



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. 10/03/2022

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 10th March, 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 through video conferencing	:	Member
4.	Shri. Ratnakar (Shirish) Phadtare, Cost Accountant through video conferencing	:	Member
5.	Shri. Dharmendra Dilip Mishra, Professional Educationist through video conferencing	:	Member
6.	Shri. L. S. Mali, IAS through video conferencing	:	Secretary
7.	Mr. Harivijay Shinde, Joint Director of Shikshan Shulka Samiti representative of The Director, Higher Education, Pune.	:	Member

Dr. K.D. Chavan, Registrar, Maharashtra University of Health Science, Nashik, Dr. Abhay E. Wagh, The Director, Technical Education, Mumbai & 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 against M. S. College of Law, Mumbra of charging fees over and above the fees approved by the Fees Regulating Authority.

"Discussed.

In the previous meeting held on 11/02/2022 after considering the request made by the Principal of the College & the Secretary of the Trust the following decision was taken;

"It was decided to provide last chance to the Institute to refund the excess fee to all the 99 students and report compliance before the next date. The Management running the Institute is directed to refund the excess fees to students on and before 9/3/2022 and report compliance on 10/3/2022. If any student found not available for the refund of the amount then such amount be deposited with the Fees Regulating Authority.

The Principal of the College, the President and the Secretary of the Trust running the Institute shall personally appear and report the compliance on 10/3/2022".

Dr. Mrs. Dipti Gala the Principal of the College/Institute & Mr. Nisar S. Khan, the Secretary of the Trust appeared and submitted that out of 98 students admitted in the academic year 2018-2019 for LLB III years course the college has refunded excess fees to 73 students. The cheques of remaining 25 students are ready. They are contacting those 25 students. The cheques will be handed over to those students as soon as they approach the college to collect their respective cheques.


The Complainant present make the grievance that the Principal of the college and other officials are avoiding to refund the excess fee recovered from the students on one or other pretext.

The officials of the college are directed to refund the amount to remaining students on and before 15/3/2022 and file the affidavit in compliance.

In case the Institute is unable to refund the amount to remaining students then same be deposited with the Fees Regulating Authority with particulars of the students to whom the amount to be refunded by providing the details such as the name of students, their addresses, the exact amount to be refunded to individual students, so as to enable the Authority to refund the amount to those students. The compliance to this effect be made on and before 15/03/2022.

List the subject for hearing on 29/03/2022.

Follow up action be taken accordingly".



Item No.2: To consider the complaint against the Rizvi Institute of Management Studies and Research, Mumbai charging excess fee for the students.

"Discussed.

In the meeting dated 11/2/2022 the following direction was given;

"The Director of the Institute is directed to file a written response to the allegations made in the complaint and give the details of the amount collected over and above the fees approved by Fees Regulating Authority, the amount refunded to students & the expenditure made towards blazer, educational/industrial tour etc. The written response be filed on and before 9/3/2022.

List the subject for hearing on 10/3/2022".

In compliance of direction, the institute has filed written submissions and mentioned therein the details of fees approved, the fees collected from the individual student & difference in amount as amount charged over and above the fees approved by the Fees Regulating Authority. As per say of the Institute the amount to the tune of Rs. 8,59,273/- was collected from 23 students as a fees over and above the fees approved by the Fees Regulating Authority. The Institute has provided the particulars of those students from whom the said amount was collected.

It is the contention of the Institute that none of the student has made any grievance against the Institute of charging fees from them over and above the fees approved by the Fees Regulating Authority during the academic year 2020-2021 & 2021-2022. The complaint is anonymous. The amount collected over and above the fees approved by the Fees Regulating Authority has been collected towards charges of blazer, educational/industrial tour and expenses not covered under the head of fees as defined u/s. 2(g) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015. However, the Institute is ready to comply the order or direction of the Fees Regulating Authority.

The Director of the institute is directed to call and offer the amount to those 23 students from whom the amount has been charged over and above the fees approved by the Fees Regulating Authority. The exercise to this effect be made within six weeks and the compliance be reported after six weeks.

Follow up action be taken accordingly".

Item No.3: To consider the complaint against M. K. E. S College of Law, Malad, Mumbai.

"Discussed.

In the previous meeting of Fees Regulating Authority held on 11/2/2022 after hearing the in-charge Principal of the College, the President and the Secretary of the Trust representing the Management as well as the Director of the Institute, the following decision was taken ;

"For the academic year 2021-2022 the Fees Regulating Authority had approved the fees of Rs. 16,000/- for 3 years L.L.B. Course and Rs. 15,000/- for 5 years L.L.B. Course. The Complainant has alleged that the college has demanded Rs. 28,087/- as fees against the fees of Rs. 16,000/- approved by the Fees Regulating Authority and refused to admit the Complainant by accepting the fees of Rs. 16,000/- approved by the Fees Regulating Authority. The Principal of the College acted rudely with the Complainant.

The Officials of the Trust and the Institution admitted that they committed mistake in charging the fees over and above the fees approved by the Fees Regulating Authority. They submit that there was no intention on the part of their Institute to indulged into the act of profiteering by charging the students over and above the fees approved by the Fees Regulating Authority. They submit that they were carrying the impression that the fees approved by the Fees Regulating Authority restricts to tuition fees & the development fees. The institution/college has to separately charge the examination fees, enrolment fees, gymkhana fees, extra-curricular activities charges & other related expenses as per circular of the University. Hence the fees of Rs. 28,087/- was demanded. They submit that after receipt of the notice from the Fees Regulating Authority they have realized their mistake and stopped the charging of fees over and above the fees approved by the Fees Regulating Authority. They further submits that the Institution has decided to refund the amount charged over and above the fees approved by the Fees Regulating Authority to those students from whom such excess fees has been recovered. They submit that the excess fee collected from students admitted in the academic year 2021-2022 shall be refunded within 4 weeks.

Considering the overall approach of the Management it was decided to provide opportunity to the Management to refund the excess fee recovered from the students. The Management running the Institute is directed to refund the

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excess fee recovered from the students admitted in the academic year 2021-2022 for L.L.B. 3 years and L.L.B. 5 years course and report compliance on and before 9/3/2022.

List the subject for hearing on 10/3/2022".

In compliance of the direction the Institute has filed the compliance report on 9/3/2022 and status report of the fees refunded. The details of the fees charged and refunded provided by the Institute reads as follows;

Particular	L.L.B.(5 Years)	L.L.B. (3 years)
Total Students admitted in First year	122	180
No. of Students paid fees as per Fees Regulating Authority	12	91
Admission Cancelled	1	-
No. of students paid fees over and above Fees Regulating Authority	109	89
Fee Charged	Rs. 27087	Rs.28087
Excess amount Collected per Students	Rs.12087	Rs. 12087
Total amount refunded through cheque	Rs. 1317483	Rs.1075743

On 10/3/2022 the officials appeared and submitted that their Institute has not indulged into act of profiteering. They were acting under the impression that they are entitled to separately charge the examination fees, enrolment fees, gymkhana fees, extra-curricular activities charges and other related expenses as per the circular of the University. Hence, they have charged and collected Rs. 27,087/- and Rs. 28,087/- from the students admitted for LL.B V years and LL.B III years respectively. They have stopped collecting the fees over and above the fees approved by the Fees Regulating Authority immediately after they received notice from Fees Regulating Authority and they were explained that they are not entitled to charge the fees over and above the fees approved by the Fees Regulating Authority in terms of definition of fees provided u/s. 2(g) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015. They submitted that out of 109 students admitted for LL.B V years course they have already refunded the excess amount to 72 students .The cheques of remaining 27 students

are prepared and same shall be handed over as soon as the concern students visit the college to collect their cheques. Similarly, the cheques are handed over to 79 students out of 89 students admitted for LL.B III years course. The cheques of remaining 10 students are ready to be handed over to them as soon as they visit the college to collect their cheques. Out of Rs. 23,93,226/- collected over and above the fees approved by the Fees Regulating Authority the Institute has refunded the amount of Rs. 19,46,007/- within a short span. The cheques of balance amount of Rs. 4,47,219/- are ready for handing over the remaining 37 students. The Officials present undertake to refund the amount to remaining 37 students. Now the complainant has no grievance against the Institute. He has given the letter that he is withdrawing the complaint. In this background the officials of the Institute requested to drop the further proceeding and urged not to take any action against their Institute. It is submitted that it is the first contravention on the part of their Institute. So, also the mistake was bonafide and un intentional. They urged not to imposed any penalty against the Institute.

On due consideration of overall facts of the case, the conduct of the Management running the Institute, the bonafides shown on the part of the Institute to stop charging the fees over and above the fees approved by the Fees Regulating Authority immediately after receipt of show cause notice and refund of excess fees to the tune of Rs. 19,46,007/- to 152 students within a span of four weeks the Authority is of the view the lenient view deserves to be taken in the matter.

Out of Rs. 23,93,226/- charged and collected from 198 students the Institute has refunded Rs. 19,46,007/- to 152 students within a period of four weeks. The cheques of balance amount of Rs. 4,47,219/- are kept ready to be handed over to remaining 37 students. The Institute has given undertaking to refund the excess fee to remaining 37 students. This is the first instance of contravention of the provisions on the part of the Institute.

Thus considering all relevant factors, the facts of the case, the conduct and bonafides of the Management running the Institute to promptly refund the excess amount of fees to the students and this being first instance of committing breach of provisions of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 on the part of the Institute , it was decided to imposed the penalty of Rs. 1,00,000/- to the Management running the



Institute for their Act of charging the fees over and above the fees approved by the Fees Regulating Authority in the academic year 2021-2022 in exercise of powers conferred u/s. 20 (1)(a) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015. The penalty be deposited within two weeks from date of order. On deposit of penalty and report of compliance of refund of amount to remaining 37 students the proceeding against the institute to be treated as closed.

Item No.4: To consider the matter of Nalanda Law College, Mumbai regarding the excess fees collected from the students.

"Discussed.

Dr. J.B. Patil, the In-charge Principal & Mr. Paresh Dixit, Accounts Officer of the College/Institute appeared & submitted that due to Pandemic the functioning of their Institute is badly affected. The students are not paying fees. Due to this reason, they could not collect the amount and deposit the same as per direction given by the Authority. They submit that out of balance amount of Rs. 28,50,000/- to be deposited in three instalments, the Institution has deposited Rs. 9,00,000/-. They are making arrangement to deposit the amount of Rs. 7,00,000/- on and before 31/3/2022 & remaining amount of Rs. 16,00,000/- will be deposited in two instalments of Rs. 8,00,000/- each on and before 30/4/2022.

Considering the difficulty expressed and the oral undertaking given to deposit Rs. 7,00,000/- on and before 31/3/2022, it was decided to consider the request of the Institute for providing further time to deposit the amount after deposit of amount of Rs. 7,00,000/-. The amount of Rs. 7,00,000/- be deposited on and before 31/3/2022 and compliance be reported on & before 5/4/2022.

The Principal of the College is directed to submit the list of students and their address, phone numbers, email id to whom the amount is to be refunded out of amount deposited by the Institute. The list to be provided must include the details such as the name of the individual student, the fees to be charged as per the fees approved by Fees Regulating Authority, the total fees recovered from the students the excess amount received from the individual student and to be refunded to such students. The compliance to this effect be made on 5/4/2022.

Follow up action be taken accordingly".

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Item No.5: To finalize the norms for fixation of fee structure for the academic year 2022-2023.

"Discussed.

Deferred.

Item No.6: To consider the proposal for approval of fees of Ratnadeep Homoeopathic Medical College, Ahmednagar running the Bachelor of Homoeopathic Medical College course (B.H.M.S.4151) for the academic year 2021-2022.

And

Item No.7: To consider the proposal for approval of fees of Ratnadeep College of Pharmacy , Ahmednagar running the B.Pharm course (PH6917) for the academic year 2021-2022.

And

Item No.8: To consider the proposal for approval of fees of Shree Sai. Nursing (B.Sc.) College Ratnadeep Taluka , Jamkhed District Ahmednagar running the B.Sc. course (BSCN0074) for the academic year 2021-2022.

And

Item No.9: To consider the proposal for approval of fees of Ratnadeep College of Pharmacy, Ahmednagar running the D.Pharm course (DPH5465) for the academic year 2021-2022.

"Discussed.


On due consideration of the request made to provide time to collect the documents and appear for hearing it was decided to adjourn the hearing.

List the subject for hearing on 23/3/2022. Inform to the Principal of concern Institutes/Colleges.

Follow up action be taken accordingly".

Date : 11th March, 2022

Place : Mumbai



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