



FEES REGULATING AUTHORITY

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

"शिक्षण-नव्वेव्यवसाय -ज्ञान यज्ञ"

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(Part-II)

Minutes of Meeting of Authority

Dt. 12/02/2025

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 February, 2025** 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	:	Not Present.
3.	Shri. Manoj Damodar Chandak, Chartered Accountant, Member of Fees Regulating Authority	:	Present through video conference.
4.	Shri. Nitin Bapurao Chavan, Chartered Accountant, Member of Fees Regulating Authority	:	Present
5.	Shri. Ratnakar (Shirish) Phadtare, Cost Accountant, Member of Fees Regulating Authority	:	Present
6.	Shri. Atul Damodar Dharap, Cost Accountant, Member of Fees Regulating Authority	:	Present.
7.	Shri. Adv. Dharmendra Dilip Mishra, Professional Educationist, Member of Fees Regulating Authority	:	Present.
8.	The Director, Technical Education, Mumbai, Ex-Officio Member of Fees Regulating Authority.	:	Absent.
9.	The Director Higher Education, (M.S), Ex-Officio Member of Fees Regulating Authority.	:	Absent.
10.	Commissioner Medical Education (M.S) , Ex-Officio Member of Fees Regulating Authority.	:	Absent.
11.	The Director, Directorate of AYUSH, Maharashtra State, Ex-Officio Member of Fees Regulating Authority.	:	Absent

12.	The Member Secretary of the Maharashtra Council of Agriculture Education and Research , Pune , Ex-Officio Member of Fees Regulating Authority.	:	Presence dispensed.
13.	Shri. S. Ramamoorthy, I.A.S., Member Secretary of Fees Regulating Authority	:	Posted as Deputy Secretary to Governor, State of Maharashtra.

Item No.2: To consider the Review Applications received from the Colleges/ Institutes running the courses mentioned below as against the approval of fees approved by the Authority for the academic year 2024-2025.

(G) **Review Application No. 128/2024** filed by Shri Sai Institute Of Nursing And Medical Science Wakdi Dist: Gadchiroli (Code No. BSCN9372) against the decision of the Authority finalizing the fees of the Institute/College for the academic year 2024-2025 in respect of B.Sc.(Nursing) course run by the Institute.

"The following were present:-

1. Mr. Bhushan Thakur, the Auditor of the Institute.
2. Dr. Amit Salve, the Secretary of the Institute.
3. Mr. Kailas Kunde, the Accountant of the Institute.

Heard.

The Institute has submitted the proposal for approval of fees for the academic year 2024-2025 and confirmation and finalisation of adhoc fees charged for the previous academic years 2022-2023 & 2023-2024 in respect of B.Sc.(Nursing) course run by the Institute. The Institute has claimed the fees of Rs. 38,414/- for the academic year 2024-2025.

The proposal of the Institute was considered by the Authority in its meeting held on 03/10/2024. Since the Institute has started functioning from the academic year 2022-2023 and charged the adhoc fees for two years and submitted the proposal for approval of fees for the academic year 2024-2025. The Authority has assessed the fees based upon expenditure to be incurred for entire course duration of 4 years. The Authority has assessed the fees of Rs. 59,419/- per student for the academic year 2024-2025. However the Authority has approved the fees of Rs. 38,414/- per student as the Institute has claimed the same fees for the academic year 2024-2025 and paid the process fee for said amount.


Being aggrieved the Institute preferred the Review Application with contention that the proposal was submitted on the basis of income and expenditure for the financial year 2022-2023. It is contended that due to delayed permission the Institute could function only for two months and therefore there was a meagre expenditure during the said financial year. In the next financial year 2023-2024 the Institute has incurred expenditure for complete twelve months and therefore requested to decide the fees based upon audited financial statement of 2023-2024.

During the course of submission the Chairman of the Institute submitted that the Institute was granted the permission to start the B.Sc.(Nursing) course vide Government Resolution dated 04/01/2024. The Maharashtra University of Health Sciences, Nashik has granted affiliation vide letter dated 25/01/2023. Hence during the academic year 2022-2023 the Institute could function only for two months. Due to this reason the income and expenditure of the Institute was only for two months. Since the proposal was to be submitted based upon income and expenditure of audited statement of financial year 2022-2023 the Institute has submitted the proposal. The software has worked out the fees as Rs. 38,314/- per student. Therefore, the Institute has claimed the same fees in its proposal. The Institute was unaware the procedure of determination of fees based upon course duration. The Authority has correctly assessed the fees on projected basis by considering the course duration and assessed the fees of Rs. 59,419/-. However the Authority has approved the fees as Rs. 38,314/- as claimed by the Institute. It is submitted that the institute is located in remote Adivasi dominated Adivasi district of Gadchiroli. Most of the students are from marginal class. The Authority has secured very few admissions in first year. It is difficult for the institute to run the course with the fees of Rs. 38,314/- per student approved by the Authority on account of mistake of the Institute in submitting the proposal. It is submitted that the reasonable fees be approved based upon course duration by considering the audited financial statement of 2023-2024.

In view of the peculiar facts of the case the institute was directed to file the affidavit mentioning the true and correct facts and further submit the list of the students admitted.

The Chairman of the institute has filed the detailed affidavit and also furnished the statement regarding the sanctioned intake and the student admitted during the academic years 2022-2023, 2023-2024 & 2024-2025.

On due consideration of the submission advanced and further consider the affidavit filed by the Institute the Authority is of the view that there was a genuine mistake committed on the part of the institute in submitting the proposal for approval of fees. It appears that the institute was unaware the procedure of determination of fees based upon course duration. The Institute was started in the year 2022-2023. It was granted permission in the month of January 2023. Since functioning of the Institute during financial year 2022-2023 for only two months the expenditure of the institute was very less. It appears from the facts mentioned in the affidavit that during the academic year 2022-2023 the Institute could secure 7 admissions as against sanctioned intake capacity of 60 students. In next



academic year 2023-2024 the Institute could secure 46 admissions as against the sanctioned intake of 60 students. In the academic year 2024-2025 the Institute secured 58 admissions as against sanctioned intake of 60 students. It is apparent from the break up of the students provided by the Institute that more than 90% students admitted in the institute are from SC, ST, NT & OBC category. The Institute is imparting education to cater the need of marginal class of the society. It is located in Adivasi dominated Gadchiroli District, which is a declared naxalite area. It was therefore decided that considering the peculiar facts of the case and mistake committed on the part of the Institute in claiming the fees being genuine the Review Application be considered and fees be revised. Accordingly the fees has been reassessed by considering the expenditure to be made for entire course duration on projected basis.

In the peculiar facts and circumstances of the case the Review Application is allowed as an exceptional case. The fees is revised and approved as under subject to payment of difference of process fees.

Review Application No.	Name of the Institute	Course	The Revised fees approved for the A.Y. 2024-2025
128/2024	Shri Sai Institute Of Nursing And Medical Science Wakdi Dist: Gadchiroli Code No. BSCN9372	B.Sc.(Nursing)	
		2022-23	55,000/- Confirmed Per Student
		2023-24	55,000/- Confirmed Per Student
		2024-25	55,000/- Per student

(H) **Review Application No. 132/2024** filed by Shashi Subhash Nursing College, Tumsar, Bhandara (Code No. BSCN09422) against the decision of the Authority finalizing the fees of the Institute/College for the academic year 2024-2025 in respect of B.Sc.(Nursing) course run by the Institute.

"The Principal of the College was absent.

Mr. Virendra Mate, the Account Officer of the Institute & Mr. Tushar Raut the Official of the Institute were present as representative of the Institute.

Heard.


The Institute running B.Sc.(Nursing) course has submitted the proposal for approval of fees for the academic year 2024-2025 and confirmation & finalisation of adhoc fees charged for the previous two academic years i.e. 2022-2023 & 2023-2024. The proposal was considered by the Authority in its meeting held on 04/10/2024. After considering the proposal, the Audited Financial Statement and

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the documents submitted by the Institute the Authority has assessed the fees by considering the expenditure of entire course duration of four years. The expenditure to be incurred by the Institute during the entire course duration was considered on projected basis. The fee was worked out as Rs. 65,011/- per student for the academic year 2024-2025 . The Authority has approved the fees of Rs. 65,000/- per student for the academic year 2024-2025 and same fees has been finalised and confirmed for the previous two academic years 2022-2023 & 2023-2024 for which the Institute has charged the adhoc fees. Being aggrieved by the decision of the Authority to approve the fees of Rs. 65,000/- per student the Institute has preferred the Review Application.

The Institute has preferred the Review Application with contention that the Authority has applied the denominator factor based upon course duration of four years but expenditure of only 1st year was taken into account in determining the fees. The official representing the Institute has submitted that as denominator based upon sanction intake for four years was considered in determining of fees therefore the expenditure to the tune of 4 times the expenditure of one year ought to have been taken into account by the Authority in determination of fees. The Officials of the Institute have further submitted that the Institute has wrongly submitted the consolidate Audit report of the society and wrongly claimed the expenditure related to Trust in the proposal. The Officials representing the Institute reiterated the grounds raised in the Review Application and urged to revised the fees.

The Officials representing the Institute were pointed out that the Authority has assessed the fees on projected basis. While applying the denominator of course duration the salary and non-salary expenditure was also considered on projected basis of entire course duration. It was pointed out to the Officials that they are acting under wrong assumption that though the denominator of four years was applied but the expenditure of the Institute of only one year was taken into account by the Authority in determining the fees of the Institute. It was pointed out to the Officials that the Institute has shown the total salary expenditure during the financial year 2022-2023 as Rs. 6,91,890/-. Whereas the Authority has considered the salary expenditure for the purpose of determination of fees on projected basis of entire course duration & was considered as Rs. 57,90,000/- as against the salary expenditure of Rs. 6,91,890/- shown in the proposal submitted by the Institute. Similarly, the non salary expenditure has been considered as Rs. 14,47,500/-, as 25% of the salary expenditure. The Authority has also given 10% increase in cost over the expenditure and further given equalisation factor. The usage charges



though claimed Rs. 2,40,000/- by the Institute in the proposal the Authority has considered the same on projected basis for 4 years and allowed Rs. 9,60,000/- as usage charges on projected basis. It was pointed out to the Official of the Institute that there was no mistake on the part of the Authority in assessment of fees made by the Authority on projected basis.

During the course of hearing it was pointed out to the Officials of the Institute the manner in which the Principal, and other Official of the Institute have acted in submitting the proposal. It was pointed out that though the Institute has claimed the expenditure in the proposal but in the certificate uploaded with the seal and signature of the Principal of the Institute it has been certificated that no such expenditure claimed was incurred by the Institute. The Official of the Institute admitted that there was a serious mistakes committed on the part of the Institute in submitting the proposal. It was also pointed out that non salary expenditure has been allowed by the Authority to the extent of 25% of salary expenditure though the Principal of the Institute has mentioned in the certificate that no non-salary expenditure incurred.

In view of above no case has been made out to entertain the Review Application. The Review Application filed is devoid of merit. In absence of any case being made out to entertain the Review Application same deserves to be rejected.

Accordingly, the Review Application is rejected".

(I)

Review Application No. 133/2024 filed by Sai Care College Of Nursing (B.Sc. N.), Dindori, Nashik (Code No. BSCN9181) against the decision of the Authority finalizing the fees of the Institute/College for the academic year 2024-2025 in respect of B.Sc.(Nursing) course run by the Institute.

"Mr. Bhagirath Jadhav the Chairman of the Institute was present.
Heard.

The Institute has submitted the proposal for approval of fees for the academic year 2024-2025 in respect of B.Sc.(Nursing) course run by the Institute. The proposal was considered by the Authority in its meeting held on 09/10/2024. After considering the proposal the Audited Financial Statement and other evidence produced in support of the proposal the Authority has assessed the fees. The fee was worked out as Rs. 70,369/-. The Authority has approved the fees as Rs. 70,500/- per student. Being aggrieved by the decision of the Authority to approve the fees of Rs. 70,500/- per student as against demand of fees of Rs.91,627/- per student, the Institute has preferred the Review Application.

The Institute has preferred the Review Application mainly on the ground that the Authority has applied the denominator of 160 instead of 120 in determining the fees.

Mr. Bhagirath Jadhav the Chairman of the Institute reiterated the grounds spell out in the Review Application.

It was pointed out to Official representing the Institute that as the sanction intake capacity of the Institute being 40 student per year & the course duration being 4 years the denominator of 160 ($40 \times 4 = 160$) has been applied in determination of reasonable fees. It was pointed out that in terms of sec 14(6) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 the Institute has to charge the same fees approved by the Authority for the batch of student till completion of course by such student. Due to this reason while assessing the fees the denominator of 160 has been taken into account by the Authority in assessing the fees. Since Institute has wrongly shown the denominator of 120, the Authority has applied the correct denominator of 160 (i.e. based of course duration) in assessing the fees. It was pointed out that there was no error in following the procedure by the Authority in assessing the fees of the Institute.

In view of above no case is made out to entertain the Review Application and revised the fees. The Review Application filed appears to be based upon misconception by the Officials of the Institute. In absence of any merit the Review Application deserves to be rejected.

Accordingly, the Review Application is rejected".

(J)

Review Application No. 102/2024 filed by Shri. Prakashchand Jain Homoeopathic Medical College, Hospital & Research, Palaskhede Bk, Jamner, Jalgaon (Code No. BHMS04165) against the decision of the Authority finalizing the fees of the Institute/College for the academic year 2024-2025 in respect of B.H.M.S course run by the Institute.

"Mr. Manoj Prakashchand Jain, the Chairman of the Trust was present.


The Chairman of the Trust submitted that the Official of the Institute are busy in other work. The Income and Expenditure of the academic year 2024 & 2025 of the period 01/04/2024 till 31/12/2025 yet to be prepared. He submitted that it will take at least two weeks to submit the required information.

The Chairman of the Institute directed to submit the information as early as possible and preferably within two weeks.

List after compliance".

Date: 12th February, 2025

Place: Mumbai


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