
CASE ANALYSIS: MOHINI JAIN VS. STATE OF KARNATAKA

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INTRODUCTION:

A petition was filed by one miss Mohini Jain in the supreme court of India challenging the validity of Karnataka education institution act, 1984. and so, the case of *Mohini Jain vs state of Karnataka*¹ has altered the Indian education system deeply. This landmark judgement enshrines the article 21A of constitution of India and dealt with a problem that was somehow only a barrier to the existing nature of law. The financially disadvantaged parts of society could not access and afford to meet the high end demands to pursue higher studies. During the 1990s, there was a swift rise in the number of private collages in India leading to development and enhancements of educational opportunities. However, this too could only to accessed by only a certain stratum of society as the fees of these courses were highly expensive making it impossible for the majority to afford it. Finally, the Supreme Court of India had to intervene and rule that charging such additional fees was unconstitutional. The rulings led to an absolute transformation of how levies in private colleges were administered. This case is extremely important as it is yet again that even after a dedicated fundamental right, access to education is still hampered. This case even draws attention to the longstanding debate on the right to education versus the financial capabilities of the deserving candidates.

This research paper is divided into three parts, the first dealing with the summary of the case, tracing the backgrounds, the flaws and the laws, the reasoning of the judges and the judgement of the apex court. The second part deals with the analysis and an in-depth understanding of the reasoning and the relevancy of the law related. The third part is a mere attempt to reach to a conclusion and conclude with not only the presented and research data but also the applicability and necessity in the real time.

¹ Mohini Jain v. State of Karnataka, (1992) 3 SCC 666.

CASE SUMMARY:

The state government of Karnataka passed a bill- Karnataka Educational Institutions (Prohibition of Capitation Fee) Act on June 5, 1989², which allowed the various private educational institutions to charge an extra amount in the form of a fee, apart from the tuition fees, for professional courses. The extra fee which would be levied depending on the student demand for the course was termed the capitation fee. If a course has great demand, then the fee may be much higher. This was aimed at simplifying the entry of students and allocated additional funds to the educational institutions. Ms. Mohini Jain, a Meerut resident, received an offer via mail to join the MBBS program at Sri Siddhartha Medical College in Agalokote, Tumkur, Karnataka, with a session starting in early 1991, requiring a fee of Rs. 60,000. Ms. Jain's father reached out to the college because he couldn't afford to pay the fees. He also claimed that there was an extra charge of about Rs. 4.5 lakhs, which the college denied. In response, Ms. Jain took legal action under Article 32 of the Indian Constitution. She argued that the college's actions were against several constitutional rights, including Articles 12, 14, 21, and 41³. Essentially, she felt that the additional fees were unfair and violated her right to education. In short, Ms. Mohini Jain argued that the capitation fee policy was unfair and against the law⁴. She believed it was unconstitutional and discriminatory, making education less accessible and putting an unfair financial strain on students. The respondent argued with the reasoning that the students who get the government seat are merit based while the others are non meritorious and so according to them, the institution has the right to charge extra amount/ fees from the students. They think that this classification is accurate. respondent and the intervenor both emphasize that neither the Indian

Constitution nor any other laws contain any clauses that forbid the collection of capitation fees.⁵ The Supreme Court of India declared that capitation fees charged by private colleges were illegal. They emphasized that the right to education is fundamental under Article 21⁶ of the Constitution, which protects the right to life and personal freedom. The Court also pointed out that these fees went against the principle of equality stated in Article 14⁶. They noted that

² Karnataka Educational Institutions (Prohibition of Capitation Fee) Act, 1983, Karnataka Act No. 7 of 1984.

³ *Miss Mohini Jain vs. State of Karnataka and Ors.* (1992), iPleaders (Oct. 14, 2019), <https://blog.ipleaders.in/missmohini-jain-vs-state-of-karnataka-and-ors-1992>

⁴ *Miss Mohini Jain vs. State of Karnataka and Ors.* (1992), iPleaders (Oct. 14, 2019), <https://blog.ipleaders.in/missmohini-jain-vs-state-of-karnataka-and-ors-1992>

⁵ *Mohini Jain vs State of Karnataka* (1992) - Case Analysis (testbook.com)

⁶ Constitution of India art. 21.

⁶ Constitution of India art. 14.

capitation fees were mainly about making money rather than improving education quality. Most importantly, the Court highlighted that these high fees unfairly excluded students from poorer backgrounds, denying them equal opportunities to pursue education. The Court instructed the government to crack down on capitation fees and regulate how much for-profit colleges can charge, making sure education stays accessible to everyone, not just the rich. However, this ruling didn't affect students who were already enrolled under the old rules—they could continue their studies as they were. Since Ms. Mohini Jain wasn't admitted yet and the course had already started, she didn't receive any direct relief from this decision.⁷

CASE ANALYSIS:

The fundamental rights enshrined in the constitution guarantee the right to education. This is not only limited to the provision of free and compulsory education, but this extends to having quality education without constraints and discrimination on any grounds such as financial, economic, and social status as also rightly established under the state of Tamil Nadu v. K. Shyam Sunder (2011).⁸ What is to be noted is that how the present issue complements the nature of article 19. The constitution rightly asks for the creation of educational institutes free from any sort of discrimination, and if at all discrimination exists, it needs to be affirmative in nature. This is related to the principle of article 19 as a life of dignity and integrity comes with the right knowledge and status in society which is largely related to education as education is deemed necessary for basic needs such as food, water and shelter. The growing demand for medical education has led to the rise of numerous private medical colleges, many of which have become notorious for charging capitation fees. This practice has become widespread, turning education into a commodity rather than a right. Such profit-driven practices clash with the principles of the Indian Constitution and are seen as inconsistent with the country's values and cultural heritage. Going a little forward and into the current perspective, the judgement was also challenged in Unni Krishnan v. State of Andhra Pradesh (1992),⁹ the judgement considering article 41, 45 and 46, lays down that it was also necessary to regulate the aided school. The right to establish an educational institution does not automatically include the right to recognition or affiliation, as per the precedent in the Ahmedabad St. Xaviers College v. the state of Gujarat.

⁷ Naitikkt, *Mohini Jain v/s State of Karnataka*, iPleaders (July 20, 2023), <https://blog.iplayers.in/mohini-jain-vsstate-of-karnataka/>

⁸ *Tamil Nadu v. K. Shyam Sunder*, (2011) 8 SCC 737

⁹ *Unni Krishnan v. State of Andhra Pradesh* (1992),

(1974)¹⁰ The state's role in granting recognition or affiliation involves ensuring standard education and fairness in admissions.

This case also strengthens the relation between the fundamental rights and the directive principles. Just because the ambit of the DP's does not make the justifiable doesn't mean a violation or a law that contradicts their true essence can exist without being scrutinized. Education is not only a societal benefit but also a fundamental requirement for individual empowerment, societal advancement, and national progress. According to the 86th

Constitutional Amendment Act of 2002, education is a means of defense from not only escaping the scarcity of basic needs, but also it prevents falling for human trafficking, labour, etc.¹¹

The Right to Education (RTE) Act, which addresses education as a co current issue in the Indian Constitution, outlines clear responsibilities for the central, state, and local governments to ensure its implementation. Although states have often struggled with financial constraints in delivering quality education, the Act emphasizes the need for cooperation between the central and state governments to support and fund educational initiatives effectively. Initial funding estimates for the Act were later increased to better meet the growing needs and challenges in education. In conclusion, the RTE Act is a major move towards making sure that every child in India gets a good education. It represents a strong commitment to fulfilling the constitutional promise of quality education for all, helping to ensure that no child is left behind and everyone has the chance to learn and succeed.

CONCLUSION:

The Right of Education, amongst other acts, was supposed to bring equity into education and eliminate disparities amongst people with diverse backgrounds. Not that this suggests that affirmative reservations are discriminatory in nature-neither does this suggest that fees by private colleges are unjust-but indeed excessiveness in fees is injurious to health. The Mohini Jain judgment proved to be a watershed in this regard. It drastically altered the education scenario in India, bringing education as a right within easier reach, especially for people of low economic means. The judgment stemmed the collection of capitation fees by private

¹⁰ Ahmedabad St. Xavier's College v. State of Gujarat, (1974) 1 SCC 717.

¹¹ Naitikkt, *Miss Mohini Jain vs. State of Karnataka and Ors.* (1992), iPleaders (July 14, 2023), <https://blog.ipleaders.in/miss-mohini-jain-vs-state-of-karnataka-and-ors-1992/>.

institutions to a great extent. The ratio established by this case has continued to guide Indian courts.

However, there is still difficulty in making the intention of this judgment come to complete fulfilment because some of the private institutions have found ways of evading these rules through rebranding these fees and also inadequacy in the number of educational institutions. Nevertheless, the judgment in *Mohini Jain* is a landmark, ensuring access to education at all levels of learning, particularly for disadvantaged groups of people, and reiterates the constitutional right to education in India.