

## **Medical students from backward classes move Bombay HC over withdrawal of ‘freeship’**

*Filed through the Human Rights Law Network, the PIL says that various medical colleges across the state have put a pre-condition of fee payment before students can write exams for post-graduate or diploma courses.*

MEDICAL students belonging to SC, ST and other backward classes in the state have moved the Bombay High Court, alleging that the government has withdrawn a financial scheme taking care of their post-graduate and diploma course fees despite the Centre disbursing funds for it.

The students have accused the state authorities of discrimination, claiming that the ‘denial of right to higher education’ will jeopardise their future prospects. “In failing to implement the scheme, the state fails in its sovereign duty to further the rights of marginalised communities,” their public interest litigation (PIL) has said. Filed through the Human Rights Law Network, the PIL says that various medical colleges across the state have put a pre-condition of fee payment before students can write exams for post-graduate or diploma courses. Those who have completed their courses have been asked to pay retrospectively. Therefore, the students have now sought details of the funds allocated under the scheme for 2010-2016.

The “freeship” scheme, the PIL says, has been in existence since 1945, and has been revised from time to time with the last revision in July 2010. They allege that though the funds come directly from the Ministry of Social Justice and Empowerment, the state has failed to either disburse it to medical colleges or reimburse students who have paid their fees. “Discontinuation of the scheme has resulted in many students not being able to pay their fees, which is with retrospective effect and which will consequently result in the student not being able to complete their studies,” the PIL says. The scheme’s implementation, they allege, has been quite erratic. When cases of non-implementation of the scheme surfaced, students made representations to government authorities.

As a result, the Secretary of Social Welfare Department in 2009 instructed the Directorate of Medical Education and Research (DMER) not to charge tuition fee from such students. The letter of the DMER was circulated to deans of medical colleges. Again on March 5, 2015, the DMER wrote to all the deans of state medical colleges, asking them for a discussion on the issue with the government. The DMER directed the colleges to allow the students to sit for their examination and not to insist upon the fees. But when deliberations failed, the DMER assured in July 2015 that the “freeship” issue would be resolved within two months. It also said, the PIL claims that colleges would refund the money within one month to students who had availed the scheme. Again, when the students were being prevented from appearing for examinations and forced to pay tuition fees, the state minister of Social Welfare department issued a letter on March 10, 2016, asking colleges to allow students to write their exams.

The PIL has given the example of Dr Mangala Dadarao Bhongade. Records show that she belongs to the SC category, and that she was provisionally selected for the academic year 2013-14. When she applied for a freeship, her form was accepted. After completion of her post-graduation course, she applied for ‘no dues certificate’. To her surprise, the accounts department told her she had not paid

Rs 1.6 lakh towards her tuition fees. The PIL says many others have been served similar notices. Seeking action against “erring” officials, the petitioners have asked the court to direct various departments and the DMER to allow students to sit for their exams.

“They should ensure that freeship schemes for SC, ST, VJNT and OBC students is implemented in true spirit and the students are paid freeship fees regularly on an annual basis, which includes tuition fees and other miscellaneous fees,” the PIL says.

<http://indianexpress.com/article/cities/mumbai/medical-students-from-backward-classes-move-bombay-hc-over-withdrawal-of-freeship/>