-3995/2017

RASHTREEYA SIKSHANA SAMITHI TRUST ETC.

Appellant(s)

VERSUS

COMMITTEE FOR FIXATION OF FEE STRUCTURE OF  
PRIVATE PROFESSIONAL COLLEGES & ORS. ETC.

Respondent(s)

WITH

C.A. No. 4051-4057/2017 (IV-A)

C.A. No. 4076-4077/2017 (IV-A)

C.A. No. 4067/2017 (IV-A)

C.A. No. 4222-4239/2017 (IV-A)

C.A. No. 3997-4004/2017 (IV-A)  
( FOR ON IA 21471/2010)

C.A. No. 4058-4064/2017 (IV-A)

C.A. No. 4084-4215/2017 (IV-A)

C.A. No. 4006/2017 (IV-A)  
(IA No. 2/2011 - MODIFICATION OF COURT ORDER)

C.A. No. 4008/2017 (IV-A)

C.A. No. 4015-4022/2017 (IV-A)  
(IA No. 17/2016 - MODIFICATION)

C.A. No. 4024-4037/2017 (IV-A)

C.A. No. 4040-4048/2017 (IV-A)  
( FOR ON IA 599/2011)

Date : 19-05-2022 These matters were called on for pronouncement of  
judgment today.

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Mr. Raghvendra Kumar, Adv.  
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Mr. Nishant Verma, Adv.  
Mr. Rajiv Kumar Sinha, Adv.  
Mr. Simanta Kumar, Adv.  
Ms. Rajlakshmi Singh, Adv.  
Mr. Sunil Saraogi, Adv.  
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Mr. Venkita Subramoniam T.R., Adv.  
Mr. Likhi Chand Bonsle, Adv.  
Mr. Rahat Bansal, Adv.

Mr. Harish Pandey, AOR

The Order is pronounced by the Bench comprising Hon'ble Mr. Justice L. Nageswara Rao and Hon'ble Mr. Justice B.R. Gavai.

This Court inter alia passed the following order:

"14. The conspectus of the above discussion would lead us to the following conclusions: -

(a) A web-portal under the aegis of Supreme Court has to be set-up wherein any information about the private medical colleges charging capitation fees can be

furnished by the students. The web-portal has to be maintained and regulated by the National Informatics Centre (NIC) under the Ministry of Electronics and Information Technology;

- (b) The Chief Secretaries of the States and Union Territories are directed to publish the details about the web-portal in the English as well as vernacular newspapers at the time of admission. In addition, a pamphlet should be compulsorily given to the students and their parents at the time of counselling informing them about the availability of the web-portal;
- (c) While fixing the schedule for the admission process, the National Medical Commission and the Dental Council of India have to make sure that the counselling for all the rounds, including the stray vacancy round, is completed at least two weeks before the last date of admission;
- (d) The names of students who are recommended by the authority for admission in the stray round vacancy have to be made public along with rank allotted to them in the NEET exam. The admissions should be made strictly on the basis of merit and in the

event of any admission to the contrary, suitable action shall be taken against the private medical colleges;

- (e) While fixing fee, the Fee Fixation Committees of the States should take into account all the components of fee, leaving no scope for managements to charge any additional amounts apart from what has been prescribed by the fee fixation committee from time to time. In the event that the management intends to charge additional amounts over and above the price band fixed by the Fee Fixation Committee, or for any component not included in the structure fixed by the Fee Fixation Committee, the same can only be done with the concurrence of the Fee Fixation Committee;
- (f) The management of private medical colleges are strictly prohibited from accepting payment of fees in cash, in order to avoid charging of capitation fee. The students or any other aggrieved persons are at liberty to report on the web-portal regarding collection of fees in cash by any medical colleges;
- (g) The Director General of Health Services and other concerned authorities to the State

Governments should ensure that the All-India Quota and State Quota rounds of counselling are completed strictly in accordance with the time schedule that is fixed.

15. The aforementioned suggestions of the Amicus Curiae and the learned Counsel for the States and National Medical Council are accepted and directions are issued accordingly.

16. List these Civil Appeals in July, 2022 for further hearing."

(Geeta Ahuja)  
Court Master

(Anand Prakash)  
Assistant Registrar  
(Signed Non-Reportable Order is placed on the file)