

# Community initiatives and State intervention in the Self Financing Professional Higher Education sector of Kerala since 2000 CE - A Recapulation

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## ABSTRACT

The present endeavor is to examine the transformations of the civic education policies in Kerala, since 2000 CE and the phases of appeasement, intervention and submission of the civic bodies before the organized bargain of religious and communal groups in the realm of self-financing professional higher education sector of Kerala. The attempt is in the direction of observing the pattern of structure of activity that evolved between various entities that involved in the arena of institutionalization of education. The dynamics of power balance mechanism and communalization of indigenous politics through educational institutions in Kerala are mentioned to precisely understand the foundations and ensuing structure of the educational setup of present day Kerala.

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## 1. Familiarizing

A social, religious, professional or other group that shares in common or, in a certain sense, distinguishes or perceives characteristics or interests of society as a whole is known as community. An initiative refers to an introductory or cardinal step in a primary stage of action. In this context, the researcher uses the term Higher Education to refer all types of Post schooling education to secondary education, and as the one provided by recognized educational institutions, for example, universities, institutes, etc. Higher education is considered synonymous with continuing education and tertiary education and by the word professional, it is meant to place formalized approach to specialized training in a vocational school through which participants acquires knowledge of content and learns to apply techniques. A self-financed institution in India is one that does not receive any financial support from the central government. or the state, neither do they obtain financial subsidies or benefit from the UGC. Such an institute is funded by the fees paid by students who enroll in courses and can obtain private funds from other sources, such as a corporate house. A self-financed entity in India can obtain recognition of its AICTE courses. They could be completely independent or depend on an Indian university for curriculum and admissions. Since the state opened the higher education sector to the entrance of self-financing institutions, Kerala has seen the emergence of colleges of engineers, medicine and other professional courses. Of these, the first section includes 146 self-financed engineering colleges, 23 of which are sponsored by the government. The government and the colleges supported by the government are together only 12. The researcher places his study in this backdrop.

## 2. The State Intervention Fiasco

The first law introduced by the State of Kerala in order to regulate and streamline the self-financing professional colleges was "The Kerala self-financing professional colleges (prohibition of capitation fees and procedure for admission and fixation of fees) Act. 2004. The main intention behind the act was to make an "act to prohibit capitation fee and to lay down the procedure

for admission of students and fixation of fee structure in the self-financing professional colleges in the State of Kerala and for matters incidental thereto". The affected parties the Managements of these institutions suited the government at the Supreme court and found a way out for relative- peace, through a strong verdict in their desired effect. The State was apprehensive with regard to the state of affairs in this particular regard and came up with a second law passed by the Kerala Legislative Assembly with unanimous support of the house in July 2006 'The Kerala Professional Colleges or Institutions (Prohibition of Capitation Fee, Regulation of Admission, Fixation of Non - Exploitative Fee and Other Measures to Ensure Equity and Excellence in Professional Education) Act. The High Court of Kerala Division Bench comprising Chief Justice V K Bali and Mr Justice P R Raman quashed four important Sections in the act terming them "invalid and unconstitutional." in their judgement termed Sections 3, 7, 8 and 10, relating to admission procedures, fees structure, power of government to decide minority status of the colleges and reservation to various communities, including SC/ST as "invalid and unconstitutional." The Court remarked that the provisions of the Act were opposed to Article 14 of the Constitution and would also violate the fundamental rights of the petitioners under Article 19(1)(g), 26(a) and 30 of the Constitution. the final blow came a year later from the Supreme Court in the appellate judgement for the same, making the Management more empowered and self-controlling entities. According to Deccan Chronicle news report dated 12/05/2018 by Sabloo Thomas, "It is well-known that capitation fee and not merit determines admissions in self-financing colleges. But government agencies cannot intervene in the matter due to the lack of complaints." According to Prof Prabhat Patnaik the communalization of higher education really is good only for commoditization. Individuals who are designed to generate goods, can not only boost their previous prejudice (which they do not have a critical view) and strengthen these believes (in a society, neglecting the marginalized and the real minorities).The word demand is carefully worded echoing the definition of the same as a desire backed by ability and willingness to pay for a commodity. The one here being financial ability to reach the same albeit the presence of desire and

willingness. The Fee Regulatory Committee headed by Justice Rajendra Babu fixed the tuition fee for self-financing medical colleges (SFMCs) for the 2017-18, 2018-19 academic years. The fee being PG clinical (Rs 14 lakh), PG non-clinical (Rs 8.5 lakh), PG Diploma clinical (Rs 10.5 lakh), PG super-speciality (Rs 18.5 lakh) and NRI quota (Rs 35 lakh). The decision is held applicable to 13 self-financing medical colleges in the State. According to C. Raveendranath, Kerala Education Minister, over 50 per cent of seats in engineering colleges in the state are lying vacant. There will be 4,619 less engineering seats in the state in the 2018-19 academic year, compared to the total number of seats sanctioned by the AICTE across the spectrum last year. The decrease being the direct result of various colleges, especially in the self-financing sector, surrendering their courses for want of students. If the state government followed the guidance of AICTE to close universities with less

than 30% of admission during five consecutive years and lack of infrastructure, about 36 colleges will cease to exist.

### 3. Concluding Observations

Educational Institutions and the Educational setup through the systemic conditioning of various intervening groups, became the primary agency of communalization of the indigenous systems in Kerala. Merchandising makes egocentric higher education products without any social sensitivity and prepares them only for employment by globalized capital. The state cabinet has approved the report of the Justice K.K. Denesan commission on self-financing colleges which among others recommended the setting up of a scholarship fund for students of lower income group in self-financing colleges. Which is a welcome sign of progressive involvement?

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