



FEES REGULATING AUTHORITY

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

"शिक्षण-नव्वेव्यवसाय -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

Part-II

Minutes of Meeting of Authority

Dt. 13/09/2024

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 **13th September, 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 .	:	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 for a day.
13.	Shri.S.Ramamoorthy,I.A.S., Member Secretary of Fees Regulating Authority.	:	Present .

Item No.2(iii): To consider the proposal for approval of fees of Dr. N.Y. Tasgaonkar College of Physiotherapy, Raigad (PT06183) in respect of Bachelor of Physiotherapy course for the academic year 2023-2024 and confirmation of adhoc fees for the academic year 2021-2022 & 2022-2023 as well as approval of fees for the academic year 2024-2025.

"Discussed.

The Institute/College was granted permission in the academic year 2021-2022 to admit the students for Bachelor of Physiotherapy course. The Institute was entitled to charge the adhoc fees for the academic years 2021-2022 & 2022-2023 and submit proposal for the approval of fees for the academic year 2023-2024 and finalisation of adhoc fees for earlier two years.

In terms of sec 14(1)(a) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (hereinafter referred to as 'the said Act of 2015') the Institute/College was under statutory obligation to submit the proposal for approval of fees for the academic year 2023-2024 and confirmation and finalization of adhoc fees for the previous academic years 2021-2022 & 2022-2023. However, the Institute/College has not acted in accordance with the statutory provision and directly submitted the proposal for approval of fees for the academic year 2024-2025. Hence, the Principal and the Management running the Institute/College were directed to submit explanation. In response to show cause notice dated 05/03/2024 the Principal of College/Institute offered explanation vide letter dated 15/03/2024. In brief the Institute/College has offered an explanation that the government resolution granting permission to admit the students for Bachelor of Physiotherapy course was received on 07/04/2022. Thereafter the Institute initiated the process of admission in the month of April 2022. Due to this reason the Institute could not participate in Ist & IInd round of admission. In the month of April 2022 in IInd round the Institute could admit only 14 students. The College started functioning from November 2022. The Principal has requested the Authority to allow the Institute to collect the adhoc fees for the academic year 2023-2024.

The explanation offered by the Institute/College was considered in the meeting of the Authority held on 07/05/2024. Since the request made to charge adhoc fees for third consecutive years was untenable the same was rejected. In view of the difficulties faced by the Institute, the Institute could to have submitted the proposal for approval of fees for academic year 2023-2024 and confirmation and finalization of adhoc fees for previous two academic years based upon projected income and expenditure. It was decided to call the Principal and the Chairman of the Institute for personal hearing and to appraise them the legal position.

On 24/08/2024 the Chairman of the Institute appeared alongwith other Officials and requested the Authority to allow to submit the proposal for approval of

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fees for the academic year 2023-2024 and confirmation and finalization of adhoc fees for the previous two academic years.

On due consideration of the request made the Institute/College was allowed to submit the proposal for academic year 2023-2024 and finalization and confirmation of adhoc fees charged for the earlier two years subject to payment of penalty of Rs. 1,00,000/-. Pursuant to said decision the Institute/College has deposited the penalty and submitted proposal.

After considering the proposal, the Audited Financial Statement and the documents furnished the fees of the Institute/College for the academic years 2023-2024 & 2024-2025 and adhoc fees charged/collected for the academic years 2021-2022 & 2022-2023 has been finalized and approved as under:-

Sr. No.	Code	Name of the Institute	Course	Fee Approved for the A.Y 2024-2025 Per student
44	PT06183	Dr. N.Y. Tasgaonkar College of Physiotherapy, Raigad	B.PTH.	
			2021-22	63,000/- Confirmed
			2022-23	63,000/- Confirmed
			2023-24	63,000/-
			2024-25	71,000/-

While examining the proposal and considering the fees displayed on the website of Institute/College it was noticed that Institute/College has separately charged the fees for library ; Gymkhana, Study material and Administrative charges to the tune of Rs. 45,000/- per student in addition to adhoc fees during the academic years 2021-2022 & 2022-2023 as well as 2023-2024. The said amount charged from the students was not accounted in the income and expenditure accounts of the Institute. As per the instructions displayed on the website of the Institute the said amount to be paid in the name of 'Rajyug Hospitality Private Limited at Mumbai'. The Institute/College has also collected from students Rs. 25,000/- as library deposit, Rs. 25,000/- as laboratory deposit and Rs. 25,000/- as hostel deposit. Thus the amount of Rs. 75,000/- was collected from each student under the pretext of deposit as against the adhoc fees of Rs. 75,000/- per student during academic years 2021-2022, 2022-2023 & 2023-2024. Thus the Institute/College has collected Rs. 45,000/- per student as additional fees and Rs. 75,000/- deposits from each student. The deposit amount was collected in separate account of 'Rajyug Hospitality Private Limited at Mumbai'.

Thus, as against the adhoc fees of Rs. 75,000/- per year the Institute has collected more than Rs. 1,00,000/- as additional fees and deposits in separate account. The amount collected from the students though required to be credited in the account of the Institute same has been credited in separate account.

The term "fees" has been defined u/s. 2 (g) of the Act of 2015 which reads as under;

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"(g) "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"


In view of facts apparent on record prima facie the Institute/College has indulged into act of profiteering by charging the fees over and above the adhoc fees approved by the Authority. Therefore it was decided to issue show cause notice to the Principal and Management running the Institute/College directing to offer an explanation of charging and collecting the additional amount of Rs. 45,000/- over and above the adhoc fees approved by the Authority and not showing the same in the income and expenditure of the Institute/College. So also offer explanation as to why the amount has been collected in the name of 'Rajyug Hospitality Private Limited at Mumbai' instead of Institute. So also they be directed the reason why collecting exorbitant amount of Rs. 75,000/- as deposit from each student in the name of 'Rajyug Hospitality Private Limited at Mumbai' instead of the Institute.

The explanation be submitted within seven days from the date of receipt of the notice. Failure to submit the explanation it will be presume that Institute/College has no explanation to offer and Authority will proceed to take appropriate decision as contemplated u/s. 20 of the Act of 2015.

Let the follow up action be taken as directed".

Date: 13th September, 2024

Place: Mumbai


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