



FEES REGULATING AUTHORITY

Maharashtra Unaided Private Professional Educational Institutions
(Regulations of Admission and Fees)

"शिक्षण-नव्हेव्यवसाय -ज्ञान यज्ञ"

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Meeting Date: 7/8/2018

Minutes of the 117th Meeting of the Fees Regulating Authority (constituted under section 11(2)(3)(4) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation Admissions and Fees) Act, 2015) held on **Tuesday, the 7th August, 2018 at 12:00 noon** 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 M.N. Gilani, (Retd.)	:	Chairperson
2.	Dr. R.S. Mali	:	Member
3.	Shri. Sanjay Panse	:	Member
4.	Dr. Manik Gursal, I.A.S.	:	Secretary

Item No. 1 : To confirm the minutes of the 116th Meeting of the Fees Regulating Authority.

The Minutes of the 116th Meeting dated 26th July, 2018 of the Fees Regulating Authority are confirmed and approved.

Item No. 2 : To discuss in the matter of finalizing norms for academic year 2019-20.

Representation of Association of Unaided Private Engineering Colleges,
Nashik and suggestion of Norms Committee :

1. Denominator factor inclusive of lateral entry strength in sanctioned intake - modification of the norms –

Existing norm is – "10 (a) The calculation of final fees will be made on the basis of sanctioned strength (including sanctioned lateral entry) or actual strength of students, whichever is higher. The admissions allowed or given under Tuition Fees Waiver Scheme, however will not be considered under denominator factor since no fees are collected from them".

Decision :

It is resolved that while considering denominator factor, sanctioned intake and actual intake, whichever higher shall be relevant. Lateral entry strength shall not be considered while applying denominator relating to fees proposals for academic year 2019-20.

2. **Development Fee :** Clause 11 (c) of the existing norms is as follows: "If the college has substantial number of seats vacant, it may not need substantial amount for development. In this case development fee shall be reduced appropriately".

Decision :

The above clause stands deleted.

3. **Following addition in Depreciation clause only for the Agriculture Educational Institutions:**

1	All Livestock including Cow, Buffalo, Poultry, Bullock, Goat/Sheep	25% to be Written off over period of 4 years. Straight line method
2	Depreciation for Polyhouse, Shade net, Drip, Sprinkler	25% WDV method

4. **Usages charges for Agriculture Educational Institutions:**

For running the agriculture institutions, it is necessary to possess certain acres of land. Considering existing lease rent and the purpose of the land for college, the additional usage charges only for Agriculture institutions fixed at Rs. 4500/-.

5. **Stipend charges paid to PG (Health Sciences courses, wherever applicable) students :**

Presently, the Medical Educational Institutions have to pay stipend to the students pursuing PG courses as per MCI guidelines. The nature of PG course is such that the students have to render services to the patients in the hospital. Therefore certain portion of stipend is attributable to hospital receipt & expenditure. For the fee proposal of Academic Year 2019-20, total stipend paid to the student would therefore be considered as expenditure only to the extent 5/6th of the total stipend claimed as the expenditure.

Item No. 3 : Any other issue with the permission of the Chair.

- i) **As per direction of the Hon'ble High Court in W.P. No. 7996 of 2018 in the matter of Bharat College of Engineering, Badlapur for finalization of fee for A.Y. 2018-19.**

Shri. S. N. Barai, Principal, Shri. Nitin Gaikwad, Consultant and Shri. Satish Vishe, Admin appeared from the institutes.

Heard. Matter adjourned for further hearing.

- ii) **To consider the email letter dated 6/8/2018 received from the Principal, Dr. Nilima Bedekar, Sancheti College of Physiotherapy, Pune regarding fee structure for NRI and Institutional Quota.**

Decision :

Issue raised is, whether the decision dated 19/3/2018 on the subject of Multiple fee structures for the students seeking admission against seats available for NRI and Institutional quotas in Unaided Private Professional Colleges imparting health science courses and also applies to the fees structure of physiotherapy courses for the academic year 2018-19.

It is resolved to issue following clarification:

Decision dated 19/3/2018 on the subject referred above shall be applicable to all health science courses conducted by unaided private professional colleges/institutes. Fee collected by such institute in multiple of the regular fees from the students admitted against NRI/institutional quotas should be reflected in the statement of income and expenditure for the particular financial year. In turn Fees Regulating Authority shall consider it as an income of the institute while approving fee structure of the given academic year.

Office to communicate above decision to the concerned.

- iii) **To consider the letter dated 6/8/2018 received from Matoshri Nursing School (RANM), Parbhani regarding non submission of fee proposal.**

Read communication dated 06.08.2018 from Matoshri Nursing School, Gangakhed Road, Parbhani. The institute conducts RANM course. The last fee proposal

submitted by the institute was for the A.Y. 2015-16. Fee of Rs.81,000/- was approved for that academic year. The institute did not submit the fee proposal for the A.Y. 2016-17 and 2017-18. The institute also did not submit fee proposal for the A.Y. 2018-19. The reason assign for not submitting the fee proposals for the above academic years, according to institute is it wanted to continue with the same fee structure i.e. Rs.81,000/- It is stated that, this office was informed about decision of the institute to retain the fees structure approved for the A.Y. 2015-16.

Shri R.S. Shaikh, Chairman appeared. It is explained to him that the fee for the A.Y. 2015-16 can be applied for the A.Y. 2016-17 and not in the subsequent academic years. Therefore, it was necessary to submit fee proposal for the A.Y. 2017-18 as well as for the A.Y. 2018-19. Shri R.S. Shaikh did not have any balance sheet, auditor's report with him. He is asked to come with balance sheets for the financial year 2016-17 and 2017-18 alongwith reports of the auditor and other relevant information. Office to ask him to appear before this Authority on 23rd August, 2018. Show cause notice as to why action be not taken for failing to submit fee proposal for academic year 2017-18 and 2018-19 be issued.

iv) Abolition of processing fee for submission of fee proposals by the educational institutions. (Read section 16 sub section 3 of Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admission and fees) Act, 2015)

Financial position being processing fees earned by the Fees Regulating Authority and the expenditure made for all earlier years was considered. The balances of money lying in the fixed deposit was also considered. The Secretary also explained the budgeted expenditure of the Fees Regulating Authority. In view of the above and considering the sufficient balances to meet the budgeted expenditure it is resolved that in respect of the fee proposal to be submitted by the education institutions for the A.Y. 2019-20 earlier processing fee of 0.05% of the total fee proposed would be abolished. The educational institutions would not have to pay any processing fee while submitting the fee proposal for the A.Y. 2019-20.

Proposed by Shri Sanjay Panse, Member, FRA.

Seconded by Shri Raghao Mali, Member, FRA

Decision: Discussed / Deferred.

v) **Clarification regarding Ad-hoc fees to be communicated to all departments of the Government for DBT purpose (office note).**

Ad-hoc fees for various courses are declared by the Authority every year. New institutes need not apply for fixing of ad-hoc fees so, there is no database in our portal regarding this. Some institutes may be charging more than the ad-hoc fees or some less than the ad-hoc fees.

Government is concerned with the reimbursement and fee concessions through a DBT portal. Confirmation of ad-hoc fees is done at the end of second year provided institutes file a fee proposal with financial statements before 31st October of the subsequent year. For first two years of the same batch and for the first year of the second batch ad-hoc fee is collected. Quantum of ad-hoc fee collected is not available with the office. Government needs guidance regarding reimbursement to the stakeholder students.

Option for consideration: Government may reimburse in the limit of the ad-hoc fee whichever is less.

Decision : Read office note: Following clarification be issued:

It is clarified that there is no distinction between nature of ad-hoc fee, interim fee and regular fee. Fee is ad-hoc because college course is new. Fee is interim because decision is pending. The concerned to note. Invariably ad-hoc fee or interim fee is on lower side. There are rare chances of fixation of regular fees lesser than ad-hoc fees.

Concerned may also note that reimbursement of tuition fees towards any Scholarship Concessions Scheme would also include ad-hoc fees.

vi) **Institutes who have not approached for fee approval till date (Office Note).**

Around 450 notices were issued and the filing of reply is in process. Database is not updated. Because of the fault of the institutes the students should not suffer for fee facilities given through DBT.

a. **Institutes which are collecting fees in the context of no upward revision for more than one year.**

Many institutes are collecting fees which were once upon a time approved by the Authority. Separate action is initiated at the office level and suitable penalty may be levied by the Authority case wise. Government needs guidance in respect of DBT.

Option for consideration: DBT may be recommended as per last approved fees by the Authority or by Samiti (in case of Samiti institute needs to file proof).

b. Institutes which have never approached the Authority.

Separate action is initiated.

Option for consideration: Ad-hoc fee notified for the first year of starting of the institute may be recommended to the government for DBT purpose.

Decision : Read office note: Following clarification be issued:

Institutes which are collecting fees in the context of no upward revision for more than one year.

a) Institutes which have never approached the Authority

As both cases violate provisions of Fees Regulating Act, without following due procedure for fee fixation no fee can be treated as approved by the office of Fees Regulating Authority.

vii) Bifurcation of Ad-hoc fees (Office Note) :

Hon'ble Chief Minister of Maharashtra has given top most priority for Direct Beneficiary Transfer (DBT) of scholarship and freeship to various categories in educational courses. The Authority publishes ad hoc fee for newly started institutions which are applicable for 2 years. During the meeting regarding DBT portal in Mantralaya the issue raised is that since there is no break up of Tuition fee and Development fee in the ad hoc fee. Doubts were raised about the reimbursement.

As the students are the stakeholders they will be affected by this if fee concessions are not released in time. This issue was discussed in the meeting at Pune on 1st August, 2018. Hon'ble members suggested a blanket break up of 10% of development fee in the ad hoc fee. Authority may issue guidelines to the government in respect of reimbursement where ad hoc fee is collected from the students.

Decision : Read office note: Following clarification be issued:

It is clarified that development is to the extent of 10% of tuition fees. Meaning thereby ad-hoc fees of Rs.1,00,000/- would consist of Tuition fees of Rs. 90,900 plus Development fees (@ 10% at tuition fees) of Rs. 9,100/-.

viii) Availing Cloud Services by Fees Regulating Authority (Office note).

Considering the adoption of online services by Fees Regulating Authority. There is an increase in demand for IT infrastructure, disaster recovery and back up for various software applications. It is therefore, proposed that the Cloud Infrastructure Services and Facilities be availed by Fees Regulating Authority. It is therefore, resolved that Cloud Infrastructure Facility is permissible by the State Government, be adopted and implemented by Fees Regulating Authority. After negotiation with the approved vendor the proposal may be kept before the Fees Regulating Authority for final approval to the Chairman.

Decision :- office note accepted.

The meeting is concluded with thanks to the Chair.

The next meeting of the Authority would be held on **Thursday, 23rd August, 2018** at **10.30 a.m.** in the meeting hall, Office of the Authority, at 305, Government Polytechnic Building, 49, Kherwadi, Ali Yawar Jung Marg, Bandra (E), Mumbai – 400 051.

Date : 7th August, 2018

Place : Mumbai



**CHAIRPERSON
FEES REGULATING AUTHORITY**