

No. 264/Health/H5/2017-18
GOVERNMENT OF PUDUCHERRY
HEALTH SECRETARIAT

Puducherry, dated: 04.05.2018.

S H O W C A U S E N O T I C E

WHEREAS, directions were issued to all the Deemed to be University Medical Colleges vide circular dated 25.04.2018, to collect tuition fees at the rate of Rs. 10.00 lakh per annum from the students admitted in Post Graduate courses under Government quota for the academic year 2018-19 also till the Committee fixes the fee, in order to comply with the direction of the Hon'ble Supreme Court in the Special Leave to Appeal (C) No. 19315 of 2017 dated: 16.04.2018.

2. **WHEREAS**, from the reply furnished by you vide letters dated 26.04.2018 and 30.04.2018, it is stated that, the above order of the Hon'ble High Court fixing temporary fee structure of Rs. 10.00 lakh per annum for Post Graduate courses in the Deemed to be Universities will be applicable only to the students admitted into the Colleges between 16.06.2017 and 19.06.2017 and for that academic year only (2017-18).

3. **WHEREAS**, Hon'ble Supreme Court in its order dated 16.04.2018, in SLA (C) No. 19135 of 2018 has clearly ordered that, with respect to the fee structure, the fee which is realized as per impugned order will hold good till such time the High Court decides the matter. The Hon'ble High Court in its order dated 16.06.2017 did not order that only students admitted between 16.06.2017 to 19.06.2017 shall be entitled for the benefit of the interim fee of Rs. 10.00 lakh. In fact, the Hon'ble High Court has stated in para 22 of the order that the students who had already taken admission by depositing the full fees will, if necessary be entitled to refund/adjustment of the difference between the fees that might be determined by the Committee and the amount paid by them. The Hon'ble Supreme Court in the order date 16.04.2018 has confirmed the above order of the High Court stating that the fees which are realized as per impugned order will hold good till such time the High Court decides the matter. So it is very clear that, all the students whether under Government quota or management quota who had already been admitted in the PG courses in the Deemed to be Universities are eligible/bound to pay only Rs. 10.00 lakh during this academic year also (2018-19).

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4. In view of the above, your replies not being in consonance with the orders of the Hon'ble Supreme Court and Hon'ble High Court of Madras are accordingly **REJECTED**. You are therefore once again directed to comply with the directions of the Hon'ble Supreme Court order in the Special Leave to Appeal (C) No. 19315 of 2017 dated: 16.04.2018 by collecting only Rs. 10.00 lakh as fees from the students during the academic year 2017-18 and 2018-19, till such time the matter is decided by the Hon'ble High Court, Madras.

5. Any non-compliance of the orders of the Hon'ble Supreme Court/Hon'ble High Court shall be construed as willful violation and the Institute will be liable for appropriate action and initiation of legal action by the appropriate authorities and Government of Puducherry

//BY ORDER //


(Dr. R. CHANDIRASEKARAN)
DEPUTY SECRETARY TO GOVERNMENT (HEALTH)

To

- ✓ 1. The Chairman,
Mahatma Gandhi Medical College &
Research Institute,
Pillaiyarkuppam, Puducherry.
2. The Chairman,
Aarupadai Veedu Medical College &
Hospital, Kirumampakkam.
3. The Chairman,
Vinayaga Mission's Medical College &
Hospital, Keezhakasakudimedu,
Karaikal

Copy for information/necessary action:

1. The Secretary to Government (Law) with a request to issue necessary direction to the Government Pleader, Puducherry, in Madras High Court to apprise the Hon'ble High Court.
2. Thiru. V.B.R. Menon, Advocate, Petitioner in WP No. 14232 of 2017 and Respondent in Special Leave to Appeal (C) No. 19315 of 2017.
No. 173, New Additional Law Chambers, High Court Building, Chennai – 600 104.
3. The Under Secretary, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi, 110 011
4. The Joint Secretary,
University Grant Commission, New Delhi