



## FEES REGULATING AUTHORITY

Maharashtra Unaided Private Professional Educational Institutions  
(Regulation of Admissions and Fees)

"शिक्षण-नव्वेव्यवसाय -ज्ञान यज्ञ"

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### Minutes of Meeting of Authority

Dt. 02/02/2022

The Meeting of the Fees Regulating Authority (constituted under section 11(2)(3)(4) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015) held on **2<sup>nd</sup> February, 2022** in the Conference Hall, Room No. 305, Government Polytechnic Building, 49 Kherwadi, Ali Yawar Jung Marg, Bandra (E), Mumbai - 400 051.

Following were present:

1.	Hon'ble Justice V.L. Achliya (Retd.)	:	Chairperson
2.	Dr. Vijay Vasant Khole, Ex-Vice Chancellor, Mumbai University	:	Member
3.	Shri. Manoj Damodar Chandak, Chartered Accountant	:	Member
4.	Shri. Ratanakar (Shirish) Phadtare, Cost Accountant	:	Member
5.	Shri. Dharmendra Dilip Mishra, Professional Educationist through video conferencing	:	Member
6.	Dr. K.D. Chavan, Registrar, Maharashtra University of Health Science, Nashik through video conferencing	:	Member
7.	Shri. L. S. Mali, IAS	:	Secretary

Dr. Abhay E. Wagh, The Director, Technical Education, Mumbai, Dr. Dhanraj Mane, The Director, Higher Education, Pune & Shri. Vishwajit Mane IAS, Member Secretary of Maharashtra Council of Agricultural Education of Research, Pune (MCAER) the ex-officio members of the Authority are absent.

### **Part-II**

**Item No. 1: To consider the complaint received against N.L. Dalmia Institute of Management Studies and Research, Mumbai received from the complainants.**

"Discussed.

Inspite of notice of hearing dated 24/1/2022 received by the Complainants, the Complainants have opted to remain absent.

Mr. M. A. Khan, Director of the N.L.Dalmia Institute of Management Studies and Research, Mumbai, present alongwith Mrs.Seema Saini, the



Chief Executive Officer of the Institute and their Advocate Shri. D.V. Sawant are present.

It was decided to provide one more opportunity of hearing to complainants/Students.

Issue fresh notice of hearing to complainants. They be informed to personally appear for hearing on 11/2/2022 at 11:30 a.m.

Follow up action be taken accordingly".

**ItemNo.2: To consider the proposal for approval of fees of Prin. K.P. Mangalvedhekar Institute of Management Career Development and Research, Solapur running the M.B.A course (MB6737) for the academic year 2021-2022.**

"Discussed.

The following were present;

1. Mr. Pramod D. Vaidya, Director of Prin. K. P. Mangalvedhekar Institute of Management Career Development and Research, Solapur.
2. Mr. Rajesh Patwardhan the Trustee of Shikshan Prasarak Mandali, Pune running Prin. K. P. Mangalvedhekar Institute of Management Career Development and Research, Solapur.
3. Mr. G. K. Chapalkar (Chartered Accountant) Auditor of Prin. K.P. Mangalvedhekar Institute of Management Career Development and Research, Solapur.

Mr. Rajesh Patwardhan, the Trustee of the Trust running the Institute/College and the Chartered Accountant of the Institute fairly admitted that the Institute as well as their Management of Trust failed to comply the provision of Sec 14(1)(a) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (hereinafter referred to as "the said Act"). However, it is submitted that during the intervening period the functioning of the Trust was affected due to internal dispute amongst the Trustees. The Director of the Institute ought to have taken appropriate steps to submit the proposal seeking approval of fees in terms of sec. 14 (1) (a) of the said Act 2015 within a stipulated time before the beginning of each academic year. The Institute/College has charged the adhoc fees as per the fees approved by the Department of Social Welfare and Regional Office of Director Technical Education Pune. He further submitted that the adhoc fee charged was not exhorbitant, excessive an unreasonable.

In the year 2020-2021 the college could not secured a single admission. The Institute/College has charged reasonable fees to the students. The Institute/College has not indulged into act of profiteering and collecting capitation of fees. The Trustee representing the Institute and the



Trust assured the Authority that no lapses of similar in nature shall be repeated in future. The statutory provisions of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 shall be strictly followed by the Management running the Trust. He further submit that the lenient view be taken in the matter. No serious action be taken against the Management running the Trust. The Trust /Institute is ready to pay the penalty for its default.

Considering the overall facts of the matter, the nature of lapses committed on the part of Management running the Institute/College the explanation offered and the willingness shown to pay the penalty, and this being first lapse on the part of the Institute, it was decided to take lenient view in the matter. As per the reply filed by the Institute/College except the period between 2016-2017 to 2019-2020 the Institute/College could secured the admissions in the range of 0 to 18. In the academic year 2020-2021 the Institute/College could not secured a single admission. Only during the period 2016-2017 to 2019-2020 the Institute/College could secured the admission in the range of 43 to 60 students. The adhoc fees charged by the Institute was approved by the Department of Social Welfare and the Regional Office, Pune (Maharashtra State) till the year 2018-2019.

Mr. Rajesh Patwardhan the Trustee representing the Management of the Trust has produced the copy of minutes of the meeting of the Managing Committee of the Trust held on 22/11/2021. In said meeting it was decided to write off Rs. 52,55,060/- the fees which the Institute could not recover from the students admitted to MBA course run by the said Institute/College during the said academic year 2015-2016 to 2020-2021.

It was decided to condone the lapses on the part of Management running the Institute/College to submit the proposal for approval of fees during the period 2015-2016 to 2020-2021 by imposing the penalty of Rs. 7,50,000/- in aggregate to be deposited within one week with the Fees Regulating Authority and further to file and undertaking that no instance of like in nature shall be repeated in future.

The Institute/College is directed to submit the compliance report along with proof of deposit of fine on and before 10/02/2022.

List the subject for hearing in the meeting to be held on 11/02/2022 for compliance and to finalized the fees proposal of the Institute/College for approval of fees for the academic year 2021-2022.

Follow up action be taken accordingly".





**Item No.3: To consider the complaint received against Dr. Panjabrao alias Bhausaheb Deshmukh Memorial Medical College, Amravati.**  
"Discussed.

Dr. Hemant Deshmukh the Dean of Dr. Panjabrao alias Bhausaheb Deshmukh Memorial Medical College, Amravati, Present. None present for Complainants.

The Dean of the College submit that neither any student nor their parents were forced to make payment of fees in advance. Due to financial crisis on account of pandemic of Covid-19 and more particularly to make payment of salary to the staff of the college, the college has issued the notice dated 31/5/2021 requesting the students to pay the tuition fee and the hostel fee for the academic year 2021-2022 with arrears of previous year on and before 07/07/2021. He submit that due to pandemic the academic schedule of the college was disturbed and the examinations could not be held as per schedule.

It was brought to the notice of Dean of the College that the impugned action on the part of their Institute/College is in clear violation of Section 14(5) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 which reads as under;

***"No Institution shall collect fee amounting to more than one year fee from a candidate in an academic year and collection of fees for more than one year in an academic year shall be construed as collection of capitation fee and such institution shall be liable to be proceeded against."***

On examining the action on the part of their college to demand the fees of next academic year in advance from the students being prima facie contrary to section 14 (5) of the Act of 2015 , the Dean of the College assured that the notice dated 31/5/2021 issued by the college demanding the fees in advance shall be withdrawn with immediate effect. He submit that in response to notice dated 31/5/2021 about 25 students have paid/deposited the fees in advance . He submitted that no students and their parents were forced to pay the fees in advance. If any students or their parents request for refund of fees deposited in advance then same shall be refunded to them.

It was decided to direct the college to immediately withdraw the notice 31/5/2021 demanding the fees of academic year 2021-2022 in advance. It was further directed that the Dean of the College to file

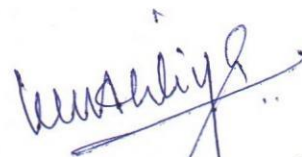
undertaking that if any student/s or their parents seeks refund of fees deposited in advance then same shall be refunded within one week.

The compliance of the direction be reported within one week. Failure to report the compliance of direction within one week the complaint be placed for further action after two weeks.

Follow up action be taken accordingly".

Date : 7<sup>th</sup> February, 2022

Place : Mumbai

  
**JUSTICE VIJAY L. ACHLIYA (RETD.)**  
**CHAIRPERSON**  
**FEES REGULATING AUTHORITY**  
**STATE OF MAHARASHTRA**