



सत्यमेव जयते

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. 11/02/2022

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 11th February, 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	:	Member
4.	Shri. Ratanakar (Shirish) Phadtare, Cost Accountant	:	Member
5.	Shri. Dharmendra Dilip Mishra, Professional Educationist	:	Member
6.	Dr. K.D. Chavan, Registrar, Maharashtra University of Health Science, Nashik through video conferencing	:	Member
7.	Mr. Harivijay Shinde, Joint Director of Shikshan Shulka Samiti representative of The Director, Higher Education, Pune	:	Member

Shri. L. S. Mali, IAS, the Secretary of Fees Regulating Authority is on election duty.

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.

Item No. 1: To consider the complaint against M. S. College of Law, Mumbra of charging fees over and above fees approved by Fees Regulating Authority.

"Discussed.

Dr. Mrs. Dipti Gala the Principal of the College/Institute, Mr. Nisar S. Khan, the Secretary of the Trust & Mr. Khursheed S. Khan the member of the Trust are present. Ms. Nidhi Giri the Complainant present.

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The Complainant make the grievance that though the Fees Regulating Authority has approved the fees of Rs. 20,000/- per student for the students admitted in the academic year 2018-2019 for L.L.B. 3 years course and same fees to be charged till completion of the course by said batch of students, the Management has charged the fees @ Rs. 27,030/- per student and thereby breached of provisions of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015. The Principal of the College and other Officials of the Institution are harassing the students. Although, the Management has informed the Fees Regulating Authority that they have initiated the process of refund of excess fees to students from the month of October 2021, but, the excess fee taken from students yet to be refunded. The Officials are telling the students that the time to make application is over.

The Principal of the College, Secretary of the Trust submit that out of 99 students, the part payment of fees has been made to 25 students. They urged to grant time till 31st March, 2022 to refund the entire amount of excess fees.

The Authority is of the view that prima facie case has been made against the Management running the Institution to impose the penalty. Pursuant to notice the Principal of the college appeared and filed reply. In the reply dated 24/12/2021 filed the Principal has informed that the Institution has initiated the process of refund of excess fees to the students from the month of October 2021 and provided the particulars of 25 students to whom the cheques were issued. Since after filing of reply dated 24/12/2021 not a single student made any payment towards amount of excess fees. The Principal and the Trustees could not explain the delay in refund of amount.

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.



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.

Dr. Shariq Nisar, the Director of the Institute and Mr. Sharad Shejawal the Registrar of the Institute are present.

In response to the allegations made in the complaint that as against the fees of Rs. 2,15,000/- approved for the two years MMS degree course run by the college for the academic year 2020-2021, the Institute/College has charged Rs. 2,50,000/- per student; the Officials present deny the allegations. They submit that out of Rs. 35,000/- collected from the students over and above the fees approved by the Fees Regulating Authority, the Institute has refunded Rs. 15,000/- to students. The balance amount of Rs. 20,000/- has been spent for blazer, industrial/educational tour.

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.

Follow up action be taken accordingly".

Item No.3: To consider the complaint against N. L. Dalmia Institute of Management Studies and Research, Mumbai

"Discussed.

Dr. M. A. Khan, the Director of the Institute & Mrs. Seema Saini, the Chief Executive Officer representing the Management of the Institute are present.

In spite of notice of hearing given in advance and Complainants/Students were asked to personally attend the hearing the Complainants/Students are absent.

On the previous date i.e 2/2/2022, the Complainants/Students were absent. Hence the hearing was adjourned & Fresh notice of hearing was

issued to appear for hearing on 11/02/2022. However, the Complainants/Students are absent.

It seems that the Complainants/Students are not interested to prosecute the complaint. The complainants/students had submitted in writing that they are withdrawing their complaints against the Institute. The Institution vide letter dated 30/1/2021 addressed to Fees Regulating Authority produced the letters given by the individual Complainants/Students informing the Authority the withdrawal of complaints filed by them. The letters of the students produced by the Institution were considered by the Authority in its meeting held on 8/2/2021. Thereafter on 15/2/2021 fifteen complainants gave letters in their own handwriting addressed to Fees Regulating Authority. By said letter they have informed their decision to withdraw their complaint against the Institution/College.

Since the complainants/students have failed to appear to substantiate the allegations made in complaint it was decided to close the proceeding. Accordingly, the proceeding is closed. The Complaint is disposed of as dismissed for want of prosecution".


Item No. 4: To consider the complaint against M. K. E. S College of Law, Malad, Mumbai.

"Discussed.

Mr. Gaurang Jeevan Kaklotar the Complainant present.

Shri. Hasmukh Rambhia the President of Malad Kandivali Education Society, Mr. Digant Upadhyaya, the Secretary of the Trust running the M.K.E.S. College of Law, Malad, Dr. Ancy Jose the Director of the Institution, Dr. Vandana Dube, In charge Principal of the M.K.E.S. Law College, Malad & Mrs. Rinkal Trivedi, the Office In charge representing the Management of the Trust are present.

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 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.

Follow up action be taken accordingly".

Item No.5: To consider the matter of Nalanda Law College, Mumbai regarding the excess fees collected from the students.

"Discussed.

In the meeting of the Authority held on 30/10/2021 the subject was discussed and the following decision was taken;

"Dr. J.B. Patil, Principal of Nalanda Law College & Mr. Paresh Dixit, Account Officer of College/Institute appeared and submitted that as per the direction given on the previous date the College has deposited further sum of Rs. 8,50,000/-. They submit that the amount to

the tune of 50% of the fees charged over and above the fees approved has been deposited with the Authority. Both of them urged to grant six months time to deposit the balance amount & to finalize their fees proposal for the academic year 2021-22, so as to enable them to charge the fees to students.

Considering the overall conduct & approach of the Management of the Institute to resolve the issue & deposit of Rs. 28,50,000/- the Authority is of the view that the Management running the Institute be provided reasonable time to deposit the balance amount. The Management of the Institute is directed to deposit the balance amount in three equal instalments. The first instalment be paid on and before 31/12/2021. The next instalment be paid on & before 28/2/2022. The third instalment be paid on or before 30/4/2022.


On scrutiny of fees proposal of the institute for the academic year 2021-22, it was noticed that the college/institute has not properly filled in the course information (i.e sanction strength, actual strength and course duration). The College is directed to provide proper information. On receipt of information, the proposal be processed and placed for consideration of Authority in the meeting to be held on 17/11/2021".

Although the Management running the Institute/College has agreed to deposit the balance amount of Rs. 28,50,000/- in three equal instalments and first instalment was due and payable on and before 31/12/2021, the Institute has failed to comply the direction and honour its commitment made before the Authority. The Institution has sent letter dated 22/01/2022 & informed the part deposit of amount. The Institute/College has deposited Rs. 3 lakhs as against the amount of Rs. 8 Lakhs to be deposited on and before 31/12/2021.

In view of non-compliance of the direction the notice be send to the Principal of the College and the Secretary of the Institute to personally appear and explain the reason for non-compliance of direction.

List the subject on 10/03/2022.

Follow up action be taken accordingly".



ItemNo.6: To consider the proposal for approval of fees of Prin. K. P. Mangalvedhekar Institute of Management Career Development and Research, Solapur running the M.B.A course (MB6737) for the academic year 2021-2022.

"Discussed.

The In-charge Director of the Institute present.

He has submitted the letter showing the deposit of penalty of Rs. 7,50,000/- and filing of undertaking as per the direction given in meeting dated 2/2/2022.

In view of the compliance of the decision dated 2/2/2022 the proposal of the Institution for approval of fees for the academic year 2021-2022 taken up for consideration. On due scrutiny of the proposal the fees of Rs. 85,000/- approved for the academic year 2021-2022.

Follow up action be taken accordingly".

Item No. 7: To consider the proposal of AL-AMEEN Unani Medical College and Hospital, Nashik for fixation of fees for the academic year 2021-2022 and consequential decision as to confirmation of fees for the academic year 2019-2020 & 2020-2021.

"Discussed.

The Following were present representing the Institution.

1. Mr. Rizwan Shaikh, Secretary of AL-AMEEN Unani Medical College;
2. Mr. Salem Shah, Principal of AL-AMEEN Unani Medical College;
3. Mr. Rehan Shaikh, Treasurer of AL-AMEEN Unani Medical College;
4. Mr.Saddam Siddiqui,Accountant of AL-AMEEN Unani Medical College.

The Official representing the Institution were personally heard.

The Officials present admitted that there are number of discrepancies in their proposal. Incorrect information came to be recorded in the proposal submitted for approval of fees. It is submitted that the payment of salary of Rs. 21 lakhs was wrongly shown in the proposal. In fact the amount of Rs. 4 lakhs paid as per the record of the Institution. The Officials expressed regret for the mistakes made in proposal submitted for approval of fees. They requested to finalized the proposal on the basis of salary register and the income and expenditure statement. They assured the Authority that no mistakes of nature shall be repeated in future.

After providing opportunity of hearing the fees of the Institution has been finalized as under;

Code No.	Institute Name	BUMS	
UN05109	AL-AMEEN Unani Medical College & Hospital	2019-20	1,00,000/- Adhoc Confirmed
		2020-21	1,25,000/- Adhoc Confirmed
		2021-22	1,30,000/-

Follow up action be taken accordingly".

Item No. 8: To consider the proposal for approval of fees submitted by Swargiya Lilawati Satish Awhad D. Pharmacy College (Minority), Nanded (DPH2548), running the Diploma in Pharmacy and Degree in Pharmacy courses for the academic year 2020-2021.

"Discussed.

After due consideration of proposal the fees of Institution has been finalized as under;-

Sr. No.	Code No.	Institute Name	Final Fee for AY 2020-21	
1	DPH2548	Swargiya Lilawati Satish Awhad D. Pharmacy College (Minority), Kharab Khandgaon.	D.Pharm	55,000/-
			B. Pharm	
			2018-19	75,000/- Confirmed
			2019-20	75,000/- Confirmed
			2020-21	75,000/-

Follow up action be taken accordingly".

Item No.9: To consider the letter dated 27/1/2022 received from Sai Homeopathic Medical College and Nityanand Hospital, Bhiwandi, Thane regarding open the link for submission of fees proposal for A.Y. 2021-2022.

"Discussed.

Considering the cause assigned the request of Institution to open the link to submit the proposal is allowed subject to penalty of Rs. 50,000/-. The proposal be submitted within one week from the date the link made available to the Institute/College for submission of proposal.

Inform the Institute/College accordingly.

Follow up action be taken accordingly".

Item No.10: To consider the proposals for fixation of fee for the academic year 2020-2021 & 2021-2022.

"Discussed.

The Authority has examined the proposals received from the Institutes/ Colleges mentioned below seeking approval of fees for the academic year 2021-2022. After due consideration of the individual proposals in the light of scrutiny report, it was decided to approve the fee structure as under;

Bachelor of Unani Medicine & Surgery (B.U.M.S.) Courses

Sr. No.	Code No.	Institute Name	Final Fee for AY 2021-2022
1	UN0005	Yunus Fazlani Unani Medical College & Al-Fazlani Unani Hospital, Aurangabad	B.U.M.S. 1,10,000/-
2	UN0003	Ahmed Garib Unani Medical College & Hospital, Akkalkuwa, Nandurbar	B.U.M.S. 1,05,000/-

The fees as approved be communicated to the individual institute/college. If the fee approved by the Authority is not acceptable to any individual institute/college then such institute/college may file the Review Application within fifteen days from the date of receipt of communication of fees approved by the Fees Regulating Authority.

The fees as approved can be maximum fees that can be charged and recovered from the students by the concern college/institute. The term "fees" has been defined under section 2(g) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 and same reads as under:-

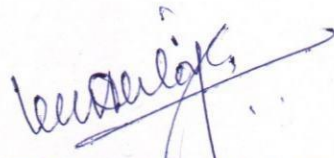
"Fees" means the amount fixed as fee which includes tuition fee, library fee, gymkhana fee, examination fee, development fee or amount payable for any curricular or co-curricular activities, laboratory fee, information brochure fee and any other amount collected from the students, by whatsoever name called, and accepted in whichever manner, that is made payable to a Private Professional Educational Institution, for whatever purpose, by any candidate admitted to a professional course at such institution, but excludes any charges payable towards use of any optional hostel accommodation, mess charges and Students Insurance Fees."

Thus any amount accepted by the institutions in cash or kind, directly or indirectly in excess of the fee approved by the Authority amounts to an Act of "profiteering" as defined under section 2(s) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 and the Management of such Institution liable for penal action as provided u/s 20 of the said Act of 2015.

Follow up action be taken accordingly".

Date : 15th February, 2022

Place : Mumbai


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