



FEES REGULATING AUTHORITY

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

"शिक्षण-नव्वेव्यवसाय -ज्ञान यज्ञ"

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(Part-A)

Minutes of Meeting of Authority

Dt. 29/02/2024

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 **29th February, 2024** 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.
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 through video conferencing.
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 .	:	Presence dispensed for a day.
11.	The Director, Directorate of AYUSH, Maharashtra State, Ex-Officio Member of Fees Regulating Authority	:	Absent

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12.	The Member Secretary of the Maharashtra Council of Agriculture Education and Research , Pune , Ex-Officio Member of Fees Regulating Authority.	:	Presence dispensed for a day.
13.	Shri. S.Ramamoorthy,I.A.S., Member Secretary of Fees Regulating Authority	:	Present.

Item No.1:**To consider the complaints received from the 'Stake-holders' against the Unaided Private Professional Educational Institutions.****(A)**

Complaint No. 2021 received from Shri. Shreekrishna Mohan Chavan against Shree Tuljabhavani Engineering College, Tuljapur District Osmanabad for alleging charging the fees over and above the fees approved by Authority.

"Discussed.

In brief the complainant who is an ex student of the Institute has stated in the complaint that he was directly admitted in IInd year of 4th years B.Engineering degree course in Civil Engineering. He joined the college in the academic year 2017-2018 & passed out in the month of December 2020. It is alleged that the Institute ought to have charged the total fees of Rs. 1,05,000/- (Rs. 35,000/- per year for three years) as approved by the Authority admitted for the academic year 2017-2018. The Institute has collected total fees of Rs. 1,18,000/- from him for three years. The total amount of Rs. 13,800/- was charged in excess than the fees prescribed by the Authority.

The explanation of Institution was called. The Principal of the Institute has submitted the explanation & denied the allegations vide letter dated 25/02/2022.

On due consideration of the grievance made by the complainant and the explanation furnished by the Institute the Authority is of the view the complaint is not maintainable for the sole reason the Complainant cannot be termed as "Stake-Holders" as defined under u/s. 2(w) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015. Sec 2(w) which reads as under;

*"Stakeholders" means the management, **the students studying in the respective institution** and their parents."*

There is no dispute as to the fact that while making the complaint the Complainant was not the student studying in the college. He has passed out in the academic year 2020-2021. In that view the Complainant cannot be termed as Stakeholder to enable the Authority to entertain the complaint.

Apart from the maintainability of the complaint there is no substance in the allegation made in the complaint. The Complainant was admitted in the academic year 2017-2018 as IInd year student in the batch of students admitted in the academic year 2016-2017 for which the Authority has approved the fees of Rs. 46,390/- per student per year. For the batch of students admitted in the academic year 2017-2018, the Authority has approved fees of Rs. 35,000/- per student. Since the Complainant joined the

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batch of students admitted in the academic year 2016-2017, the fees of Rs. 46,390/- per year apply till completion of course by the said batch of students. The Complainant was liable to pay the fees @ Rs. 46,390/- per year being student of batch of 2016-2017 directly admitted to IInd year in the academic year 2017-2018. In that view there was no excess collection of fees from the complainant. On the contrary the fees charged by the Institution was less than the fees approved by the Authority. In that view the grievance made by the complainant is based upon misunderstanding. It was therefore decided to reject the complaint. Accordingly the complaint is rejected".

- (B) **Complaint No. 51/2022** received from Several Students (L.L.B. III years [for the academic year 2018-2019 and onwards] [L.L.B.V for the academic year 2017-2018 and onwards] against M.K.E.S college of Law Malad Mumbai for alleging the charging of fees over and above the fees approved by the Fees Regulating Authority.

"Discussed.

The Institute has stated in the response filed to complaint that the Institute has refunded the amount to the students as per order dated 07/09/2023 passed in Writ Petition No. 1404/2023 i.e. the consent terms filed in the matter. In order to ascertain the compliance of the order it was decided to call the Principal and Secretary of the Institute for hearing.

List on 07/03/2024".

- (C) **Complaint No. 53/2022** received from 53 Ex-students [for the academic year 2016-2017 and onwards] against Alamuri Ratnamala Institute of Engineering and Technology, Shahpur Dist Thane for collecting the fees over and above the fees approved by the Fees Regulating Authority.

"Discussed.

Perused the complaints and the explanation offered by the Institute.


At the outset complaints are not maintainable for the reason that the complainant cannot be termed as "Stake-Holders" as defined u/s. 2(w) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (hereinafter referred to as "the said Act 2015") which reads as under;

*"Stakeholders" means the management, **the students studying in the respective institution** and their parents."*

In order to entertain the grievance by the Authority the Complainant/s must be the Stakeholder as defined u/s. sec 2(w) of the said Act of 2015. Undisputedly at the time of filing complaints none of the students were studying in the college. In that view the complaints are not maintainable. It was therefore decided to reject the complaints".

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- (D) **Complaint No. 101/2022** received from S/Shri Abdul A.A. Shaikh Tauqeer N. Babu Khan, Mohd. Shoaib Israil & Vishal Alaspurkar, Students – IIInd year against Pandit Jawaharlal Nehru Homoeopathic Medical College, Amravati alleging charging the fees over and above the fees approved by the Fees Regulating Authority.
- "Discussed.
- Call the Complainants, Principal and the Chairman of the Institute for personal hearing .
- List on 07/03/2024".
- (E) **Complaint No. 03/2023** received from Mrs. Aparna Bhosale, Ex-student (for the academic year 2020-2021) against the Institute of Business Management & Research, Pune for alleging charging the fees over and above the fees approved by the Fees Regulating Authority for both M.B.A under value added course.
- "Discussed.
- On due consideration of the complaint and explanation submitted by the Institute it was decided to reject the complaint for the sole reason the Complainant cannot be termed as "Stake-Holders" within the meaning of sec 2(w) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015. It is an admitted position that at the time of filing complaint the Complainant was not studying in the college. So as to termed 'Stake-Holders' to entertain the complainant. It was therefore decided to reject the complaint as not maintainable".
- (F) **Complaint No. 10/2023** received from Shri Aniruddha Dnyaneshwar Funde, the student admitted in first year B.A.M.S course against Matoshri Ayurvedic College, Nashik for demanding fees more than the fees approved and chargeable from students admitted under Institutional Quota.
- "Discussed.
- It was decided to call the Complainant the Principal and Secretary of the Institute for personal hearing .
- List on 07/03/2024".
- (G) **Complaint No. 34/2023** received from Anonymous Complaint (Student for the academic year 2021-2022) against Institute of Business Management & Research (IBMR), Pune pressurizing the students to pay extra course fee.
- "Discussed.
- That the allegation made in the instant complaint and the Complaint No. 229/2023 are more or less identical. It was therefore decided to consider both the complaints together. The complaint be placed alongwith Complaint No. 229/2023".
- (H) **Complaint No. 93/2023** received from Santosh B. Shirishkar & Other ex-students (for the academic year 2018-2019) against Rajarshi Shahu College of Law, Mumbai for alleging charging the fees over and above the fees approved by the Fees Regulating Authority



"Discussed.

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The complainants claims to be students admitted to L.L.B III years course in the academic 2018-2019, alleged that the Institute has charged and collected the fees over and above the fees approved by the Authority.

On due consideration of the grievance made in the complaint the Authority is of the view the grievance of the complaint cannot be entertain for want of jurisdiction. In order to entertain the grievance the status of the complainant on the date of making Complaint must be student/s studying in the college . Sec 2(w) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 defines the meaning of termed "Stake-Holders" which reads as under;

"Stakeholders" means the management, the students studying in the respective institution and their parents."

Thus in order to entertain the grievance of the Complainant the Complainant must be student studying in the college. There is no dispute that on the date of filing complaints the Complainants were not studying in the college. They have completed the course and left the College much before filing complaints. In that view the grievance of the Complainant cannot be entertained & adjudicated by the Authority for want of jurisdiction. It was therefore decided to reject the complaint as not maintainable".

- (I) **Complaint No. 103/2023** received from Ajaykumar Singh, (Student for the academic year 2023-2024) against Agnel School of Law, Navi Mumbai for collecting the fees over and above the fees approved by the Fees Regulating Authority.

And

- (J) **Complaint No. 118/2023** received from Qamar Mohd Saeed Khan, Student [L.L.B. III yrs.] [for the academic year 2022-2023] against Agnel School of Law, Navi Mumbai for collecting the fees over and above the fees approved by the Fees Regulating Authority.

And

- (K) **Complaint No. 228/2023** received from Sanjay M. Jawle, Student [L.L.B. III yrs.] [for the academic year 2021-2022] against Agnel School of Law, Navi Mumbai for collecting the fees over and above the fees approved by the Fees Regulating Authority.
"Discussed.

The complainants who were admitted to L.L.B. III years in the academic year 2022-2023 made the grievance about charging the fees over and above the fees approved by the Authority and sought a direction to direct the Institution to refund the amount.

While hearing the Review Application No. 53/2023 the Official of the Institute made the statement that the Institute has refunded the amount which was collected over and above the fees approved by the Authority. The Institute was directed to file the statement with particulars of the students and the amount refunded with proof of refund of fees made to individual

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student. The Institute was directed to file the statement on and before 12/02/2024.

On 14/02/2024 the Officials of the Institute appeared filed affidavit and furnished details of the amount refunded to student as well as the amount due and payable. Out of amount of Rs. 1,15,00,000/- due and payable the Institute has refunded the amount of Rs. 56,00,000/- to students and furnished an undertaking to pay the balance amount to students on and before 31/03/2024.

In view of the statement made by the Institute to refund the excess amount and partially complied the direction, the grievance of the Complainants appears to be resolved.

It was therefore decided to defer the hearing beyond 05/04/2024. The report be called from the Principal of the College of about the status of amount to be payable to Complainants.

List alongwith Review Application No. 53 of 2023".

- (L) **Complaint No. 178/2023** received from Shri Ganesh M. Suryawanshi & Pravin Waghmare, Ex-students of L.L.B. III yrs. Course against Bhagubai Changu Thakur College of Law, Navi Mumbai for collecting the excess fees over and above the fees approved by the Fees Regulating Authority.

"Discussed.

Perused the complainant.

After considering the complaint the explanation furnished by the Institute it was decided to call the Principal of the Institute for personal hearing.

List on 07/03/2023".


- (M) **Complaint No. 2023** received from Several Complaints received from the students admitted for the 1st year B.A.M.S Course for the academic year 2023-2024 against 1. Sai Ayurvedic College, Aurangabad. 2. SST Ayurvedic College, Ahmednagar 3. Siddhakala Ayurvedic College, Ahmednagar 4. B.S. Ramrao Patil Ayurvedic College, Parbhani. 5. Dr. Deepak Patil Ayurvedic College, Kolhapur. 6. B.R. Harne Ayurvedic College, Thane. 7. Sawkar Ayurvedic College, Satara. 8. Matoshri Ayurvedic College, Nashik. 9. P.R. Potel Patil Ayurvedic College, Amravati. 10. Smt. Vimladevi Ayurvedic College, Chandrapur. 11. RJS Ayurvedic College, Ahmednagar. 12. Dr. Vandana J. Dhone Ayurvedic College, Akola. 13. Ideal College of Ayurved, Palghar. 14. Sau. Shantadevi Vedprakash Patil Ayurved College, Hingoli. 15. Dr. Vedprakash Patil Ayurved College, Jalna. 16. Dhaneshwari Ayurved College, Aurangabad for demanding fees more than the fees approved and chargeable from students admitted under Institutional Quota.

"Discussed.

For want of time, it was decided to defer the hearing".

Date: 29th February, 2024

Place: Mumbai


S. Ramamoorthy, I.A.S
Member Secretary
Fees Regulating Authority
State of Maharashtra