

CONSENSUAL AGREEMENT BETWEEN GOVERNMENT OF KARNATAKA AND THE KARNATAKA PROFESSIONAL COLLEGE'S FOUNDATION (KPCF) IN THE MATTER OF REGULATING ADMISSIONS AND FEE STRUCTURE FOR THE UNDER-GRADUATE COURSES IN PRIVATE PROFESSIONAL COLLEGES OF DENTAL FOR THE ACADEMIC YEAR 2023-24.

1. PREAMBLE:

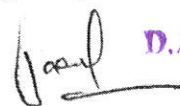
Whereas Karnataka Legislature, having enacted Act No. 8/2006 as amended by Act No. 39 of 2015 and Act No. 22/2017, enabling the State Government to enter into Consensual Agreement with Private Professional Colleges, regulating seat sharing, admission process and fee structure, and in furtherance thereof, after due deliberations and negotiations, consensus having been arrived at, and taking note of changed circumstances, in the meantime, having reiterated the consensus in terms hereunder stated, this agreement is being entered into, between Government of Karnataka and Karnataka Professional Colleges Foundation, hereinafter referred as "KPCF" (for its member Private unaided Professional Colleges) in the State,

And whereas, in the light of the pronouncement of the Hon'ble Supreme Court in TMA Pai Foundation case [(2002) 8 SCC 481] and as explained in P.A. Inamdar's case [(2005) 6 SCC 537]), it is permissible for the managements of Private Unaided Professional Colleges and the State Governments to enter into Consensual Agreements, with respect to seat sharing, admission process and determination of fee structure arrangements;

AND whereas the Karnataka Professional Colleges Foundation (KPCF), keeping in view its social commitments and responsibilities; and with a desire to participate in effectively sub-serving state's reservation policy; and to further the interests of the students from Karnataka, as to their admission as well as fee fixation, had entered into Consensual Agreements under Act No. 8/2006 from the academic year 2007-08. For the subsequent years [2008-09 till 2020-21], Consensual Agreements were entered into and worked out, in pursuance to Act No. 28/2007, 23/2011, 50/2013 and 29/2014 that had come to be enacted by the State Legislature to provide for recognition/implementation of the Consensual Agreements. Similar Consensual Agreement was entered into between the parties to the agreement in the year 2022-23 in pursuant to the Act No. 8/2006 and its amendments. Furthermore, the Consensual Agreement entered into between KPCF as well as the State Government were also placed on the record of Hon'ble Supreme Court for several years and the Hon'ble Court had noted the working of the said Consensual Agreements.

The Dental Council of India under Section 20 of the Dentist Act, 1948, amended Dental Regulations on 30.05.2012 by mandating NEET as an eligibility criterion to Dental Courses.

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AND Whereas, the Hon'ble Supreme Court, in Review Petition. 1956/2013 and connected cases; by its order dated:11.04.2016 reported in (2016) 4 SCC 342 in case of MCI Vs. Christian Medical College Vellore was pleased to recall the judgment dated 18.07.2013 passed in NEET cases [CMC VELLORE (2014) 2 SCC 305] wherein Notifications dated:21.12.2010 and 15.02.2012 were set aside and directed the matters to be heard afresh. However, the Hon'ble Supreme Court in W.P. No. 261/2016 by its order dated:06.05.2016 has pleased to hold that, no examination shall be permitted to be held for grant of admission to MBBS or BDS by any Private College or Association or any Private/Deemed Universities.

The Hon'ble Supreme Court in W.P. No. 293/2016 (Mihir Abhijit Pathak Vs. Medical Council of India) was also pleased to hold that; prima facie it did not find any infirmity in the NEET regulations on the ground that, it affects the right of the States or the Private Institutions. Special provisions for reservation of any category are not subject matter of NEET nor rights of minorities are in any manner affected by NEET it affects the rights of the States or the Private Institutions. Special provisions for reservation of any category are not the subject matter of NEET or rights of minorities, are in any manner, affected by NEET. It held NEET only provides for conducting entrance test for eligibility for admission to the MBBS/BDS course.

The Dental Council of India has issued an amendment Notification on 12th July, 2017 with regard to Common Counseling and as per this amendment, the counseling for admission to BDS course in a State / Union Territory, including, Dental Education Institutions established by the State Government, University established by an Act of State/Union Territory Legislature, Trust, Society, Minority Institutions shall be conducted by the State/Union Territory Government. Furthermore, the Hon'ble Supreme Court in SLA (C) No(s). 30336/2016 by order dated:28.08.2017 in the case of Akshita Singh Vs. UOI in C/w. WP (C)No.267/2017 in the case of Dar-Us-Slam have stipulated the procedure with respect to filling up of the stray vacant seats from amongst the list of unallotted students furnished by KEA and the eligible candidates from the larger NEET list.

AND Whereas Supreme Court in its Order dated 27.04.2022 in SLP (C) 6552-6553/2022 has stayed the operation of the Order dated 15.03.2022 in WP 200345/2022 and 200365 by the Hon'ble High Court directing the Government to re-conduct the 2nd round of counseling afresh, permitting eligible Telugu Linguistic minority students in State of Karnataka instead of restricting it to Hyderabad Karnataka region. In so far as colleges located in Hyderabad-Karnataka Region (including the Private Institutions) the provision made under the Article 371(J) shall be implemented mutatis mutandis.

And whereas the KPCF has brought to the notice of the Government, the inadequacies of funds due to implementation of the 7th Pay Commission and the high cost of imparting education in Private Dental Colleges; and need for determination of

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appropriate fee structure to meet the costs of imparting quality education; and the Government having taken note of the same and keeping in view the time constraint has desired to address this issue by consensus, the members of the KPCF have come forward to enter into this Consensual Agreement in the interest of Student community. KPCF has placed the actual cost of education involved in imparting education before the Government as well as the Fee Regulatory Committee. KPCF and the Government have also agreed to a fee structure to be followed for 2023-24. This Consensual Agreement overrides any agreement of fee structure made for 2022-23 in previous Consensual Agreement.

The State Government shall implement the reservation policy from out of the seats surrendered by members of KPCF in respect of colleges located outside Hyderabad Karnataka Region. In so far as, reservation under Article 371(J) shall be given effect to by the respective institutions.

And whereas the surrender of the 35% of seats by KPCF to the State Government would take care of implementation of the Reservation policies of the State Government, namely; reservation of seats under Article 371(J) as well as Article 15(5) of the Constitution of India. The State Government shall implement the above referred Reservation policy from the seats surrendered by the members of the KPCF to the State Government. In so far as Private Dental Colleges located in Hyderabad-Karnataka Region; reservation under Article 371(J) shall be implemented.

2. GENERAL:

- a) The parties herein are entering into this Consensual Agreement, in terms of the Act No. 8/2006 and its amendments. The Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) Act, 2006 empowers the State Government to enter into Consensual Agreement with KPCF. This Agreement is valid for the academic year 2023-24.
- b) That it is agreed between the parties that, the regulatory authorities and RGUHS etc. shall be associated in working out this 'consensual arrangement' and State Government would issue appropriate directions, as a 'policy of the Government' and, ensure that all the concerned recognize and agree to working of this agreement; for the purpose of approval of admissions, levy of tuition fees etc, in accordance with terms of this Agreement. It shall be the responsibility of the State Government that the RGUHS implements this Consensual Agreement for the academic year 2023-24.
- c) The State Government has constituted a State Common Entrance Test Committee for the purpose of review of the admission in Private Dental

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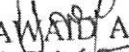
Colleges. In the said Committee, the Government has included one representative of the KPCF.


- d) The KEA shall send the full NEET list of registered students along with their phone numbers and email address, who have qualified in the NEET Examination to the member institutions of KPCF in order to facilitate admission after the Mop-up round for counselling as prescribed by DCI.
- e) In any event if the seats are remaining vacant from the entire list of registered students, the KEA shall open the registration portal to enable the NEET eligible students to register themselves and facilitate the member institutions to make admissions against the vacant/unfilled seats amongst the NEET qualified students.

3. SEAT SHARING:

- a. The member institutions of KPCF, imparting studies in Under Graduate Education in their respective Institutions, imparting education in Under Graduate Courses in their respective Institutions, would surrender 35% of seats out of the total intake available, in each of their member Dental Colleges to the Government. The Counseling and allocation of the above seats shall be on the basis of inter-se merit determined under the NEET Examination with subsidized fee as agreed in this agreement.
- b. After surrendering 35% of the available seats to the Government, the balance 65% shall be sub divided as 45% (providing for Private seats as the institutional quota), 15% as NRI seats and 5% as Management seats. In respect of institutions located in Hyderabad-Karnataka region, 70% of the 45% shall be reserved/earmarked for allotment to the Hyderabad-Karnataka local candidates in terms of reservation in admissions to educational institutions order issued under Article 371(J). All the allotments shall be based on NEET Ranking subject to the above reservation. In respect of seats earmarked for Hyderabad-Karnataka region local persons, going vacant the same shall be filled by other candidates of the same category.
- c. As per the Karnataka Professional Education Institutions (Recognition of Minority Educational Institutions Terms and Conditions) (Professional Education) Rules, 2016 and the Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) Act, 2006 as amended by Act No. 39/2015 & 22/2017, out of institution quota in an institution, not less than sixty six percent of the seats shall be filled by minority students within the State belonging to minority to which the institution belongs to.


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- d. 15% of the total intake in Dental Colleges shall be filled up from students qualifying NRIs which includes NRI's children or their wards, OCIs and PIOs. These students will not be eligible for admission to any other category of seats. In case of non-availability of candidates in any of the categories above, the seats would be filled up from any other eligible candidates/students as prescribed by the Dental Council of India and the fee for such students also shall be on par with the relevant category.
- e. For 5% of the total intake in Dental Colleges the fee structure will be higher as per the fee structure communicated by the respective private colleges to the designated authority.

4. SEAT SHARING IN RESPECT OF MINORITY EDUCATIONAL INSTITUTIONS UNDER KPCF:

- a) Seat sharing ratio, in respect of Minority Educational Institutions who are members of KPCF shall be on par with, that of the members of Minority Association, that may be agreed upon. That admission process for Minority Educational Institutions would be in accordance with 'preferences' available to them; as formulated in the Karnataka Professional Education Institutions (Recognition of Minority Educational Institutions Terms and Conditions) (Professional Education) Rules, 2016.
- b) Seat sharing ratio, in respect of Minority educational institutions who are members of KPCF shall be governed by the provisions of Section 4A (C) read with another proviso under Act 8/2006 as amended by Act 39/2015 & Act No. 22/2017.

5. FEE STRUCTURE:

- a. Whereas the Government has considered the contentions of the association and also the interest of the students, it was decided there should be an increase of 10% in 'Private seats' on the existing tuition fee paid for academic year 2022-23. Accordingly, the fee structure indicating the tuition fee that would be levied for the UG Dental courses in respect of KPCF Institutions under various categories for the academic year 2023-24 shall be as follows:

SUMMARY OF TUITION FEE AND PERCENTAGE OF BDS SEATS


Category	Govt. Quota in Private colleges 35% (G)	Private seats 45% (P)	NRI, OCI, PIO & Foreigners 15% (N)	Other seats 5% (O)
Fee	Rs.83,358/- per year.	Not Exceeding Rs.7,32,625/-per year.	The details of fees component wise shall be entered in KEA portal in advance.	


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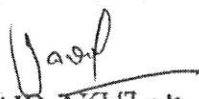
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- b. The tuition fee mentioned in the above table along with University fees shall be collected by the Counseling authorities at the time of allotment. The respective colleges are entitled to collect other fees, which shall not exceed Rs.15,000/-per annum. Hostel and Transportation fees, if opted by the students, may be collected.
- c. Apart from this, in case any member institution is providing skill lab facility or similar facility/facilities, the respective colleges can collect reasonable fees which shall not in any case exceed Rs.30,000/- per annum. However, the fees for above items shall be entered in KEA portal, well in advance by the colleges, so that the same could be notified in the website and the brochure.
- d. The KPCF Foundation considering the request by the State Government, have now resolved to extend the same gestures as were extended in the previous years, by way of 'scholarship' to Socially and Economically Weaker Sections and others and participate in Social Welfare Programmes of the Government. Therefore, it is proposed and provided that, for 'all UG Course seats' made over to the Government for grant of admission in accordance with its reservation policy, the members of KPCF colleges will extend 'the freeships and scholarships by way of fee concessions' from the fees actually being charged by each of the KPCF institutions for the current year, by way of scholarships under this Consensual Agreement, out of fees receivable from other category of students falling under NRI and Management quota. The 'Fee Matrix' indicating the actual tuition fee that would be levied for the UG Dental courses in respect of KPCF Institutions, under allocations by KEA/concerned colleges for 2023-24, shall be as per the table supra.
- e. KEA allotted candidates for UG Courses would pay the fees at the time of allotment of seats; and or while seeking admission under the allotment as may be prescribed and notified. The KEA shall inform the students prior to the admissions that the admission is subject to payment of fees as notified by the Karnataka Examination Authority. Fee structure shall be binding on all the students admitted by the respective colleges. KEA shall transfer 100% of tuition fees collected from the students to respective colleges and 100% of university fees to RGUHS within 3 months from the last date of admission, failing which KEA shall pass on the due to the institutions along with simple interest (Bank rate of Interest fixed by RBI).
- f. The students under NRI quota and 5% seats higher fees category (other quota), shall furnish bank guarantees for the balance course period at the time of admission or at such period of time granted by the college. Non-furnishing of the bank guarantee would result in cancellation of admission or suspension of classes till the furnishing of the Bank Guarantee in favor of the colleges.


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6. MODALITIES OF ADMISSIONS:

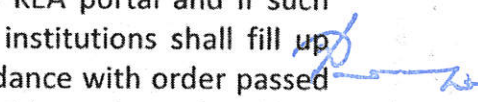
- a) A 'seat matrix' shall be drawn in consultation with respective institutions and notified in terms of 'seat matrix order' issued by the Government.
- b) In view of the making over of 35% of its total available seats in UG Dental Courses, the Government of Karnataka, hereby exempts the members of the KPC Foundation from the obligation, if any, of providing for reservations for SCs, STs and other backward classes separately, since the Government of Karnataka itself is providing for requisite 'reservations', in seats now available to the Government out of aforesaid 35% of seats in UG Dental Courses in the institutions/colleges of Private Managements as required under Article 15 of the Constitution which provides for the State Government to make special provisions for Scheduled Caste or Scheduled Tribes in Private Educational Institutions. The KPC Foundation will provide for 8% reservations under Article 371(J) of the Constitution of India, which provides for reservation for people from Hyderabad-Karnataka region in 40% 'Private seats' (P), provided the fees for such reservation would be on par with this category (Private Seats) of students. There should be no concession or conversion of the fees that is being charged for this category (8%) of students. This is also subject to condition to the outcome of the petition pending before the Hon'ble Supreme Court.
- c) It is stipulated that the counseling by the KEA shall be conducted as per the calendar of events, stipulated by the regulating authorities DCI and affiliating University respectively. In the event of a conflict/variation in calendar of events published, the calendar of events mandated by the Apex Bodies, or Orders of the Courts would prevail over.

Thereafter once again permit the member institutions to fill the unfilled / vacant seats if any within the extended last date. In any event, if the member institutions have made admissions after Mop-up round prior to any further extension of counseling schedule, the admissions / filled seats by institutions shall not be disturbed under the subsequent extended counseling.

- d) It is further agreed that KEA, the designated authority for counseling, shall conduct counseling and allocation for seats in Private Institutions under KPCF based on merit, as per NEET ranking. There shall be two rounds of counseling followed by two mop up rounds as prescribed by DCI which shall be done by the KEA and after completion of the mop up rounds, if any seats remain unfilled or stray seats, if any, fall vacant would revert back to Karnataka Professional College's Foundation/its member institutions for filling up the vacant seats from the list of un-allotted students furnished therein in the KEA portal and if such students are not available, then the KPCF/its member institutions shall fill up from the students eligible and qualified in NEET in accordance with order passed by the Hon'ble Supreme Court in SLA (C) No(s), 30336/2016 by order dated


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28.08.2017 in the case of Akshita Singh Vs. UOI in C/w. WP (C) No.267/2017 in the case of Dar-Us-Slam. All admissions approval of admitted candidates shall be done through single KEA portal only.

Furthermore, KEA shall open its portal immediately after completion of Mop-Up round upto 11:59 pm of last date of admission schedule, to enable the eligible NEET students to register themselves in KEA portal and thereby facilitate the member institutions to make admission from eligible NEET students.

- e) All categories of students, including NRI seats, shall be open for option entry from the first round of counseling. Furthermore, a representative of the Association shall also be involved in the Counseling process conducted by the KEA in order to assist in the smooth admission process.
- f) All member professional colleges shall grant admissions on receipt of allotment letters issued by the KEA. The documents of the candidate shall be deposited at KEA at the time of seat allotment. The details of the fee inclusive of all components, shall be furnished to the State Government in advance, so that the same can be informed to the students, prior to the date of counseling. Once the admission is through, KEA cannot cancel the seats after the last date of counseling without the prior consent of the respective colleges.
- g) It is agreed that the KEA shall ensure that the online portal shall be kept open to register any candidate after mop-up round followed by verification of documents for one day for any vacant seats or surrendered seats in case of any NEET qualified candidate available for admission. Further, the KEA shall also ensure that the KEA online portal should be allowed to take any admission for any vacant seats or surrendered seats from the list forwarded by KEA. Any cancellation of seats after mop-up round, shall be in the office of Directorate of Medical Education (DME), with proper ID proof (Government Authenticated) in-person with prescribed penalty.
- h) Any grievances, in the matter of counseling / admissions made by KEA will be redressed by the 'Admission Overseeing Committee' in terms and within the scope of this agreement.
- i) A copy of the admissions, if any, made by the private colleges in respect of unfilled seats shall be forwarded to the admission overseeing committee and any grievances raised by the students so admitted shall be redressed by the said committee, which shall be made, keeping in view the terms of the agreement, shall make such orders as are necessary and same shall be binding on respective institutions. The committee shall afford an opportunity of being heard to the respective institutions, if the grievances on the admission process by the member institution, before any directions are issued by the said committee.

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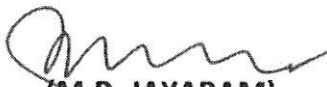
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- j) To prevent any dispute or litigation in the matter of admission, the decision of the Admission Overseeing Committee headed by a retired High Court Judge shall be final with regard to admission process.
- k) The Government would ensure implementation of this Consensual Agreement as per the Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) Act, 2006 as amended by Act No. 39/2015 & Act No. 22/2017 and facilitate working out this consensual arrangement. Notwithstanding the delay in steps being taken as above, this 'Consensual Agreement' binds all the concerned, including the students admitted in terms of this agreement for the academic year 2023-24 and Government shall ensure the implementation thereof.

Signed by and between THE GOVERNMENT OF KARNATAKA, RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES and THE KARNATAKA PROFESSIONAL COLLEGES FOUNDATION by its respective authorized functionaries, on this 21st day of July 2023; at Bengaluru.

On behalf of and
For Karnataka Professional
College's Foundation



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Secretary, KPCF

(M.R. JAYARAM)
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On behalf of and
For Rajiv Gandhi
University of Health
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(T.A.B. BASAVARAJU)
Registrar (Admin), RGUHS.

REGISTRAR
Rajiv Gandhi University of
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On behalf of and
For Government of
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CONSENSUAL AGREEMENT BETWEEN GOVERNMENT OF KARNATAKA AND THE KARNATAKA PROFESSIONAL COLLEGE'S FOUNDATION(KPCF) IN THE MATTER OF REGULATING ADMISSIONS AND FEE STRUCTURE TO THE POST GRADUATE COURSES IN PRIVATE PROFESSIONAL COLLEGES OF DENTAL SCIENCES FOR THE ACADEMIC YEAR 2023-24.


1. PREAMBLE:

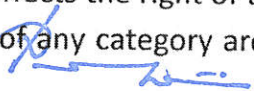
Whereas, Karnataka Legislature, having enacted Act No.8/2006 as amended by Act No.39/2015 and Act No. 22/2017, the Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) (Amendment) Act, 2015 enabling the State Government to enter in to consensual arrangement with private professional colleges, regulating seat sharing, admission process and fee structure; and in furtherance thereof, after due deliberations and negotiations; consensus having been arrived at; this agreement is being entered into, between Government of Karnataka and Karnataka Professional Colleges Foundation, hereinafter referred as "KPCF"(for its member Private unaided Professional Colleges) in the State;

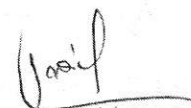
AND Whereas, in the light of the pronouncement of the judgment by the Hon'ble Supreme Court in TMA Pai Foundation [(2002) 8 SCC 481]] and as detailed in P.A. Inamdar [(2005) 6 SCC 537]], it is permissible for the managements of Private Unaided Professional Colleges and the State Governments to enter into consensual agreements in so far as admission process and determination of fee structures are concerned.

AND Whereas, the Hon'ble Supreme Court, in the Review Petition No.1956/2013 and connected cases; reported in (2016) 4 SCC 342 has recalled the judgment dated:18.07.2013 passed in National Eligibility cum Entrance Test (NEET) cases [Christian Medical College Vellore along with Connected matters Vs. Union of India and Ors reported in (2014) 2 SCC 305] and have directed the matters to be heard afresh. The Hon'ble Court in Writ Petition (C) No.261 of 2016 in the case of Sankalp Charitable Trust & Anr Vs. U.O.I. & Ors reported in (2016) 7 SCC 487, held that NEET shall be held as per Notifications dated:21.12.2010, 27.12.2010, 15.02.2012 and 31.05.2012 issued by Medical Council of India (MCI).

The Hon'ble Supreme Court has held that, no examination shall be permitted to be conducted for grant of admission to Medical or Dental Courses, by any Private College or Association or any Private/Deemed Universities. The Hon'ble Supreme Court in WP 293 of 2016 (Mihir Abhijit Pathak Vs. Medical Council of India reported in (2016) 7 SCC 496) has also held that, prima facie, it did not find any infirmity in the NEET regulations on the ground that it affects the right of the States or the private institutions. Special Provisions for reservation of any category are not subject matter of NEET or the


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rights of minorities in any manner are affected by NEET. It is also held that NEET provides only a forum for conducting entrance test to decide the eligibility for admission to the Medical and Dental Course.

The Dental Council of India, U/s 20 of Dentist Act 1948, amended mandating NEET eligibility criteria to Dental Courses also. As per the said regulations, counseling to Post Graduate courses is to be conducted by the State Government. The Karnataka Professional Colleges Foundation (KPCF) has agreed to go by the counseling for the academic year 2023-24 for Post Graduate courses in terms of the above notification, without prejudice to the right of the KPCF to challenge the same.


AND Whereas the Karnataka Professional Colleges Foundation (KPCF), keeping in mind the interest of the students from Karnataka, for admission as well as fee fixation, had entered into Consensual Agreements under Act 13/2006 for the academic year 2006-2007. For the subsequent years 2007-08 till 2021-22, Consensual Agreements were entered into by the KPCF and the State Government in terms of Act 28/2007, 23/2011, 50/2013 and Act 29/2014. The Consensual Agreement entered into between KPCF and the State Government were placed before the Hon'ble Supreme Court and the Hon'ble Supreme Court has allowed the operation of the said Consensual Agreement.

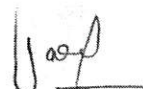
As per Medical Council of India notification No. MCI 18(1)/2017-Med/174626, dated 20th February 2018, the Counseling Authority shall forward the list of students in order of merit equaling to ten times the number of vacant seats to the Colleges.

AND Whereas the KPCF has brought it to the notice of the Government, the inadequacy of funds due to the implementation of the 7th Pay Commission and the high cost of imparting education in Private Medical and Dental Colleges. KPCF has placed the actual cost of education involved in imparting education before the Government as well as the Fee Fixation Committee. The members of the KPCF have come forward to enter into this Consensual Agreement in the interest of Student community. The fee agreed between the KPCF and the Government for the academic year 2023-24 is keeping in view the interest of the student community.

AND whereas Supreme Court in its Order dated 27.04.2022 in SLP Appeal (C) 6552-6553/2022 has stayed the operation of the Order dated 15.03.2022 in WP 200345/2022 and 200365 by the Hon'ble High Court directing the Government to re-conduct the 2nd round of counseling afresh, permitting eligible Telugu Linguistic minority students in State of Karnataka instead of restricting it to Hyderabad Karnataka region. In so far as colleges located in Hyderabad-Karnataka Region (including Private Institutions), the provision made under the Article 371(J) shall be implemented mutatis mutandis.



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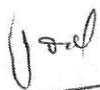

Jawaid Akhtar I.A.S
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2. General:

- a. That it is agreed between the parties that, on entering into this consensual arrangement, as mandated in Act No. 8/2006 as amended by Act No.39 of 2015 and Act No.22/2017, provide for this 'consensual arrangement/agreement' between the Karnataka Professional Colleges Foundation (KPCF) and the State Government, among others, providing for approval of the fee structure, seat sharing and admission process before the commencement of admission process;
- b. That it is agreed between the parties that, the regulatory authorities, including Rajiv Gandhi University of Health Sciences (RGUHS) and counseling agencies i.e. (KEA) etc. for approval of admissions, fixation of tuition fees etc, in accordance with terms of this agreement, shall be associated in working out this 'consensual arrangement' and State Government would issue appropriate directions, as a 'policy of the Government' and ensure that such authorities recognize and agree to implement this agreement. The State Government shall constitute a committee for the purpose of counseling/admission in Private Medical and Dental Colleges. In the said Committee, the Government shall include one representative of the KPCF.
- c. It is stipulated that the counseling of the students, shall be conducted as per the calendar of events, prescribed by the regulating authorities – DCI; and affiliating University respectively. In the event of a conflict/variation in calendar of events published, the calendar of events mandated by the Apex bodies would prevail over.
- d. It is further stipulated that, if any seats remain unfilled/vacant, after the 'Mop-up round of counseling', all the seats would revert back to the Karnataka Professional College's Foundation/its member institutions, for its allotment as per the prevailing guidelines issued by the Competent Authorities to its general merit category candidates or to be filled by the respective colleges as casual vacancies, or as may be decided by the KPCF/ its member institutions so that the said vacancies would be filled up. The Mop-up round of Counseling will be completed as per the time schedule prescribed by the GOI, providing at least 5 days time for Private Dental Institutions to fill up the unfilled seats. Any unfilled seats after the mop-up round of counseling, shall be filled up by the respective colleges, amongst the students who are eligible as per NEET ranking. The KEA shall send the list in the ratio of 1:10 from out of students who have qualified in the NEET Examination to the member institutions of KPCF in order to admission after the Mop-up round of counseling as prescribed by the DCI in the order of merit.
- e. In the event, if any student, for any reason, surrender/cancel the seat/discontinue the course in midstream, i.e., after last date of admission, the respective member


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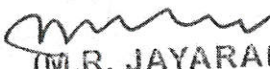
institutions are entitled to collect the entire course fee from respective students and in event of non-payment of entire course fee by students the respective member institution shall retain the original documents submitted by the students during admission.


3. Seat Sharing:

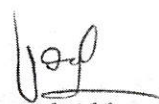
a. The Karnataka Professional College's Foundations members, imparting studies in Post Graduate Education in Dental Sciences in their respective Institutions, would make available/hand-over 33% of seats out of the total intake available, in each of their member - Dental Colleges, to the Government for counseling and allocation of seats based on merit; as per NEET ranking and as per rules framed for the purpose in accordance with the terms of this agreement. That, it is agreed that the seat sharing between the KPC Foundation and Governmental Agencies shall be worked out broadly on the basis of groups of all specialties by rotation and allocation of seats in the respective quota, shall be as per the "Seat Matrix" drawn allocating respective seats in various specialties. It is further agreed that, any subsequent addition of seats by fresh sanction/approval or recognition to any institution or reduction in seats sanction shall also be worked out proportionately and notified in the same proportion in consultation and approval of respective college managements.

b. **Out of the total intake of each institution [of 100%], the admission shall be made as per NEET Merit as under:**

- (i) 33% of the intake capacity of each institution shall be surrendered to the Government which are classified as "Government Seats (G)". The Government is at liberty to allot them to dispense social justice providing for reservation of seats for Scheduled Caste/Schedule Tribes and other backward classes besides as mandated under Article 371(J) of the Constitution of India.
- (ii) After surrendering 33% of the available seats to the Government, the balance 67% shall be sub divided as 42% (providing for P seats as the institutional quota), 25% as NRI seats / Management seats. In respect of institutions located in Hyderabad - Karnataka region, 70% of the 42% shall be reserved/earmarked for allotment to the Hyderabad -Karnataka local candidates in terms of reservation in admissions to educational institutions order issued under Article 371(J). Out of the seats reserved for being allotted to the local persons of Hyderabad-Karnataka region, not less than sixty six percent of the seats shall be filled by respective Linguistic/Religious minority students within the State in respect of Institutions conferred with the Minority status by the competent authority. All the allotments shall be based on NEET Ranking


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subject to the above reservation. In respect of seats earmarked for Hyderabad - Karnataka region local persons, going vacant the same shall be filled by other candidates of the same category.

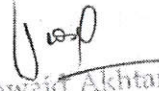
- (iii) 25% "NRI Seats (N)"/management seats of the total intake in Medical Colleges shall be filled under NRI / management quota. These seats shall either be allotted to the students under NRI quota to cover NRIs which include NRI's children or their wards, OCIs and PIOs categories or by any other general merit candidates who have qualified in a NEET based on inter-se-merit. The fees structure will be higher as per the fee structure communicated by the respective private colleges through common portal.
- c. In view of the making over of 33% of its total available seats in PG Courses, the Government of Karnataka, exempts the members of the KPCF from the obligation, of providing for reservations for SCs, STs or Other backward classes separately, since the Government of Karnataka itself is providing for requisite 'reservations', in seats now available to the Government out of aforesaid 33% of seats, in PG Courses in the institutions/colleges of private managements. For all 'Private Seats (P)', the members of KPCF shall adhere to provisions of Article 371(J) of the Constitution of India mutatis mutandis, in respect of Institutions located in Hyderabad-Karnataka region. The KPCF will provide for 8% reservations under Article 371(J) of the Constitution of India, which provides for reservation for people from Hyderabad-Karnataka region in 42% 'Private seats' (P), provided the fees for such reservation would be on par with this category (Private Seats) of students. There should be no concession or conversion of the fees that is being charged for this category (8%) of students. This is also subject to condition to the outcome of the petition pending before the Hon'ble Supreme Court.

4. SEAT SHARING AND ADMISSIONS IN RESPECT OF MINORITY EDUCATIONAL INSTITUTIONS:

- a. Seat sharing ratio, in respect of Minority Educational Institutions who are members of KPCF shall be on par with, that of the consensus agreement entered into with the Minority Association, that may be agreed upon. That admission process for Minority Educational Institutions would be in accordance with 'preferences' available to them; as formulated in the Karnataka Professional Education Institutions (Recognition of Minority Educational Institutions Terms and Conditions) (Professional Education) Rules, 2016.
- b. Seat sharing ratio, in respect of Minority Educational Institutions who are members of KPCF shall be governed by the provisions of Section 4A read with other proviso under Act 8/2006 as amended by Act 39/2015 & Act No. 22/2017.


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5. Fee Structure:


- a. Although, as per Section 6 of Karnataka Act 8 Of 2006, the Fee Regulatory Committee is in existence, the Government of Karnataka specifically exempts the members of KPCF from the operation of section 7(2) of Act No. 8/2006 and in lieu thereof, it is agreed by the parties, the fee matrix indicating the tuition fee that would be levied for the PG Dental courses in respect of KPCF Institutions under various categories, for the academic year 2023-24 shall be as follows: There is no fee hike this year in so far as Government(G) seats are concerned. However, both Government and KPCF have agreed for a fee hike of 10% in respect of institutional quota (P) seats are concerned as hereunder.


Summary of tuition fee and percentage of PG seats

Category	Courses	Fee
Govt Quota in Private Colleges 33% (G)	Dental	
	Degree & Diploma	Rs.3,57,076/-
Private Seats 42% (P)	Degree & Diploma	Rs.6,65,684/-
NRI / Management Seat 25% (N/O)	The details of fees component wise shall be furnished to the State Government in advance.	

- a) The tuition fee mentioned in the above table & University fees as applicable is the fee to be collected by the Counseling Authorities during allotment of seats and the respective colleges are entitled to collect Hostel and Mess Fees. Other Fees not exceeding Rs.15,000/- per annum and transportation fee if opted by the students may be collected.
- b) Apart from this, in case any member institution is providing skill lab facility or similar facility/facilities, the respective colleges can charge reasonable fees which shall not in any case exceed Rs.30,000/- per annum. However, the fees for above items shall be informed to Government well in advance by the colleges so that the same could be notified in the website and the brochure.
- c) It is made clear that none of the covenants under this agreement shall preclude the colleges executing this agreement from exercising their rights from seeking redressal for their grievances in regard to fixation of fee from any competent authority.
- d) The KPC Foundation considering the request by the State Government have now



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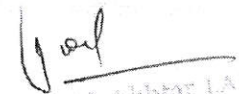

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resolved to extend the same gestures as were extended for previous year, by way of 'scholarship' to socially and economically weaker sections and others; and participate in social welfare measures/schemes of the Government. Therefore, it is proposed and provided that, for 'all PG Course seats' made over to the Government for grant of admission in accordance with its reservation policy, the members of KPCF colleges will extend 'the freeships and scholarships by way of fee concessions' of 33.3% of the fees actually being charged by each of the KPCF institutions for the current year; by way of scholarships under this consensual arrangement; out of additional fees receivable from the category of students falling under Clause 3b(iii) and 3b(iv) of this agreement.

- e) The students admitted for Post Graduate Courses shall pay the tuition fees at the time of allotment of seats; and or while seeking admission under the allotment as may be prescribed and notified. Fee structure shall be binding on all the students allotted to the respective colleges through common counseling for the 2023-24 batch every year till the completion of their study. In the event of non-payment of fee in terms of the consensual agreement by the student, the college management is at liberty to suspend imparting education to such defaulting students. The tuition fees and other fees as notified by the individual institutions shall be paid by the students. The KEA or the concerned authority shall remit the fee collected to the respective institutions within 03 months of the receipt of the same, failing which KEA shall pass on the due to the institutions along with simple interest (Bank rate of Interest fixed by RBI).
- f) All financial dues (inclusive of fees, deposits, all such other charges) payable by the students to the college shall be published in the college website.
- g) The students under NRI and other quota, shall furnish bank guarantees for the balance fees at the time of admission or at such period of time granted by the college. Non-furnishing of the bank guarantee within the stipulated period, would result in cancellation of admission or suspension of classes till the furnishing of the Bank Guarantee in favor of the colleges.
- h) In event, if any student for any reason, surrender/cancel the seat/discontinue the Course in Mid-Stream i.e., after last date of admission, the respective member institutions are entitled to collect the entire course fee from them, and in event of nonpayment of entire course fee by student, the institution shall retain the original documents submitted by the students during admission.



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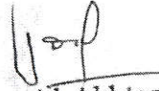

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6. Modalities for Admissions:

- a. A 'seat matrix' shall be notified in terms of 'seat matrix order' issued by the Government. Criteria for sharing this 33% of seats in PG Course has been on the basis of handing over 33% of total intake as per this Agreement.
- b. It is stipulated that the counselling of the students, shall be conducted as per the calendar of events, prescribed by the regulatory authorities and affiliating University respectively. In the event of a conflict/variation in calendar of events published, the calendar of events mandated by the apex regulatory bodies would prevail. Ordinarily, there would not be any extended round of counselling. However, in case any directions are issued by GOI for conducting such extended round, the State may conduct such number of extended rounds of counselling as prescribed for the purpose of admission to PG Dental Courses.
- c. All members of Professional Colleges shall grant admissions on reporting of respective student within the last date of reporting mentioned under the allotment letters by the counseling authorities, on receipt of documents pertaining to qualification etc. and receipt of 'full fees' as indicated above from the respective students. The first year fees shall be directly paid by the students at the time of counseling/admission in favor of KEA. The payment details shall be furnished to the State Government so that the same can be informed to the students prior to the date of counseling. A joining time of a minimum of '3 days' shall be granted, to facilitate the students to report at the college and, complete other admission formalities. Payment of tuition fees and other fees as at para 5 (b) and (c) by all categories of candidates shall be a 'pre-condition' for admission. Default in payment, within the stipulated time, would result in cancellation of allotment of seats. The Counseling authority shall forward the fee collected to respective institution within 03 months from completion of admission process. KEA shall remit the fee collected from the students to the concerned institutions within 03 months of completion of mop-up round.
- d. It is further stipulated that, if any seats remain unfilled / vacant, at the end of 'Mop Up round of counseling by the Governmental Agency, all those seats would be handed over to the respective institutions with a list of un-allotted candidates registered with the KEA in the ratio of 1:10, for further action by the concerned institutions. The mop up round of counseling will be completed as per the schedule prescribed by GOI, by providing sufficient time for Private Dental Institutions to fill up the unfilled seats. The Private Dental colleges can make admissions for the unfilled seats from the students who are eligible under the NEET strictly in accordance with ranking. It is agreed that



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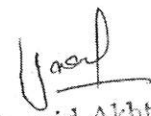

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the KEA shall ensure that the online portal shall be kept open to register any candidate after mop-up round followed by verification of documents for one day for any vacant seats or surrendered seats in case of any NEET qualified candidate available for admission. Further, the KEA shall also ensure that the KEA online portal should be allowed to take any admission for any vacant seats or surrendered seats from the list forwarded by KEA. Any cancellation of seats after mop-up round, shall be in the office of Directorate of Medical Education (DME), with proper ID proof (Government Authenticated) in-person with prescribed penalty.

- e. A copy of the admissions after counseling and issuance of admit card /allotment letter, on each day of counseling shall be forwarded to the Admission Overseeing Committee and any grievances to be redressed by any of the students or any others aggrieved shall be raised before the said Admission Overseeing Committee which shall be, keeping in view the terms of the agreement and shall be based on such orders as are necessary and same shall be binding on the respective institutions. The committee shall provide an opportunity of being heard to the respective institutions or to the authorities of KPCF/COMED-K, before any directions are issued by the Admission Overseeing Committee. The College/KPCF shall comply the directions of the Admission Overseeing Committee within 15 days and shall file the compliance report to the Government within 7 days.
- f. In case of any 'grievances' as to the determination of their merit and entitlement for admissions, cancellation of seats, refund of fees, return of documents, etc., the students or the colleges concerned must approach the Admission Overseeing Committee headed by a retired High Court Judge and the decision of Admission Overseeing Committee shall be binding on both parties.
- g. The Government would ensure implementation of this consensual arrangement as per the Act no. 39 of 2015, the Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) (Amendment) Act, 2015 and facilitate working out this consensual arrangement. Notwithstanding the delay in steps being taken as above; this 'consensual arrangement' binds the parties to this Consensual Agreement, and students that would be admitted in terms of this agreement for the academic year 2023-24 and Government shall ensure the implementation thereof.
- h. To prevent any dispute or litigation in the matter of 'consensual arrangement' now being entered in to between the State Government and the KPCF, relating to either Seat Sharing Formula and / or Fee Structure for the batch of students being admitted for the academic year 2023-24 through KEA and or, any other issues connected there with it, the decision of the Admission Overseeing Committee shall be final with regard to admission process.


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Signed by and between THE GOVERNMENT OF KARNATAKA and THE KARNATAKA PROFESSIONAL COLLEGES FOUNDATION by its respective authorized functionaries, on this 21st day of July 2023; at Bengaluru.

On behalf of and
For Karnataka Professional
College's Foundation



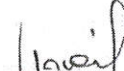
(M.R. JAYARAM)
SECRETARY, KPCF
(M.R. JAYARAM)
Secretary,
KPCF

On behalf of and
For Rajiv Gandhi University
of Health Sciences.



(A.B. BASAVARAJU)
REGISTRAR
Registrar (Admin), RGUHS.
Rajiv Gandhi University of
Health Sciences
Bangalore-560041

On behalf of and
For Government of Karnataka



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Health and Family Welfare Department
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