



FEES REGULATING AUTHORITY

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

"शिक्षण-नव्वेवसाय -ज्ञान यज्ञ"

Govt. Polytechnic Building, 305,
3rd Floor, 49, Kherwadi, Bandra (E),
Mumbai - 400 051.

E-mail: fra.govmh@gmail.com
Web: mahafra.org
Mob. No. : 8828786264

Minutes of Meeting of Authority

Dt. 18/08/2022

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 **18th August 2022** 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:

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. Ratnakar (Shirish) Phadtare, Cost Accountant	:	Member
5.	Shri. Dharmendra Dilip Mishra, Professional Educationist	:	Member
6.	Shri. L. S. Mali, I.A.S. through Video Conferencing	:	Secretary

Item No.1: To consider letters/representations received from the Institutes and students to open the link for submission of proposal for the academic year 2021-2022 in respect of R.A.N.M. & R.G.N.M. courses, in view of the hardship the students are facing to get approved the scholarship.

"Discussed.

The following Officials from the office of Principal Secretary of Medical Education and Drugs Department, State of Maharashtra, Director of Directorate of Medical Education and Research Center, Mumbai and Maharashtra Paramedical and Nursing Board, Mumbai and Maharashtra Nursing Council, Mumbai were present.

1. Dr Ajay Chandanwale, Director of Maharashtra State Board of Nursing and Paramedical Education.


2. Mr Ajit Sasulkar, Deputy Secretary of Medical Education and Drugs Department.
3. Mrs. Chhaya Lad, the Registrar of Maharashtra State Board of Nursing and Paramedical Education.
4. Mrs Swati Balerao, Deputy Registrar of Maharashtra Nursing Council.

It was brought to the notice of the above-mentioned Officials that the Authority in its meeting held on 4th September 2019 examined the issue relating to the jurisdiction of the Fees Regulating Authority to entertain and decide the proposals seeking approval of fees of R.A.N.M and R.G.N.M courses run by the Unaided Institutions within the State of Maharashtra. On examining the issue it was resolved that the Fees Regulating Authority cannot entertain and decide such proposals for want of jurisdiction. The decision of the Fees Regulating Authority was communicated to the Principal Secretary of the Medical Education and Drugs Department as well as the officials of the Nursing Board. They were called upon to take necessary steps to evolve the mechanism at their level to decide the fees of said Diploma Courses. The Authority has also decided not to entertain the proposals seeking approval of fees of said courses from the academic year 2020-2021. Although the period of more than three years has lapsed the concerned officials failed to take any steps to set up a mechanism and decide the fees of said courses.

The Fees Regulating Authority in its meeting held on 12th April 2022 has considered the subject and confirmed the decision dated 4th September 2019 taken by the then Fees Regulating Authority. The Officials from Medical Education and Drugs Department were requested to take necessary steps to evolve the mechanism to decide the fees of said courses. The said courses are not affiliated to any University nor the admissions are regulated through Admission Regulating Authority constituted under the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015. In fact, said courses cannot be termed and notified as Professional courses. In this context it is necessary to consider the decision taken by the Department of Higher and Technical Education which has chopped the Diploma in Engineering, Diploma in Pharmacy and Diploma in Hotel Management and Catering Technology from the schedule of professional courses vide Government Notification 5th July 2018.

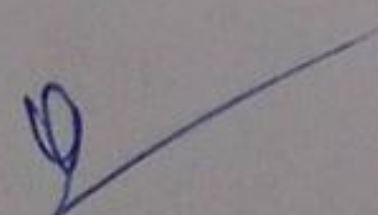
The Fees Regulating Authority though holds no jurisdiction to entertain and decide the fees of R.A.N.M and R.G.N.M courses run by the Unaided Institutions has entertained and decided the fees of said courses for the academic year 2020-2021 and 2021-2022 to avoid the hardship and inconvenience being caused to students and peculiar situation crop up on account of Pandemic of Covid-19. For the academic year 2022-2023, the Authority has opened the link for submission of proposals for Professional courses run by the Unaided Institutions which are affiliated to the University and their admissions are regulated through Admission Regulating Authority. No link has been opened to entertain proposals seeking approval of fees in respect of Diploma courses, which include R.A.N.M and R.G.N.M courses.

The Management running the R.A.N.M and R.G.N.M courses are constantly approaching the Authority and making enquiry about the submission of proposals for the academic year 2022-2023. It is, therefore, necessary for the concerned officials of the Medical Education and Drugs Department and Nursing Board to set up the mechanism at their level to entertain and decide the fee proposals for said courses of the academic year 2022-2023 & onwards. It was expressly made clear to officials present that the request from the Medical Education and Drugs Department to entertain the proposals for the academic year 2022-2023 by the Fees Regulating Authority is not legal and acceptable. For want of jurisdiction and non-applicability of provisions of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015, the Statutory Body like Fees Regulating Authority cannot take up the assignment, which is not permissible under Law. It was expressed that the Department of Medical Education and Drugs Department should take necessary steps to discharge its obligations under the provisions of the Maharashtra State Board of Nursing and Paramedical Act, 2013. The said Act has been enacted to regulate the matters pertaining to Diploma Level Nursing and Paramedical Educational in the State of Maharashtra and for matters connected therewith or incidental thereto. Section 19 of the said Act of 2013 the Nursing Board is vested with powers to constitute various committees including the Special Committees and such other committees as it thinks necessary for the efficient performance of its function. Section 24 of the said Act provides the powers and duties of the Board. In that view, the Nursing Board can constitute the committee for fixation of fees of Diploma Level Nursing courses. So also the Department of Medical



Education and Drugs Department may undertake process to amend the Act of 2013 to create a mechanism to regulate the fees of Unaided Institutions running R.A.N.M. and/or R.G.N.M. courses.

In spite of decision dated 4th September 2019 taken by the Authority not to entertain the proposals seeking approval of fees in respect of R.A.N.M and/or R.G.N.M. Diploma courses from the academic year 2020-2021, still, the proposals were entertained for the academic year 2020-2021 and 2021-2022 at the request of Department of Medical Education and Drugs Department by the orders of Incharge Secretary, after the tenure of the earlier Authority expired on 18th March 2021. From 19th March 2021 to 17th June 2021, no Fees Regulating Authority was in existence. During said period, the proposals were entertained with the orders of the In-charge Secretary of Fees Regulating Authority, who had no Authority to take such decision. The State Government vide Government Notification dated 18th June 2021, reconstituted the Authority. After taking charge the time limit for submission of proposals was initially extended up to 31st July 2021 at the request of Institutions. Later on, same was extended till 31st August 2021. Thereafter also the number of Institutions requested to extend time to submit online proposals. Hence, the period was extended upto 30th September 2021 subject to a penalty of Rs. 5,000/-. Since thereafter also the requests were received to extend the time limit the Authority extended the period upto 30th November 2021 with the penalty of Rs. 50,000/-. Lastly, the extension was granted upto 15th January 2022 to all such Institutions who earlier failed to submit the proposals subject to penalty of Rs. 50,000/-. In spite of giving number of extensions, the Institutions continued to make request for extension. The statutory period for submission of online proposals for the academic year 2020-2021 was up to 31st October 2019. Similarly, the statutory limit for submission of online proposals for the academic year 2021-2022 was upto 31st October 2020. Still, the Institution continues to make request for extension of period to submit online proposals. Therefore in the meeting of the Authority held on 26th May 2022 it was decided to reject the request received from the Institution to extend the period and open the link for submission of online proposal for approval of fees for the academic year 2020-2021 and 2021-2022. It was further decided that if any request received from any Institutions after 26th May 2022 for extension the same be filed without processing and placing the same before the Authority.



Before 26th May 2022, three nursing schools requested to open the link for submission of proposals for approval of fees of the academic year 2020-2021 and ten Institutions requested to open link for the academic year 2021-2022. After 26th May 2022, about 37 nursing schools have made requests to open the link for the academic year 2020-2021 and/or 2021-2022 by extending period for submission of proposals for approval of fees. Most of them have submitted that due to oversight, they failed to take notice of notifications issued by the Authority extending the time to submit proposals & requested to extend the period to enable them to submit proposals. Most of them offered to pay the penalty for default on their part in submitting the proposals within time.

The Principals and students are continuously approaching the Officials with requests to extend the period to enable them so as to make claim for reimbursement of fees. The students are also approaching the Authority to finalize the fees as in absence of the same they will not receive the scholarship.

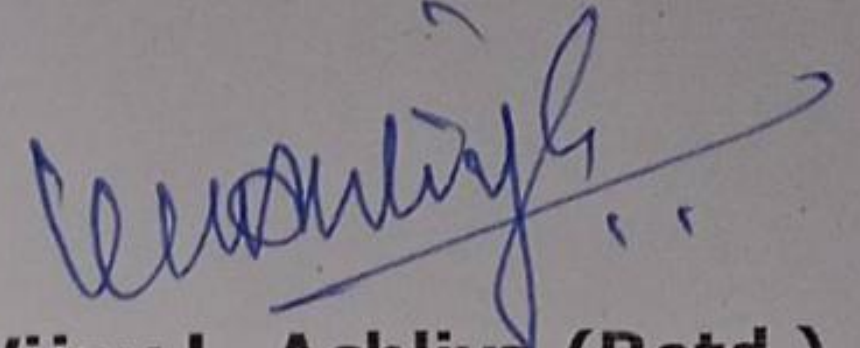
Considering the requests received from the Officials of the Institutions & the representations received from the students, it was decided to reconsider the decision dated 26th May 2022 & provide one more opportunity to those Institutions running the R.A.N.M. and/or R.G.N.M. courses who earlier failed to submit proposal for the academic year 2020-2021 and/or 2021-2022 to submit proposal for approval of fees for the academic year 2020-2021 and 2021-2022 .

Accordingly, it was decided to open the link for the Institutions running the R.A.N.M. and/or R.G.N.M. courses who earlier failed to submit online proposals for approval of fees for the academic year 2020-2021 and/or 2021-2022 to submit the online proposal for approval of fees subject to a penalty of Rs. 50,000/- per course. The payment of a penalty shall act as a condition precedent to entertain proposals. The Proposals submitted without processing fees and/or penalty shall not be entertained and liable to rejected in default. The link be kept open w.e.f. 1st September 2022 till 30th September 2022. The Institutions submitting online proposals shall submit hard-copy of the online proposal with documents as per checklist within 15 days of submission of online proposal.

Inform all concern and notice be published on the official website of the Fees Regulating Authority.

Date : 18th August 2022

Place: Mumbai



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