



FEES REGULATING AUTHORITY

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

"शिक्षण-नव्वेवसाय -ज्ञान यज्ञ"

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Minutes of Meeting of Authority

Dt. 12/04/2023

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 **12th April 2023** in the Conference Hall, Room No. 305, Government Polytechnic Building, 49 Kherwadi, Ali Yawar Jung Marg, Bandra (E), Mumbai – 400 051.

The following were present/absent:

1.	Hon'ble Justice V. L. Achliya (Retd.), Chairperson of Fees Regulating Authority	:	Present.
2.	Dr. Vijay Vasant Khole, Ex-Vice Chancellor, Mumbai University, Member of Fees Regulating Authority	:	Present.
3.	Shri. Manoj Damodar Chandak, Chartered Accountant, Member of Fees Regulating Authority	:	Present.
4.	Shri. Ratnakar (Shirish) Phadtare, Cost Accountant, Member of Fees Regulating Authority	:	Present.
5.	Shri. Dharmendra Dilip Mishra, Professional Educationist, Member of Fees Regulating Authority	:	Present.
6.	Registrar, Maharashtra University of Health Science, Nashik, Ex-Officio Member of Fees Regulating Authority	:	Absent.
7.	Director, Directorate of Technical Education, Mumbai, Ex-Officio Member of Fees Regulating Authority	:	Absent.
8.	Director, Directorate of Higher Education, Pune, Ex-Officio Member of Fees Regulating Authority	:	Absent.
9.	Member Secretary of Maharashtra Council of Agricultural Education of Research, Pune, Ex-Officio Member of Fees Regulating Authority	:	Absent.
10.	Shri. L. S. Mali, I.A.S., Secretary of Fees Regulating Authority	:	Present

Part-II**Item No.1: To consider the pending proposals for approval of fees for the academic year 2022-2023.**

(i) "Discussed.

In the meeting of the Authority held on 15/03/2023, after considering the proposals of Institutes mentioned below it was decided to call the Principal of the respective Colleges for a hearing on 12/04/2023. However, inadvertently the notices remained to be issued to them.

Hence it was decided to list the proposals on 27/04/2023. Issue notices to the Principal of the respective Institutes to appear for a hearing with the record on 27/04/2023.

Sr. No.	Code No.	Institute Name
1	DPH5477	Rashtrasant Janardhan Swami College Of Pharmacy, Kokamthan, Ahmednagar.
2	DPH5486	Aditya Institute Of Pharmacy, Chalisgaon, Jalgaon.
3	DPH5487	Shri. Sai Samarth Institute Of Pharmacy, Bhadgaon, Jalgaon.

List on 27/04/2023".

(ii) **To consider the proposal for approval of fees of St. Andrews College of Physiotherapy, Pune (BPTH0025) for the academic year 2022-2023.**

"Discussed.

Heard the Principal of the Institute.

The Principal of the Institute submitted that the concerned person has not properly submitted the proposal. The proposal submitted is full of deficiencies. The Principal of the Institute requested to allow the Institute to resubmit the proposal and for that purpose open the link. The letter of request to that effect submitted by the Principal is taken on record.

On due consideration of the overall facts of the matter the Authority is of the view the Institute be permitted to resubmit the online proposal and for said purpose, the link be made open for two weeks. The Institute shall submit the hard copy of the proposal with documents as per the checklist within two weeks.

List after compliance".

- (iii) **To consider the proposal of St. Andrews College of Nursing, Pune (BSCN0009) submitted for approval of fees for the academic years 2022-2023.**

"Discussed.

Heard the Principal of the Institute.

The Principal of the Institute submitted that the concerned person has not properly submitted the proposal. The proposal submitted is full of deficiencies. The Principal of the Institute requested to allow the Institute to resubmit the proposal and for that purpose open the link. The letter of request to that effect submitted by the Principal is taken on record.

On due consideration of the overall facts of the matter the Authority is of the view the Institute be permitted to resubmit the online proposal and for said purpose, the link be made open for two weeks. The Institute shall submit the hard copy of the proposal with documents as per the checklist within two weeks.

List after compliance".

Item No.2: To consider the Review Applications received from the Colleges/ Institutes running the courses mentioned below filed against the decision of the Authority approving fees for the academic year 2022-2023.

- (i) **Review Application No. 146/2022** filed by Kasturi Shikshan Sansthas College of Pharmacy, Shikrapur, Pune (PH6383).

"The following were present:

1. Dr. Pratik Palande, the Vice President of the Trust.
2. Mr. Sandip Kshrisagar, the Principal of the Institute
3. Mr. Abhijit Palande, the Co-ordinator of the Institute.
4. Mr. Anil Dhokale, the Chartered Accountant of the Institute.

Heard.

Being aggrieved by the decision taken in the meeting of the Authority held on 30/11/2022 to approve the fees of the B.Pharm course run by the Institute for the academic year 2022-2023 as Rs. 55,000/- per student, the Institute has preferred the Review Application.

The Review Application was heard on 05/04/2023. The further hearing was adjourned at the request of the official representing the Institute. The officials were directed to file an affidavit in support of the oral submission made about the increase of intake capacity from 60 to 100 from

the academic year 2020-2021 and further directed to submit audited financial statements of the financial year 2021-2022.

The Principal of the college has submitted affidavit. The intake capacity was increased from 60 to 100. The financial statements for the financial year 2021-2022 brought by the Principal and other officials, it is noticed that there was no substantial increase in the expenditure for the financial year 2021-2022. Considering the increase in intake capacity and expenditure of 2021-2022 still, there is no increase in the fees of the Institute. On the contrary, the fees worked out less than the fees approved.

After the hearing, the officials representing the Institute submitted that they are satisfied with the assessment of fees made by the Authority and further submitted that there is no case to seek a review of the decision of the Authority. They have requested to allow the Institute to withdraw the Review Application. The Officials submitted that they are submitting the withdrawal of the application. However, they left the office without submitting a withdrawal application.

The Review Application is devoid of merit. No grounds were made out to review the decision dated 30/11/2022 taken by the Authority to approve the fees of the Institute as Rs. 55,000 per student.

In view of the above, the Review Application is rejected.

(ii) **Review Application No. 153/2022** filed by Kasturi Shikshan Sanstha School of Law, Shirur, Pune (LLB526821021).


"The following were present:

1. Dr. Pratik Palande, the Vice-President of the Trust.
2. Mr. Abhijit Palande, the Co-ordinator of the Institute.
3. Mr. Anil Dhokane, the Chartered Accountant.

Heard.

No grounds were made out to review the decision. The officials present submitted that they are satisfied with the assessment of fees made by the Authority. The officials requested to allow the Institute to withdraw the application. The officials were directed to submit the withdrawal application. However, the officials left the office without submitting a withdrawal application.

In view of the above the Review Application is rejected has devoid of merit.



(iii) **Review Application No. 11/2022** filed by G.V. Acharya Institute of Engineering And Technology, Raigad (EN3224).

"None Present.

The Principal of the college has sent the letter through email seeking adjournment.

On the previous date i.e. 24/02/2023, the Chairman and two other Officials of the Institute appeared before the Authority and submitted that the proper proposal was not submitted due to the number of mistakes made on the part of the employee of the Institute and the Chartered Accountant. The Audited Financial Statements was prepared on the basis of incomplete information provided to the Chartered Accountant. Now the Institute has approached another Chartered Accountant and he has prepared another report. The officials requested to grant two weeks' time to submit the report. The officials were directed to submit the documents as recorded in the minutes of the meeting dated 24/02/2023 and the hearing was adjourned.


Neither the documents were produced nor were the officials approached for further time though the period of two weeks was expired. Hence the Review Application was listed for hearing on 12/04/2023.

On 12/04/2023, none appeared. The Principal of the Institute sent email dated 11/04/2023 seeking adjournment.

The Insitute has failed to submit the documents and once again requested for adjournment. Already sufficient time has been provided to the institute to produce the documents. The Authority has initiated the process to finalise the fees for the academic year 2023-2024. It is not desirable to keep the Review Application filed against the decision of the Authority finalizing the fees of the Institute for the academic year 2022-2023 pending for such a long time. It was therefore decided to adjourn the hearing as a last chance to 26/04/2023.

Inform the Principal of the Institute that no further request for adjournment shall be entertained and failure to appear and submit the documents on the next date, the Authority shall proceed and decide the Review Application in accordance with law.

List on 26/04/2023".



(iv)

Review Application No. 112/2022 filed by Loknete Shri. Dadapatil Pharate College of Pharmacy, Mandadavgan, Pharata (PH6879).

"The following were present:

1. Mr. Rajiv Pharate Patil, the President of the Institute.
2. Dr. Nemant Kamble, the Principal of the Institute.
3. Mr. Ajit Palwa, the Chartered Accountant of the Institute.
4. Mr. Navnath Nikat, the Clerk of the Institute.

On the previous date of hearing i.e. 22/02/2023 the Authority has resolved as under:-

"In brief, it is contended that though the Institut has paid the salary to the staff members of the M.Pharm course through bank transfer, inadvertently same came to be recorded as paid in cash in the online proposal submitted by the Institute. It is submitted that the institute is having documentary evidence to establish that the salary was paid. In the Form No. A1 and A2 issued by the Chartered Accountant certified that the salary was paid through bank transfer.

It is further submitted that in the online proposal, the institute has wrongly shown the admission made during the academic year 2020-2021 & 2021-2022 as zero though the institute had admitted 45 students in each year. The Officials further submitted that the Authority has disallowed the amount of Rs. 14,02,698/- as expenditure incurred towards students' activities.

The officials are directed to provide the break up of the amount of Rs. 14,02,698/- and produce documentary evidence supporting the expenditure. The Institute is further directed to produce form no. 16, in respect of each of the employees 2020-2021 pointed out in chronological order as per the names mentioned in the proposal and form no. 24 Q of all four quarters with Annexure-II. The documents be produce within one week.

List after compliance".

Pursuant to the direction given the Institute has submitted certain documents. On due consideration of the documents, it is noticed that except for Form no 16, no other documents were brought to convince the Authority that the payment of salary was made through the bank as claimed in the proposal. The supporting documents like Form no. 24Q and 26Q with annexure II were not produced.

In response to the query made, the official submitted that though T.D.S. was deducted from the salary of some of the staff but same was not deposited with the Concerned Authority. So also, the provident fund contribution though shown to be deducted but the same was not deposited

with the Provident Fund Authority. It is further stated that approval of the teaching faculty was given by the University on year to year basis.

It is noticed that though the Institute has shown to have paid salaries in the range of 14 to 15 lakhs to staff no deduction of income tax at source was made and credited to the Income Tax Department. No satisfactory explanation was offered as to the non-deduction of T.D.S. It is, therefore, necessary to ascertain the factual position. It is, therefore, necessary to direct the Institute to produce the following documents.;

- 1) Copies of the income tax returns with Tax Computation Sheet and the Assessment Year of each of the Employees.
- 2) The statement of Provident Fund deducted from the salary of each of the staff with copies of the challan deposited with the Provident Fund Authority from the year 2020-2021.
- 3) The list of staff from whose salary the Professional Tax was deducted and deposited with the Competent Authority with copies of challan from the year 2020-2021.
- 4) The Officials are directed to furnish the names, addresses, and phone numbers of all the staff i.e. teaching & nonteaching staff who are servicing in the institution as professors as well as Assistant Professor teaching i.e. B.Pharmacy and M.Pharmacy with letters of approval issued by University.
- 5) Full Audited Financial Statements from the financial year 2020-2021, 2021-2022 & 2022-2023.
- 6) Statement of the amount claimed toward reimbursement of fees from categories of SC, ST, VJNT, OBC, EBC & TFWS and the amount received from the State Government by providing the year-wise breakup from 2020-2021 & 2021-2022 in respect of B.Pharm course as well as M.Pharm course.

The document mentioned above be submitted within one week.
List on 19/04/2023".

(v)

Review Application No. 125/2022 filed by Mahadev Kanchan College of Pharmaceutical Education And Research, Dist. Pune (PH6952).

The following were present:

1. Dr. Kale, the Principal of the Institute.
2. Mr. Jagdale, the Executive Director of the Institute.
3. Mr. S.V. Shinde, the Chartered Accountant of the Institute.

Heard.

After the hearing, the Officials were directed to produce the statement of Income and Expenditure based upon the Audited Report in the Excel sheet and further produce documentary evidence supporting each of the expenditures in respect of the B. Pharmacy course run by the Institute. Necessary compliance be made within two weeks.

List after compliance."

Item No.3: To consider the Review Applications received against the decision approving the fees for the academic year 2022-2023 in respect of Technical Diploma courses.

- i) **Review Application No. 156/2022** filed by Tapi Valley Education Society's Institute of Pharmacy, Faizpur (DPH5266).

"The following were present:

1. Mr. B.S. Patil the Office Superintendent of the Institute.
2. Mr. P. B. Borole, the Clerk of the Institute.

Heard.

The Officials submitted that due to the situation on account of the pandemic due to COVID-19, the Institute could not make full expenditure. After the restoration of normalcy, the expenditure is increased in comparison to expenditures made in the financial year 2020-2021 and therefore, the fees approved be revised.

The Authority is of the view that the Review Application filed is devoid of Merit. There is no mistake committed on the part of the Authority in finalizing the fees. The fees is to be determined on the basis of the proposal submitted supported with documentary evidence as provided u/s. 14(1)(a) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015. The Authority has decided on the proposal and approved the fees based upon the proposal submitted and the evidence produced in support of the proposal. In that view, no case is made out to review the decision. The increase in expenditure in future cannot be ground to entertain the review application.

In the absence of any mistake, apparent on the face of the record and grounds made out to review the decision finalising the fees of the

Institute, the Review Application filed by the Institute is devoid of merit and liable to be rejected.

Accordingly, the Review application is rejected".

ii)

Review Application No. 158/2022 filed by MES College Of Pharmacy, Ram Nagar, Mehkar (DPH1285).

"The following were present:

1. Dr. Sudhir S. Muley, the Principal of the Institute.
2. Mr. Paresh F. Pendre, the Office Superintendent of the Institute.

Heard.

After the conclusion of the hearing, the Officials present submitted that they are satisfied with the assessment of fees made by the Authority and requested to allow the Institute to withdraw the Review Application. Application for withdrawal of the Review Application filed is taken on record.

Allowed to withdraw.

The Review Application is disposed of as withdrawn".

Item No.4:

To consider the proposal for approval of fees of Rajarshi Shahu College of Law, Vikroli, Mumbai run by Abhay Shikshan Kandra's, (LLB3050) for approval of fees for the academic year 2021-2022 & 2022-2023.

"The following were present:

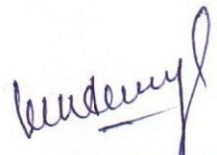
1. Mr. Gulab P Maske, the Chairman of the Trust.
2. Mr. Santosh Mane, the Secretary of the Trust.
3. Mr. Sanjay R. Singh, the Principal of the Institute.
4. Ms. Surekha Alpadkar, the Clerk/Accountant of the Institute.

Heard.

Deferred for further hearing to 19/04/2023".

Date: 12th April 2023

Place: Mumbai


Justice Vijay L. Achliya (Retd.)
Chairperson
Fees Regulating Authority
State of Maharashtra