

Immediate
By Speed Post

Government of Orissa
Department of Higher Education

No.IV.HEPR-1/07.
From

17682(6) HE., Dated, 9.4.07

Shri C. Mallick, OAS(I)(SB)
Deputy Secretary to Government

To

The Director, Higher Education, Orissa, Bhubaneswar/
Regional Directors of Education, Bhubaneswar/
Sambalpur/Berhampur/
Vice Chancellor, Shree Jagannath Sanskrit University, Puri/
Chairman, Council of Higher Secondary Education, Orissa, Bhubaneswar.

Sub: Proceedings of High Power Committee Meeting held on 05.04.2007.

Sir,

I am directed to enclose herewith copies of proceeding of High Power Committee Meeting held on 05.04.2007 and to request you to take immediate follow up action on the points and communicate the decisions taken in the said meeting to the appropriate quarters for necessary action under intimation to this Department.

This may be treated as Most Urgent.

Yours faithfully,

9/4/07

Deputy Secretary to Government

Memo No. 17683(6) /HE., Dated, 9.4.07

Copy alongwith copies of proceeding forwarded to the P.S. to Commissioner-cum-Secretary/P.S. to Additional Secretary/Deputy Secretary (Sri C. Mallick)/Legal Cell /Finance Deptt./Law Department for information.

o/o R. D. E. Berhampur

Memo No. 761 / Dtd. 16.4.2007

Copy alongwith copy of HPC proceedings dtd. 5.4.07 communicated to +2/+3/Sanskrit Sections of this Directorate for immediate follow up action.

9/4/07
Deputy Secretary to Government.

R.D.E

16.4.07

PROCEEDING OF THE MEETING OF HIGH POWER COMMITTEE CONSTITUTED VIDE GOVERNMENT NOTIFICATION NO. 15641/HE DATED 01.05.2004 HELD ON 05.04.2007 AT 3.00 P.M. IN THE OFFICE CHAMBER OF COMMISSIONER-CUM-SECRETARY TO GOVERNMENT, DEPARTMENT OF HIGHER EDUCATION

1. A meeting of the High Power Committee constituted vide Government Notification No.15641/HE dated 01.05.2004 was held in the Office Chamber of Commissioner-cum-Secretary to consider the proposals for grant of permission/recognition under Section-5 and 6 of the Orissa Education Act, 1969. The list of members present in the meeting is given below:-

Members Present

- | | | | |
|----|---|-----|----------|
| 1. | Commissioner-cum-Secretary to Government
Higher Education Department | --- | Chairman |
| 2. | Vice-Chancellor,
Shree Jagannath Sanskrit University, Puri | --- | Member |
| 3. | Director, Higher Education | --- | Member |
| 4. | Dr. Deenabandhu Das,
Deputy Secretary to Government,
Finance Department | --- | Member |
| 5. | Regional Director of Education,
Bhubaneswar | --- | Member |
| 6. | Regional Director of Education,
Sambalpur | --- | Member |
| 7. | Regional Director of Education,
Berhampur | --- | Member |
| 8. | Deputy Secretary to Government,
Higher Education Department | --- | Convener |

The Commissioner-cum-Secretary to Government, Department of Higher Education and the Chairman of the Committee initiating the discussion intimated that 15 proposals from Regional Directors of Education and Director, Higher Education relating to permission/recognition in favour of general and professional colleges have been received in the Department. It was decided to consider on priority the recognition cases of degree/professional colleges for which the students are to appear the ensuing University examination. After detailed discussion the following decisions are taken.

Accepted

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2. Opening of New Colleges:

Only 03 proposals in respect of +2 colleges were received for permission to open new colleges recommended by the Regional Directors of Education. After taking into consideration the educational need etc. permission is given to two colleges and the proposal of one college was rejected.

It was decided that we should not allow temporary operation of colleges (+2)/(+3) /Professional in residential areas. The DHE and RDEs were advised to check this. During discussion it was also apprehended that a college may function in a temporary accommodation for 7 years and then close operation. It was therefore felt that RDEs and DHE should check the place where the college is proposing to start operation. Further RDE and DHE shall follow the stipulations strictly imposed in the HPC meeting held on 28.03.2007.

The list of colleges allowed/rejected is placed at **Annexure-A**. This permission is granted subject to condition that the educational agency shall pledge an amount of Rs. 5.00 lakh before the prescribed authority and further amount of Rs. 20.00 lakh shall be deposited in shape of Bank deposit within a period of one month from the date of grant of permission, failing which the educational agency shall not be permitted to admit students. This condition cannot be relaxed by DHE and RDEs under any circumstances. Further Secretary of the Governing Body should furnish an undertaking in the form of an affidavit that they will not claim any financial assistance or grant-in-aid from Govt. in future.

3. Permanent Recognition to +3 Colleges:

Only three proposals in respect of +3 colleges were received from Regional Director of Education, Bhubaneswar to review the proposals of permanent recognition, which were rejected in the HPC meeting held on 31.01.2007 on the ground that Governing Body was not constituted by the college authority. These cases were reviewed by the HPC under Section 6(10) of O.E Act, 1969. After detailed examination and discussion made in this regard, the Committee decided to allow one case and other two cases were deferred with instruction to RDE, Bhubanswar to inspect and submit complete information relating to land particulars, status of Governing Body etc. to the committee for consideration. The list of cases allowed / deferred is placed at **Annexure-B**.

4. Increase of Seats:

The proposal for increase of seats in one (+2) college and three (+3) colleges have been received from RDEs for consideration. After detailed discussion the committee decided to accord permission to all cases. The list of cases allowed is placed at **Annexure-C**.

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5. Opening of New Stream:

Only one proposal for opening of new stream received from Regional Director of Education, Berhampur was taken up for consideration. The Committee decided to allow to open +3 Arts (Hist., Pol. Science, Education and Economics with 64 seats from the session 2007-08) in favour of **Saheed Laxman Naik Mahavidyalaya, Baipariguda, Dist. Koraput.** subject to condition that :-

- a) +3 Arts wing will given a different name from that of +2 college.
- b) Separate G.B. of this Degree College be constituted as per "The Orissa Education (Establishment, Recognition and Management of Private Colleges) Rules, 1991.

6. Professional Colleges:

Altogether 05 proposals were received from Director, Higher Education in respect of Private Professional Institutions out of which one proposal is relating to grant of permission and 04 proposals are relating to grant of temporary recognition. The Committee after detailed discussion decided to allow one case of opening permission and two cases of temporary recognition. Rest 02 cases of temporary recognition were deferred by the Committee. The list of cases allowed/deferred is placed at **Annexure-D**.

It was decided that we should not allow temporary operation of colleges (+2)/(+3) /Professional in residential areas. The DHE and RDEs were advised to check this. During discussion it was also apprehended that a college may function in a temporary accommodation for 7 years and then close operation. It was therefore felt that RDEs and DHE should check the place where the college is proposing to start operation . Further RDE and DHE shall follow the stipulation strictly imposed in the HPC meeting held on 28.03.2007.\

The decision of HPC meeting held on 22.02.2007 for granting permission to open MSc. in Anatomy, MSc in Microbiology, MSc in Physiology and Msc. in Bio-Chemistry with 60 seats each from the session 2007-08 in favour of Hi-Tech Medical College and Hospital, Pandra, Bhubaneswar was modified and permission was given subject to approval of the syllabus of these new subjects by the concerned University/ Professional Council. Similarly the decision of the HPC meeting held on 28.03.2007 for granting of permission to open BSc. ITM in favour of Kusagra Institute of Information and Management Science, Pira Bazar, Cuttack was modified and permission was given subject to approval of the syllabus of new subject by the concerned University/ Professional Council. Similarly , opening permission for P.G courses in Aviation Management with 60 seats was allowed in favour of ASBM School of

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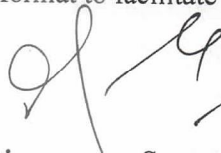
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Aviation Management by HPC in its meeting dated 22.02.2007. The College should be advised to admit students only after approval of the syllabus of the new subject by the concerned University / Professional Council .Director . HE should inform the colleges accordingly .

7. General:

It was decided that grant of recognition to Sanskrit colleges and urgent cases will be taken up for consideration in the next HPC meeting as the students are to appear in the ensuing examination. Hence the RDEs are instructed to submit complete proposals indicating land , building and status of G.B. etc. in the prescribed format to facilitate the discussion.



**Commissioner-cum-Secretary to Government
Higher Education Department**

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ANNEXURE - A**GRANT OF PERMISSION TO +2 COLLEGES**

Sl. No.	Name of the College with Address	Purpose with sanctioned strength approved by the Committee	Remarks
1	2	3	4
1.	Koustuv Institute of Science, C.N.I. Complex, Bhubaneswar.	Grant of permission for +2 Science(PCMB-128, Electronics-64 and Computer Science-64) seats from the session 2007-08	(a) Ordinarily the Committee is not in favour of according opening permission to new +2 Science Colleges in Bhubaneswar. But since the proposed College is to function in the campus of existing Engineering College and will feed to Engineering College with students out of the proposed +2 Science College, it is allowed , subject to condition that the college should have their own land and construct their own building within two years.
2.	MITS School of Bio-Technology, Patia Bhubaneswar.	Grant of permission for +2 Science (PCMB) with 64 seats from the session 2007-08	(a) Ordinarily the Committee is not in favour of according opening permission to new +2 Science Colleges in Bhubaneswar. But since the proposed College is to function in the campus of existing Engineering College and will feed to Engineering College with students out of the proposed +2 Science College, it is allowed , subject to condition that the college should have their own land and construct their own building within two years.
3.	New Star +2 Science College, Kedargouri Road, Old Town, Bhubaneswar.	Grant of permission for +2 Science with 64 seats from the session 2007-08	Rejected Seats are available in near by colleges. No educational need for the area.

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ANNEXURE – B**GRANT OF PERMANENT RECOGNITION TO +3 COLLEGES**

Sl. No.	Name of the College with Address	Purpose with sanctioned strength approved by the Committee	Remarks
1	2	3	4
1.	Motto +3 College, Motto, Bhadrak.	Grant of Permanent Recognition to +3 Arts with 64 seats from the session 2006-07.	The decision of HPC dt 31.01.2007 was reviewed under Section 6(10) of O.E Act , 1969 . Allowed as a) RDE (I/c) has visited and recommended. b) G.B. has been constituted in the meantime .All other conditions are satisfied.
2.	Kalyanpur College, Kalyanpur, Delang, Puri.	Grant of Permanent Recognition to +3 Arts with 96 seats from the session 2006-07.	The decision of HPC dt 31.01.2007 was reviewed under Section 6(10) of O.E Act , 1969 . Chairman of HPC also informed the members that Hon'ble High Court vide its order dated 03.04.2007 has ordered to consider the appeal petition of the College .This was accordingly considered . (a) RDE I/c informed the members that the proposal for constitution of G.B submitted by the College today is incomplete and hence he could not notify it . Further it is not clear from records if the College has five acres of land in its name as it is situated in a rural area . Hence it was not possible to grant permanent recognition to the College . Instead of rejecting the case again , it was decided to defer it again to the next meeting and RDE I/ c was directed to inspect the College and get details regarding land particulars and correct proposal from the college for constitution of the G.B of the College . b) The committee now considered the case at this late stage in the interest of

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the innocent students who took admission in the college. In this connection, the committee took note of the recent judgment of Hon'ble Supreme Court in Civil Appeal No. 4908/2006 (Minor Sunil Oraon Tr. Guardian and others Vrs. C.B.S.E and others." This recent judgment was downloaded from www. Judis. nic. in. Hon'ble Justice Arjit Pasayat and Hon'ble Justice Lokeswar Singh Panta have observed at para-12 of the judgment as follows:-

" Time and again, therefore , this Court had deprecated the practice of educational institution admitting the students without requisite recognition or affiliation. In all such cases the usual plea is the career of the innocent children who have fallen in the hands of the mischievous designated school authorities. As the factual scenario delineated against goes to show the school has shown scant regards to the requirements for affiliation and as rightly highlighted by learned counsel for the C.B.S.E., the infraction was of very serious nature. Though the ultimate victims are innocent students that cannot be ground for granting relief to the appellant . Even after filing the undertakings , the School non-challantly continued the violations.

Students have suffered because of the objectionable conduct of the school. It shall be open to them to seek such remedy against School as is available in law, about which aspect we express no opinion."

In this case also , the Committee was of the opinion that the College authorities have not been careful in giving proper documents in time .Though the ultimate victims will be the innocent students , that cannot be a ground for giving permanent recognition without adequate land and

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			duly constituted G.B of the College
3.	Astaranga College, Astaranga, Puri.	Grant of Permanent Recognition to +3 Arts with 64 seats from the session 2006-07.	<p>The decision of HPC dt 31.01.2007 was reviewed under Section 6(10) of O.E Act , 1969 .</p> <p>(a) RDE I/c informed the members that the G.B has not been notified . Further it is not clear from records if the College has five acres of land in its name as it is situated in a rural area . Hence it was not possible to grant permanent recognition to the College . Instead of rejecting the case again , it was decided to defer it again to the next meeting and RDE I/ c was directed to inspect the College and get details regarding land particulars and correct proposal from the college for constitution of the G.B of the College .</p> <p>b) The committee now considered the case at this late stage in the interest of the innocent students who took admission in the college. In this connection, the committee took note of the recent judgment of Hon'ble Supreme Court in Civil Appeal No. 4908/2006 (Minor Sunil Oraon Tr. Guardian and others Vrs. C.B.S.E and others." This recent judgment was downloaded from www. Judis. nic. in. Hon'ble Justice Arjit Pasayat and Hon'ble Justice Lokeswar Singh Panta have observed at para-12 of the judgment as follows:-</p> <p>“ Time and again, therefore , this Court had deprecated the practice of educational institution admitting the students without requisite recognition or affiliation. In all such cases the usual plea is the career of the innocent children who have fallen in the hands of the mischievous designated school authorities. As the factual scenario delineated against goes to show the school has shown scant regards to</p>

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In this case also , the Committee was of the opinion that the College authorities have not been careful in giving proper documents in time. Though the ultimate victims will be the innocent students , that cannot be a ground for giving permanent recognition without adequate land and duly constituted G.B of the College.

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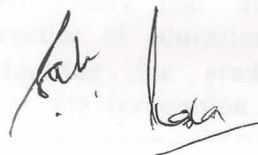
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ANNEXURE - CGRANT OF PERMISSION FOR INCREASE OF SEATS IN +2 & +3 COLLEGES

Sl. No.	Name of the College with Address	Purpose with sanctioned strength approved by the Committee	Remarks
1	2	3	4
	+2 Colleges		
1.	Govindpur Higher Secondary School, Sailo, Govindpur, Cuttack.	Increase of seats in +2 Science from 128 to 160 with I.T - 64 seats and Electronics- 64 seats, Increase of seats in +2 Commerce from 64 to 112 seats from the session 2007-08.	Allowed
	+3 Colleges		
2.	Govindpur College, Govindpur, Cuttack	Increase of seats in +3 Commerce and +3 Science from 64 to 128 seats each from the session 2007-08 . Increase of seats in +3 Arts from 128 to 192 with additional seats in Sanskrit , Education and Sociology from the session 2007-08	Allowed. Laboratory facility has to be increased for additional Science students .
3.	Polsara Science College, Polsara, Ganjam	Increase of seats in +3 Arts from 64 to 128 seats from the session 2007-08.	Allowed
4.	Science College , Hinjilicut, Ganjam.	Increase of seats in +3 Commerce from 64 to 112 seats from the session 2007-08. Increase of Commerce Honours from 16 seats to 64 seats from the session 2007-08 .	Allowed

General

ANNEXURE – DPERMISSION/RECOGNITION GRANTED TO PROFESSIONAL COLLEGES

Sl. No.	Name of the Institution	Course allowed with Seats	Remarks
1	2	3	4
Opening Permission			
1.	Hi-Tech Medical College and Hospital Pandara, Rasulgarh Bhubaneswar .	Grant of permission for opening of 1) Master in Health Management 2) Master in Hospital Administration 3) Master in Pharmaceutical Management 4) B.Sc. of Medical & Laboratory Technology 5) B.Sc. of Radiology Managing Technology 6) MSc in Pharmacology with 60 seats each from the session 2007-08.	(a) These are new courses and there is educational need for these courses in our state. The Committee, therefore, agreed to allow these courses from the session 2007-08 subject to approval of the syllabus of these new subjects by the concerned university / professional council and permission of other statutory body for Radiology Course etc . (b) The College will admit students only after approval of the syllabus by the concerned University / Professional Council and Statutory Body. (c) It was also decided to get the views of Health Department in this regard and then intimate it to Director, HE. It was also decided to move Utkal University to intimate if the syllabus for these courses can be prepared and approved by them. Only after getting the views of Health Department, and Utkal University, Director, HE will intimate the above to the educational agency .
Recognition			
2.	Hi-tech Institute of Information Tech. Jeypore	Grant of 6 th temporary recognition to BCA course with 30 seats for the session 2006-07	Allowed DHE to visit and ensure that the educational agency has their own land and building.
3.	Binayak Institute of Computer and management, Ramnagar, Berhampur.	Grant of permanent recognition to BCA course with 60 seats from the session 2006-07.	a) It was brought to the notice of the Committee that the College has not yet constructed its own building . Temporary recognition can be granted to a college upto seven years as O.E

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(Amendment Act) , 2000 notified on 29th March , 2001. . The College has to get permanent recognition after 7th year . It is surprising to find that the College authority is yet to have their own building .Instead of rejecting the case outright , the Committee deferred the case and asked DHE to inspect it again and submit complete information in respect of land, building and status of G.B. etc.

b) The committee considered the case at this late stage in the interest of the innocent students who took admission in the college. In this connection, the committee took note of the recent judgment of Hon'ble Supreme Court in Civil Appeal No. 4908/2006 (Minor Sunil Oraon Tr. Guardian and others Vrs. C.B.S.E and others." This recent judgment was downloaded from www. Judis.nic. in. Hon'ble Justice Arjit Pasayat and Hon'ble Justice Lokeswar Singh Panta have observed at para-12 of the judgment as follows:-

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4.	Lokanath Institute of Science and Technology, Balasore	Grant of 1 st Temp. recognition to BSc. Hons. Bio-Technology with 60 seats for the session 2006-07.	Deferred DHE to inspect and submit complete information in respect of land, building, enrolment position and status of G.B. etc.
5.	Gayatri Institute of Science & Technology, Berhampur	Grant of 1 st Temp. Recognition to B.Sc. (Hons) Bio-Technology & B.Sc. Bio-Informatics with 128 seats each for the session 2006-07	Allowed The college authority shall purchase two acres of land in urban area and 5 acres of land in rural area and construct building thereon immediately. Status of Laboratories and Library and quality of teaching faculty have to be checked by the University while giving temporary affiliation.

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