



GOVERNMENT OF MAHARASHTRA
FEES REGULATING AUTHORITY

“शिक्षण - नव्वेव्यवसाय- ज्ञान यज्ञ”

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Meeting Date : 19th October 2016

Minutes of the Meeting of the Fees Regulating Authority (constituted under section 11 (2)(3)(4) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation Admission and Fees) Act, 2015) held under the Chairmanship of Hon'ble Justice M.N. Gilani, (Retd.) on Wednesday, the 19th October 2016 at 11:00 a.m. in the Conference Hall, Room No. 105, Government Polytechnic Building, 49 Kherwadi, Ali Yawar Jung Marg, Bandra (E), Mumbai – 400 051.

Following were present :

1.	Dr. R.S. Mali	:	Member
2.	Shri Sanjay Panse	:	Member
3.	Shri Ravindra Dahad	:	Member
4.	Shri Sudhir Mutalik	:	Member
5.	Dr. K. D. Chavan Registrar, Maharashtra University of Health Sciences, Nashik	:	Member – Absent
6.	Dr. S.K. Mahajan, Director, Technical Education, Mumbai	:	Member - Absent
7.	Dr. Dhanraj Mane, Director, Higher Education, Pune	:	Member – Absent
8.	Dr. J.V. Patil, The Member Secretary of the Maharashtra Council of Agriculture Education and Research	:	Member – Absent
9.	Shri. K.B. Phand, IAS	:	Secretary

Dr. K. D. Chavan, Registrar, Maharashtra University of Health Sciences, Nashik, Shri. S.K. Mahajan, Director, Technical Education, Mumbai Dr. Dhanraj Mane, Director, Higher Education, Pune, Shri J.V. Patil, Member Secretary of the Maharashtra Council of Agriculture Education and Research being unable to attend the meeting granted leave of absence.

Invitee

1. Dr. P.T. Wakode, Jt. Director, Directorate Medical Education and Research

HIGHER & TECHNICAL EDUCATION

Item No. 5: **To consider and decide on request letter dated 27/6/2016, received from Matoshri Aasarabai Polytechnic College seeking permission to collect interim fee for AY 2016-17.**

This issue is already decided and 5% increase is declared. Now Institute can recover Rs. 37,748/- as an interim fees for the A.Y. 2016-17.

Item No. 6: **To consider and decide on request letter dated 16/9/2016, received from D.Y. Patil School of Engineering Academy, Talegaon and Pune regarding charging of additional fee from the students.**

Issue is discussed. It is resolved thus :

"In view of reply dated 16/9/2016 that the college refunded Rs. 2998/- being excess amount collected from the students, the college shall explain that from how many students excess fee was collected and whether the college has undertaken process of the refunding the fees so recovered in excess, as has been done in the case noticed by this Authority.

Further college should give details of optional facilities made available to the students and amount of fees charged for such optional facilities".

The Secretary is requested to seek details accordingly.

Item No. 8: **To consider and decide on letter dated 3/9/2016, received from Association of the Managements of Polytechnics in respect of norms for fixation of fees for the year 2016-17.**

Issue is discussed.

The Association shall be informed that salary expenditure towards both teaching and non teaching staff is fully considered. There is no cap of 40% even for expenditure towards salary of non teaching staff.

As regards, denominator / divisor factor, norm 2.5 covers the issue, which is applicable and relevant for deciding fee proposal for the A.Y. 2016-17 and 2017-18. Whenever process of revising norms is undertaken the issue raised by the Association will be considered.

Item No. 9: **To consider and decide on letter dated 6/9/2016, received from Indira College of Pharmacy regarding Adhoc fees for Pharm D. Program for 6 years New Pharm D. (Doctor of Pharmacy) program.**

Letter received from Indira College of Pharmacy, Pune is considered. Having regards to the fees structure prevailing for the course viz D. Pharmacy, B. Pharmacy and M. Pharmacy, it is unanimously decided to allow adhoc-fees for the newly introduced course "Doctor of Pharmacy", which shall be Rs. 75,000/-. The fees so fixed shall be applicable to the students of all categories. There is no concept of different fees structures for the students of different categories. The institute be informed accordingly.

MEDICAL EDUCATION

Item No. 10: **To consider and decide on complaint enquiring report dated 22/7/2016, received from Medical Education & Drugs Department, Mantralaya in respect of Dr. Panjabrao Deshmukh (Ref. Item No. 5 page No. 11 of minutes 7/10/2015).**

Communication dated 22/7/2016 received from Medical Education and Drugs Department Government of Maharashtra is perused. In the resolution dated 7/10/2015, it was decided to defer the decision on the issue of deciding the fee structure of the said Institute till complaint is pending. Since, complaint is disposed off this Authority has taken up the fee proposal of the institution.

Examined balance sheets and other documents available on the records. On considering the same it is resolved thus:

The fees for the year 2014-15 for MBBS course was Rs. 5,00,000/-. It is decided to give 10% rise. Thus, fees for MBBS course for A.Y. 2015-16 shall be Rs. 5,50,000/-.

As regards PG Course fees for the A.Y. 2014-15 was Rs. 5,75,000/-. With 10% rise it shall be Rs. 6,30,000/- for the A.Y. 2015-16. Institute be informed accordingly.

Item No. 11: **To consider and decide on inspection report dated 16/8/2016 received from Jt. Director, Medical Education & Research , Mumbai regarding Inspection of Prabhadevi School of Nursing (RANM/RGNM) Chandrapur.**

In the fee proposal for A.Y. 2015-16 submitted by the Prabhadevi School of Nursing, the Auditor Report is annexed. The Auditor noticed follows discrepancies :

- 3) " (i) We report the following comments/discrepancies/inconsistencies if any
- a) Professional Tax amounting to Rs. 60000/- is deducted from salary by the same is not paid during the year. Earlier outstanding of Rs. 149700/- also still outstanding

and not yet paid. It is suggested to pay the Professional tax in due dates to avoid the penal action from the department.

- b) Salary Teaching staff Rs. 3862800/- Salary Non Teaching staff Rs. 2330400/-, Guest Lecture remuneration Rs. 825000/-. Out of total salary expenses, Rs. 4501000/- paid in cash and Rs. 1121100/- Paid bank and balance Rs. 511100/- is payable. There is deduction of Rs. 60000/- as professional deduction. It is suggested to make the payment of salary by account payee cheques only.
- c) No tender or quotations are invited for purchase of Books, Computer, Furniture, Lab Equipment.
- d) Expenses viz. Advertisement, Board & Banner Expenses, Education Visit Expenses, Education Tour Expenses, Gathering Expenses, Office Expenses, Programme & Function Expenses, Terminal Exam Expenses, Typing & Xerox Expenses, Garden Development Expenses, Misc. Expenses are not supported by bill but payment is to vouchers only. The expenses are not fully vouched. Depreciation is charged on SLM on fixed Assets.
- e) Scholarship Rs. 6884970/- received during the but no sanction letter of released letter produced at the time of Audit remain unverified scholarship Amount to Rs. 6884970/- paid during the year. By cheque but cheque were account payee or not cannot be verified in absence of record outstanding scholarship paid by cash Rs. 125000/-. It is suggested that the scholarship paid by only Account payee cheque."

The above report reflects overall functioning of the Institute. Put it differently, it depicts sorry state of affairs. This resulted in passing following order by the Authority:

"On perusal of auditor's report strange facts are noticed. As against total salary expenditure of 51,00,000/- and odd the sizeable sum of 45,00,000/- and odd has been paid in cash. This is contrary to the norms. It is expected of the institution to deposits salary of the teaching as well as non teaching staff in the Bank accounts of the concerned. Dr. Garkal is requested to visit the institution and inspect the Books of Accounts and verify proof / vouchers showing payment. If necessary he may record the statement of teaching and non-teaching staff. He should also verify the actual number of students admitted and attending the institution."

Later on, because of non availability of Dr. Garkal on 6/8/2016 Dr. Prakash Wakode, Jt. Director, Directorate Medical Education and Research, Mumbai was requested to visit the institute and ascertain true state of affairs. Accordingly, on 11/8/2016 Dr. Prakash Wakode and Mr. Pradeep Deshpande, Administrative Officer Superspeciality Hospital, Nagpur visited the said institutes. The Chairperson of this Authority accompanied them. On 16/8/2016 Dr. Prakash Wakode submitted following report :-

1. Mr. Deshpande, Administrative Officer has given his report on the financial issues raised in your letter. And he is competent to comment on the financial matters. Objections raised by Mr. Deshpande like Professional Tax deducted but not credited to Govt., salary payment done in cash, not even production of Bank statement, having no TAN No. and no TDS at the source, Honorarium paid to visiting faculties without any vouchers for it, incomplete Cash books are serious financial lacunas.
2. On the day of inspection, very few teachers were available. Even the muster rolls were not properly signed with designation of teaching / non teaching staff.
3. No student was available at the time of Inspection, and they were called from their place of posting (Community Nursing) where they were sent for distribution of drugs. Only 3 students came after summoning them. Hence actual strength of student could not be verified.
4. After interrogating the students and their written statements (enclosed) there is ground to believe that fees are charged from students of backward community whom freeship is expected.
5. There are hardly any computers in the institute. The one in good condition and with internet facility is for office use.
6. No Garden as such."

Shri Avinash Khaire, Administrative Officer is heard in person.

The Authority has perused the fees proposal submitted by Prabhadevi School of Nursing for A.Y. 2015-16. In the fee proposal the institute has shown garden expenses as Rs. 35,964/- and expenses of Rs. 34,569/- towards ground maintenance. Further, internet expenses Rs. 22,465/-, computer repairs and maintenance Rs. 44,916/- are shown. The advertisement expenses is shown as Rs. 1,27,089/-. During Inspection neither garden nor ground was found. Only one desktop in the computer room was noticed. Thus, the institute submitted incorrect figures. The honorarium paid to Guest Lecturers is Rs. 8,25,000/-. The statements of 3 students studying in 2nd year were recorded. It revealed that hardly any guest faculty visits the institute.

Having considered inspection report submitted by Dr. Wakode and huge discrepancies recorded by the Auditor and having considered the strength of the students, this Authority is of the view that the institute can not be allowed to charge fees of Rs. 70,000/- per annum for the A.Y. 2015-16. The reasonable fees would be Rs. 60,000/-. The Authority reserves the right to take any other suitable action against the Institute accordingly to law.

The Institute shall refund the excess amount of fee so collected. The Institute be informed that the fee for A.Y. 2015-16 shall be Rs. 60,000/- instead of Rs. 70,000/- declared earlier. Institute shall report compliance of the order within 4 weeks from today.

Item No. 12: **To consider and decide on letter dated 26/8/2016 received from Dadasaheb Surupsingh Nayak Ayurved University, Dhule in respect of fixation of fees for repeater students (Ref. Item No. 6(c) of minutes 3/1/2014).**

In the meeting dated 3/1/2014 this Authority has already decided the issue raised by the Institute. The Secretary is requested to communicate to the Institute said decision of this Authority.

Item No. 14: **Any other matter with the permission of the Chair.**

(1) Biometric attendance of Teaching and Non Teaching staff:

To ensure transparency in the expenditure under heads salary of teaching and non teaching staff, issue of requiring all the colleges / institutes to install biometric system of attendance, is under consideration of this Authority. It is desired that institutes/ colleges shall take necessary steps towards installing in their respective premises biometric system of attendance, for recording daily attendance of teaching and non teaching staff.

The meeting concluded with thanks to the Chair.

The next meeting of the Authority would be held on **Tuesday, 8th November 2016 at 11.00 a.m.** in the Meeting Hall, Office of the Authority at 305, Government Polytechnic Building, 49, Kherwadi, Ali Yawar Jung Marg, Bandra (E) Mumbai 400 051.

Date : 19th October 2016

Place : Mumbai


(M.N. GILANI)
CHAIRPERSON
FEEES REGULATING AUTHORITY