



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. 18/05/2023

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 **18th May 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	:	Presence dispensed for a day at his request.
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 through video conferencing.
6.	Shri. L. S. Mali, I.A.S., Member Secretary of Fees Regulating Authority	:	Present.

Item No.1: **To consider the proposals for approval of fees for the academic year 2023-2024.**

"Discussed.

Deferred".

Item No. 2: **To consider the proposal for approval of fees of the D.Pharm course for the academic year 2022-2023 submitted by the Dr. R.G. Bhoyar Institute of Pharmaceutical Education & Research, Wardha (DPH4213).**

"The Following were present.

1. Dr. Pranita P. Kashyap, the Principal of the Institute.
2. Mr. Prashant R. Chaudhari, the Director of the Institute.

3. Mr. Vikas Nawade, Accountant of the Society/Institute.
4. Mr. Shashank S. Raut, the Clerk of the Institute.

Heard.

The Officials present submitted that the mistake was committed on the part of their Institute in submitting the proposal for approval of fees in respect of D.Pharm course for the academic year 2022-2023. It is submitted that the Trust running the D.Pharm course also run the B.Pharm course. The D.Pharm course has been started from the academic year 2020-2021. The B.Pharm course has been started from the academic year 2009-2010. Since the D.Pharm course was started from the academic year 2020-2021 and there was a Pandemic due to Covid-19 the Institute has not appointed separate Principal and nonteaching staff for D.Pharm course. The affairs of the D.Pharm course were looked after by the Principal of the B.Pharm course. Similarly, the requirement of non teaching staff of D.Pharm course met through the non teaching staff on the role of B.Pharm course. The Principal and the non teaching staff were paid salary only from B.Pharm course. During the academic year 2020-2021 and 2021-2022, no separate salary paid to the Principal as well as non teaching staff from D.Pharm course. So also the Institute has not maintained separate accounts of expenditure in respect of D.Pharm course. While submitting the proposal for approval of fees of D.Pharm course for the academic year 2022-2023 and finalization of adhoc fees of the academic year 2020-2021 & 2021-2022 the mistake was occurred on the part of the Institute. The name of the Principal and the non teaching staff of B.Pharm course mentioned as staff engaged for D.Pharm course in the faculty details form submitted with the proposal for approval of fees of D.Pharm course. It is submitted that mistake was realized only after the Officials appeared before the Authority and the letter received to produce the documents.

It is submitted that the Institute has filed the Affidavit of the Principal of B.Pharm course as well as the Secretary of the Trust in which the Institute & the Trust has admitted their mistake and made categorical statement that no separate salary paid to the Principal as well as non teaching staff from D.Pharm course during the said period. The salary of non teaching staff shown in the proposal of D.Pharm course was paid from the Institute running B.Pharm course. They have further submitted that in the financial year 2021-2022 the salary expenditure of D.Pharm course was Rs. 48,34,286/- and non salary expenditure was Rs. 9,37,730/-. They have submitted that the Institute is not seeking approval of fees more than the Adhoc fees. They have further submitted that no such mistake shall be repeated in future. They have also submitted the

documents showing the list of teaching staff engaged for D.Pharm course in the academic year 2020-2021 and 2021-2022 with details of salary paid to them as well as the statement showing segmental bifurcation of expenditure of B.Pharm and D.Pharm course and Audited Financial Statement of the academic year 2020-2021 & 2021-2022. The Officials urged to condone their mistake.

On due consideration of the submission made by the Officials, the joint Affidavit filed by the Principal and the Secretary of the Trust the documents produced the Authority is of the view that the Management running the Institute has contravened the provisions of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (hereinafter referred to as 'the said Act 2015'). In the proposal submitted the incorrect information has been provided about the salary and non salary expenditures made during the academic year 2020-2021. It is difficult to believe that the mistake was inadvertent mistake. The submission of proposal for approval of fees cannot be made in the casual manner. The Officials submitting the proposal are expected to ensure that the information provided in the proposal is factually true and correct. The act as committed is not condonable. There is reason to believe that the deliberate attempt has been made to exaggerate the expenditure, with a view to get approved higher fees. The act of the Institute & Management running the Institute invites penalty u/s. 20 of the said Act 2015. The mistake being the first mistake the Authority is of the view the minimum fine as provided u/s. 20(1)(a) of the said Act 2015 needs to be imposed under the fact and circumstances of the case under sec 20 of said Act 2015. The Authority is vested with the power to impose the fine which shall not be less than Rs. 1 lakh and may extend to Rs. 5 lakhs. It was therefore decided to impose the fine of Rs. 1 lakh to the Institute for submitting proposal with incorrect and false information. It was further decided to warn the Institute from committing such act in future and to obtain the undertaking to effect that no such mistake shall be committed in future. Accordingly, the Institute is directed to pay the fine of Rs. 1 lakh within one week and further file an undertaking of the Principal and the President/Secretary of the Trust to the effect with no such instance shall be repeated in future. The Institute is warned from indulging into such act and committing such instance in future otherwise same shall be dealt seriously. On deposit of fine and filing of undertaking the proposal to be finalized.

List on 24/05/2023 for reporting the compliance and to finalised the fees".

Item No.3: To consider the Review Application No. 11/2022 filed by G.V. Acharya Institute Of Engineering And Technology, Raigad (EN3224) against the decision of finalizing the fees for the academic year 2022-2023.

"The Following were present.

1. Prof. Manjunth V Acharya, the Chairman of the Trust .
2. Dr. Prashant Sonare, the Principal of the Institute.
3. Prof. Apeksha Thombare, the Chief Account Officer of the Institute.

Heard.

The Chairman of the Trust and the Principal of the Institute appeared and requested to grant adjournment for the reason the Chartered Accountant who was engaged and assured to issue report has not issued the report. The Authority has repeatedly adjourned the hearing on similar request made on previous date of hearing . On the previous date the clear understanding was given that no further adjournment shall be granted on next date. In spite of such understanding given the Officials have again requested for adjournment.

Considering the repeated request made by the Chairman of the Trust the hearing is adjourned for two weeks to enable the Officials to submit the documents as directed earlier. The Officials are further directed to prepare the statement showing the income and expenditure supported with the evidence in proof of the expenditure & submit the same on next date. So also submit the copies of the assessment order issued by the Income Tax Authority of the previous three years in respect of individual staff whose income was taxable. In respect of non salary expenditure, the Chairman is directed to file statement of expenditures with the bills & vouchers. The Officials are further directed to submit the Bank statement and Form A1 & A2, form No. 16,16A, form No. 24Q, 26Q with annexure II of all quarters and the Audited Financial Statement of 2020-2021 & 2021-2022. The information and documents as directed be furnished within two weeks.

List after two weeks".

Item No.4: To consider the Review Application No. 165/2022 filed by Deep Paramedical Organisations Nett. College of Physiotherapy, Thane (PT0015) against the decision of finalizing the fees for the academic year 2022-2023

"The following were present.

1. Dr. Deepak , the President /Chairman of the Institute.
2. Dr. Ajay Kumar, the Principal of the Institute.
3. Mr. Kalpesh Khatri, the Chartered Accountant of the Institute.
4. Mr. Sandeep Dube, the Accountant of the Institute.

Heard.

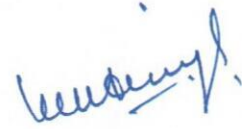
After hearing the Officials the Review Application is allowed and the fee is revised as under:

Sr. No.	Review Application No.	Name of the Institute	Course	After hearing, Fees Revised for the A.Y. 2022-2023
1	165/2022	Deep Paramedical Organisations Nett. College of Physiotherapy, Thane Code No. : PT0015	B.PTH	1,19,000/-

Let the follow up action be taken accordingly".

Date: 18th May 2023

Place: Mumbai



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