

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1683, CUTTACK, THURSDAY, DECEMBER 10, 2015 / MARGASIRA 19, 1937

SECRETARIAT
OF
THE ODISHA LEGISLATIVE ASSEMBLY
NOTIFICATION

The 10th December, 2015

No.12698/L.A.—The following Bill which has been introduced in the Odisha Legislative Assembly on the 9th December, 2015 is herewith published under rule 68 of the Rules of Procedure and Conduct of Business in the Odisha Legislative Assembly for general information.

**THE ODISHA PROFESSIONAL EDUCATIONAL INSTITUTIONS
(REGULATION OF ADMISSION AND FIXATION OF FEE)
AMENDMENT BILL, 2015**

A

BILL

TO AMEND THE ODISHA PROFESSIONAL EDUCATIONAL
INSTITUTIONS (REGULATION OF ADMISSION AND
FIXATION OF FEE) ACT, 2007

BE it enacted by the Legislature of the State of Odisha in the
Sixty-sixth Year of the Republic of India, as follows:—

Short title.

1. This Act may be called the Odisha Professional Educational Institutions (Regulation of Admission and Fixation of Fee) Amendment Act, 2015.

Amendment
of section 2.

- 2.** In the Odisha Professional Educational Institutions (Regulation of Admission and Fixation of Fee) Act, 2007, in section 2, in clause (u), the following proviso shall be added to sub-clause (xii), namely:—

Odisha Act 4
of 2007.

“Provided that the Government may, by like notification, exclude any of the educational courses declared as such in the notification”.

STATEMENT OF OBJECTS AND REASONS

In pursuance of the observation and directives of the Hon'ble Supreme Court of India in Islamic Academy of Education and others *Vrs.* State of Karnataka reported in AIR 2003 S.C. 3724 and P.A. Inamdar and others *Vrs.* State of Maharashtra reported in AIR 2005 S.C. 3226, the State Legislature of Odisha enacted the Professional Educational Institutions (Regulation of Admission and Fixation of Fee) Act, 2007 with a view to provide regulation in admission, fixation of fees, prohibition of capitation fee, reservation in admission and for other measures to ensure equity and excellence in professional educational institutions and for matters connected therewith or incidental thereto.

There is no such provision in the Act empowering the State Government to omit any Course from its purview whenever it is felt necessary to do so, keeping in view the change of provision made by the statutory body such as AICTE/UGC/MCI/DCI/PCI/CoA etc. and in the interest of the students.

With a view empower the State Government to take appropriate decision in the matter of admission taking into consideration the change of provision made by any statutory body and for the interest of the students, the State Government proposes to bring about an amendment to Section 2 of the Odisha Professional Educational Institutions (Regulation of Admission and Fixation of Fee) Act, 2007 so that the State Government will be able to exclude any of the educational courses declared as such in the notification.

The Bill seeks to achieve the above objectives.

SANJAY KUMAR DAS BURMA
Member-in-Charge

A.K. SARANGI
Secretary

Odisha Legislative Assembly