

Minutes of the meeting of the **Shikshan Shulka Samiti (Higher and Technical Education)** held under the Chairmanship of **Justice P.S. Patankar (Retd.)** on **Wednesday, the 6th May 2015** at 11.00 a.m. in the Conference Hall, Office of the Samiti, 3rd floor, Government Polytechnic Building, 49, Kherwadi, Bandra (E), Mumbai 400 051.

Draft Minutes:-

Following Members and Officers were present:

1. Dr. (Mrs.) Rupa Shah : Member
2. Shri S.B. Bhagwat : Member
3. Dr. O.G. Kakde : Member

Shri Sanjay Chahande, Member Secretary and Principal Secretary, Higher and Technical Education, Govt. of Maharashtra could not attend the meeting. Hence, leave of absence granted.

Shri N.K. Deshmukh, I.A.S. holding additional charge of Office Secretary, Shikshan Shulka Samiti, Mumbai was present.

Smt. K.V. Sane, Desk Officer, Shikshan Shulka Samiti, Mumbai was present.

Dr. Rajeev Shetkar, Asst. Director, Director, Technical Education, Maharashtra State – Invitee was present.

The copies of the agenda along with copies of the relevant documents were circulated to the Members.

Item No. 1: To confirm and approve the Minutes of the Meeting of Shikshan Shulka Samiti (Higher and Technical Education) held on Thursday the 9th April 2015 at Conference Hall, Office of the Samiti, 3rd floor, Government Polytechnic Building, 49, Kherwadi, Bandra (E), Mumbai 400 051.

The Minutes of the Meeting of Shikshan Shulka Samiti (Higher and Technical Education) held on Thursday, the 9th April 2015 at Conference Hall, Office of the Samiti, 3rd floor, Government Polytechnic Building, 49, Kherwadi, Bandra (E), Mumbai - 400 051 are confirmed and approved, subject to following modification/correction.



A) Item No. 3(a) – clause 2.4 should be read as under : -

2.4 The rates of depreciation fixed by the SSS regarding other assets for regular shift only, the details of which are as under.:-

Sr. No.	Particulars	Rates of depreciation fixed by Samiti on other assets	
		Regular Shift (A)	Regular as well as Second Shift, if applicable (B)
1	Computers	25% of Cost	30% of Cost
2	Other equipment	10% of Cost	12.50 % of Cost
3	Furniture	10% of Cost	12.50 % of Cost
4	Books	25% of Cost	30% of Cost

Instead of

2.4 The rates of depreciation fixed by the SSS regarding other assets are detailed under.:-

Computers	- Life 4 year	25% of Cost
Other equipment	- Life 10 year	10% of Cost
Furniture	- Life 10 year	10% of Cost
Books	- Life 4 year	25% of Cost

B) Item No. 3(a) – Format for Computation of fees for Higher and Technical courses for the Academic Year 2015-16 should be read as under : -

1	Name of the College/Institute :	Code	Location
	_____	_____	_____

2	a) Approved fee for Academic Year 2014-15 Rs. _____	Approved Interim Fee for AY 2015-16 Rs. _____	
	b) Collected fee as per affidavit Rs. _____	Proposed for AY 2015-16 (See 4.10.4) Rs. _____	
	c) Year of recognition by respective council/Government : _____		
2.1	In case the Institute has not submitted its fee approval proposal for 2014-15, the fees collected by it per student	Rs. : _____	

3	Whether undertaking on stamp paper submitted reg. refund?	Yes/No		
4	Computation of final tuition fee and development fee:	Expenditure incurred (in Rs.)		Expenditure permitted (in Rs.)
		Total	Per Student (divided by 4.8)	For Official use only
4.1.1	Salary expenditure for 2014-15 to approved teaching /non teaching staff. as per DTE/AICTE/PCI/GOVERNMENT/ UNIVERSITY norms the figure to be given of No. of Professors/ Assistant Professors as per the norms required and actual No.			
4.1.2	Salary/Honorarium paid to visiting Faculties and their number.			
4.1.3	Total Salary Expenditure (4.1.1+4.1.2)			
4.2	Non salary revenue expenditure (Rent, Interest on loan, Penalties if any legal charges and unrelated expenditure to be excluded, except interest paid on TEQUIP loan) for 2014-15 (See Norm 2.2)			
4.2.1	a) Less income derived by using college property (See norm 2.13)			
	b) Hostel expenses, if any (See norm 2.2.2)			
4.2.2	Total (4.1.3 + 4.2) – (4.2.1)			
4.2.3	10% of 4.2.2 for increase in cost for 2014-15 (See norm 1.5)			
4.3	Usage charge for building (See norm 2.4.2)	a) Regular/First Shift		
		b) Second Shift		
4.4	Depreciation on other assets at approved rates as on 31.3.2015 (See norm 2.4)	a) Regular/First Shift		
		b) Regular as well as Second Shift		
4.5	Total of (4.2.2 to 4.4)+ 4.11.1			
4.6	Sanctioned strength in the course run in Academic Year 2014-15 (No.) This is to exclude the Tuition Waiver Scheme (TWS) students.	a) Regular/First Shift		
		b) Second Shift		

4.7	Actual strength in the course run in Academic Year 2014-15 (No.)	a) Regular/First Shift		
		b) Second Shift		
4.8	Controlling strength (no.) (Higher of 4.6 & 4.7)	a) Regular/First Shift		
		b) Second Shift		
4.9	Tuition Fee (4.5 Divided by 4.8)			
4.10	Development fee (10% of 4.9)			
4.10.1	Total fee (4.9 + 4.10)			
4.10.2	Credit for accreditation/NAAC. (See norm 2.6.1)			
4.10.3	Total Fee (4.10.1 + 4.10.2)			
4.11	Additional Expenditure of 6 th pay commission if actually paid and not included in 4.1.1(See norm 2.1.4).	4.11.1 Total		
		4.11.2 per Student		

Note: The amount in 4.11.2 is to be collected from all the student in the institution. However for the student admitted in 2015-16 it is already included in their tuition fee (See 4.5)

Note : Courses run in the same Premises /Campus/Location:

Name of the Course	No. of Students	Tuition time Per day

Date:
Place :

Signature and Seal of the
Head of Institute / College with Code No.

FOR OFFICE USE ONLY

Disallowance:-

- 1)
- 2)
- 3)
- 4)

Prepared by:
Date : / /2015

Checked by
(Chartered Accountant)



2. Calculation of Depreciation on other assets for AY 2015-16**(A) For Regular Shift : -**

Sr. No.	Item	Depreciation permitted as in 31st March 2014 Rs.	Cost of additions during 2014-15 Rs.	Additional Depreciation at approved rates as on 31st March 2015 Rs.	Total Depreciation as on 31st March 2015
(a)	(b)	(c)	(d)	(e)	f (c+e)
1	Computers 25%				
2	Equipment 10%				
3	Furniture 10%				
4	Books 25%				
	Total :				

(B) Regular as well as Second Shift, if applicable : -

Sr. No.	Item	Depreciation permitted as in 31st March 2014 Rs.	Cost of additions during 2014-15 Rs.	Additional Depreciation at approved rates as on 31st March 2015 Rs.	Total Depreciation as on 31st March 2015
(a)	(b)	(c)	(d)	(e)	f (c+e)
1	Computers 30%				
2	Equipment 12.50%				
3	Furniture 12.50%				
4	Books 30%				
	Total :				

Important Note: Depreciation in column 3 is to be claimed only for items, which have not served their full life Depreciation on Computers & books provided before 31 March 2011 not to be taken into account. Depreciation on Equipment & Furniture provided before 31st March 2005 not to be included.

Date: Signature and Seal of the certifying
Chartered Accountant and Auditors

Signature and Seal
of Head of the Institution with Code No.



Item No.2: To review actions taken by office on decisions arrived at in the previous meetings including meeting held on Thursday the 9th April 2015.

The action taken by the office on the decisions taken by the Samiti during its meeting held on 9th April 2015, the details of the same are as follows:

Meeting of 9th April 2015	Actionable Points	Action Taken by Office
Item No.1	To confirm and approve the Minutes of the Meeting of Shikshan Shulka Samiti (Higher and Technical Education) held on Thursday the 9 th April 2015 at Conference Hall, Office of the Samiti, 3rd floor, Government Polytechnic Building, 49, Kherwadi, Bandra (E), Mumbai 400 051	Minutes of the Samiti Published on the website of the Samiti on 10/4/2015. The copy of said minutes is also put up on the Notice Board on 10/4/2015.
Item No. 2	To review actions taken by office on decisions arrived at in the previous meeting.	
Item No.3 (a)	To discuss and decide on the letter received from parents/students as well as various Associations/colleges/ institutes in Open Hearing held on 7 th April 2015 for finalization of Norms for Academic Year 2015-16.	Decision of the Samiti published on the website dated 10/4/2015
Item No.3 (b)	To discuss and decide in respect of Interim Fee for various courses for Academic Year 2015-16.	Decision of the Samiti published on the website dated 10/4/2015
Item No.3 (C)	To discuss and finalize the draft of Checklist and Affidavit to be obtained from Institute along with their fees approval proposal for Academic Year 2015-16.	Decision of the Samiti published on the website dated 10/4/2015
Item No.3 (d)	To discuss and finalize the draft of Form A,B,C,D,E to be obtained from institute along with their fees approval proposal for Academic Year 2015-16.	Decision of the Samiti published on the website dated 10/4/2015
Item No.3 (e)	To discuss and determine the ad-hoc fees for various new courses to be started during Academic Year 2015-16.	Decision of the Samiti published on the website dated 10/4/2015
Item No.3 (f)	To discuss and decide in respect of schedule to be followed for receipt for various courses for Academic Year 2015-16.	Decision of the Samiti published on the website dated 10/4/2015
Item No. 4	To discuss and decide on letter dated 26/3/2015 received from Akhil Bhartiya Vidyarthi Parishad, Mumbai complaining of Dr. D.Y. Patil College of Engineering, Pune regarding Stationary fees.	Decision is conveyed to the concern college and ABVP, of by a separate letter dated 15/4/2015

Item No.3: To discuss and decide the Review Applications received from following colleges for approval of fees for Academic Year 2014-15.

Item No. 3(a) : MB4129 : Central India College of Business Management & Studies, Nagpur.

There is a letter dated 5/5/2015 received from the aforesaid College/Institute stating that due to unavoidable circumstances it is not possible for it to remain present today for hearing, hence hearing may be adjourned. We adjourn it and it will come for hearing in due course.

Item No. 3(b) : DPH4266 : Central Indian Institute of Pharmacy, Nagpur.

Samiti heard Mr. Mohd. Babar, Administrative Officer on behalf of the aforesaid College/Institute.

The College/Institute has given notice dated 25/04/2015 to the students/parents as per our resolution, but none is present. Notice is produced.

The fee approved for the course started during the Academic Year 2014-15 was Rs. 48,000/-. It is challenged. It is challenged on the ground salary disallowance is not correct. There is some substance in it. We approve the fee of Rs. 50,000/-. The institute has also given a letter dated 6/5/2015 to that effect. Office to declare it.

Item No. 3(c) : PL3020 : M.H. Saboo Siddik Polytechnic, Byculla, Mumbai

Samiti heard Mr. Jameel A., Principal and Mr. J.A. Khan, Chartered Accountant on behalf of the aforesaid College/Institute.

The College/Institute has given notice dated 28/04/2015 to the students/parents as per our resolution, but none is present. Notice is produced.

The fee approved for the course started during the Academic Year 2014-15 was Rs. 40,000/-. It is challenged. It is challenged on the ground that salary disallowance of 15% is excessive. There is some substance in it. If it is recalculated it comes around Rs. 42,000/-. We approve the fee of Rs. 42,000/-. The institute has also given a letter dated 6/5/2015 to that effect. Office to declare it.



Item No. 3(d) : AR6818: BRICK school of Architecture, Pune.

Samiti heard Ms. Poorva Keskar, Principal and Ms. Madhuri Pisal, Director on behalf of the aforesaid College/Institute.

The College/Institute has given notice dated 29/04/2015 to the students/parents as per our resolution, but none is present. Notice is produced.

The aforesaid College were started during the Academic Year 2013-14, Ad-hoc fee declared was Rs. 71,110/- The fee approved for the course started during the Academic Year 2014-15 was Rs. 80,000/-. It is challenged. It is challenged on the ground that devisor factor is not correctly applying. There is some substance in it. We approve the fee of Rs. 1,20,000/- for the course started during Academic Year 2013-14. It will apply from Second Year onwards i.e. from Academic Year 2014-15. Similarly for the course started during the Academic Year 2014-15, it will be Rs. 1,20,000/-. Office to declare it.

Item No. 3(e) : PL1168: Balaji Polytechnic, Sawarla

Samiti heard Mr. Ajay Nared representative of the College He prays for withdrawal of this revision. Allowed to withdraw.

Item No. 4: To discuss and decide the reply received from 20 colleges as per decision of the Samiti. (Ref. Item No. 2 of Minutes 24/3/2015)

There is complaint made by the Citizen Forum for Sanctity in Education System, Thane. It was routed through the State Government – It is in respect of 29 Colleges. Samiti in its meeting held on 24th March 2015 at Item No. 2 passed the following resolution :-

"Yesterday as this subject was adjourned for today. It is taken up. There is a letter received on 20/02/2015 from the Under Secretary, Higher and Technical Education, Government of Maharashtra enclosing the complaint dated 19/01/2015 from the Citizen Forum for Sanctity in Educational System, Mumbai. It has mentioned 29 Colleges which according to said Forum committed malpractices and by misleading the Samiti got the fees fixed during the Academic Year 2014-15. Therefore the prayer is the fee should be reduced by 50%.

We may point out that 23 Colleges/Institutes from Technical stream and 6 are from Health Sciences stream. Out of these 23 Technical Colleges mentioned 20 Colleges/Institutes come within the purview of the Samiti and 02 Colleges/Institutes do not come within the purview of the Samiti. They are 1) Usha Mittal Institute of Technology, Mumbai and 2) MGM College of Computer Sciences and I.T. There is one College viz. Saraswati Institute of Management and Research (SIMARC, New Mumbai (MB 3151) whose fee is not fixed by the Samiti for the Academic Year 2014-15."



There are replied received from the Colleges/Institutes. What we find is that all these complaints are related to 2014-15 course. The All India Council of Technical Education (AICTE) had granted initially approval and thereafter the Colleges were started. There is not mandate for this Samiti to check the deficiency in the Colleges/Institutes. The jurisdiction is limited one. Later on the AICTE pointed out certain deficiencies and they were not allowed to admit the students for Academic Year 2014-15. This was challenged by them in the Hon'ble High Court at Bombay by filling various writ petitions. The Hon'ble High Court had granted in some cases interim order allowing them to continue with the admissions, subject to clearing the deficiencies. In some cases writ petitions were allowed with the same interim direction. Now it is not clear to the Samiti whether for Academic Year 2015-16 those deficiencies were cleared or not. In fact the clause no. 2.4.1 of norms for approval of fees structure for the Course started during the Academic Year 2014-15 read as under :-

2.4.1 The college shall be allowed usage charges for the building at the rate of Rs. 3,000/- per student per year as per sanctioned intake as the area of building is to be provided as per sanctioned intake. In case the area provided is less than the area required for the sanctioned strength as per AICTE/PCI/COA/UNIVERSITY etc. norm than the amount would be proportionately reduced. There shall not be any separate payment of rent.

It clearly refers to building and not land area. It is not clear from the deficiencies pointed out by AICTE for Academic Year 2014-15 whether there was deficiency in the building area vis - a - vis the sanctioned strength. In addition in many of the orders passed by the Hon'ble High Court in the writ petitions it was observed that the deficiency was minor. We may also observe that while applying the divisor factor we consider the sanctioned strength and not the actual strength. In fact many of the Colleges/Institutes were asking the Samiti to consider actual strength. We have pointed out time and again that fee would go up vary high in that case. Therefore we cannot discriminate and apply only for the usage charges actual strength. In fact K.C. College of Engineering and Management Studies and Research Institute, Thane had approach Hon'ble Supreme Court of India by filling petition (s) for Special Leave to Appeal (Civil) No(s) 19615 of 2013 and there was interim order passed on 4/07/2013. It seems that the matter is still pending. But the College had also approached the Hon'ble High Court by filling Writ Petition No. 4500 of 2013 and there was interim order passed on 9/07/2014 granting relief to the petitioner.

We do not feel necessary to go through the various documents annexed to the reply filed by the said Colleges. Hence it is not possible to grant the prayer of reducing the fee of by 50% in the case of these Colleges.

Item No. 5: To discuss and decide the letter dated 6/4/2015 received from Leelavati Awhad Institute of Technology, Badlapur regarding Citizen Forum for Sanctity in Educational System in furtherance of a Ref. Item No. 4 (i) of minutes 24/2/2015.

The fee of the B. Engineering course for the Academic Year 2013-14 of the Lilavati Awhad Institute of Technology, Badlapur, Thane was approved by the Samiti on 14/10/2013 at Rs. 70,000/-. There was a complaint made to the Directorate of Technical Education, Maharashtra State by the employees. The said complaint came to be sent on

8/7/2014 to the Samiti for taking steps regarding the declaration of fees. On 5/8/2014. The Samiti passed the following resolution at item No. 5(a) :-

"Considered the letter dated 8/07/2014 received from the Director of Higher and Technical Education Department, Maharashtra State, Mumbai. A copy of the said letter to be sent to the Institute i.e. Leelavati Awhad Institute of Technology MS and R and explanation to be called Prima facie we feel that this may not change the approved fee for the Engineering course for 2013-14."

The Copy of the said letter dated 8/7/2014 and the resolution were sent to the College and the reply was called. On 26/08/2014 reply came to be sent. Further resolution was passed by the Samiti in this respect on 17/09/2014 at Item No. 5(ii). It as under :-

"Considered the letter dated 26/08/2014 received from the Institute. The pay sheet only for July 2014 is sent. It is of no use for considering the complaint. Infact we require the pay sheets of all the teaching and non teaching staff during the year 2013-14 (for entire 1 year period). College is directed to send the same within 2 week. Office to communicate."

There was a complaint received from Citizen Forum for Sanctity in Education System, Thane dated 17/11/2014. It come to be placed before the Samiti on 23/12/2014 and the following resolution was passed by the Samiti at Item No. 5(ii) :-

"Considered the letter dated 17/11/2014 in respect of Leelavati Awhad Institute of Technology received from Citizen Forum for Sanctity in Educational System. It has pointed out our resolution dated 17/09/2014 at Item No. 5(ii) which is as under :

Considered the letter dated 26/08/2014 received form the Institute. The pay sheet only for July 2014 is sent. It is of no use for considering the complaint. Infact we require the pay sheets of all the teaching and non teaching staff during the year 2013-14 (For entire 1 year period). College is directed to send the same within 2 week. Office to communicate." It is complained that there is no reply given by the Institute deliberately in order to suppress facts. It is done in spite of said communication. We make it clear to the Institute that if information is not supplied as per the said Item No. 5(ii) then the Samiti shall be constrained to reduce the fee. Therefore the said information to be supplied within a period of 3 week from today as a last chance. If not supplied action shall follow. Office to send this complaint dated 17/11/2014 to the Institute and also for the reply."

The complaint of the Citizen Forum along with the resolution came to be sent to the college seeking its reply on 31/01/2015. Reply came to be sent by the college on 24/02/2015 – At Item No. 4(i) the following resolution was passed by the Samiti on that basis :-

"Considered the reply of the Institute dated 13/01/2015. It is in view of our ealier resolution dated 23/12/2014 at Item No. 5(ii). The Committee feels that it is not sufficient and complete. The office to ask the Institute to remain present in the office of the Committee on 10/03/2015 at 11:00 am along



with originals of 2013-14 and also 2012-13 salary sheets. Our CA Mr. Vasa and Dr. R.V. Shetkar, Asst. Director, Technical Education, (M.S) to check the same. Office to communicate."

The College was called on 10/03/2015 before our Chartered Accountant Mr. L.N. Vasa and Dr. R.B. Shetkar, Asst. Director, Directorate of Technical Education, Maharashtra State to check the reply of the College and documents. The college asked for further time in that respect. The College was again called on 19/03/2015. Again the representative of the College on 19/03/2015 asked for the time to produce the required documents before 31/03/2015 in the office. However, the College has failed. Therefore they made the following report.:-

"Accordingly they were given 19th March 2015 as the last date for producing the documents in original. However on 19th March 2015 the representatives attended and represented but once again they failed to produce the documents as required. They were again given an opportunity to produce the required documents on or before 31st March 2015 to the office to the Shikshan Shulka Samiti, However they failed to produce these documents."

Therefore it is clear that the Samiti had given long rope to the College to produce the required documents. But the college has failed. This requires the Samiti to draw adverse inference against the aforesaid College/Institute. The College is trying to hide the truth from the Samiti. Hence we reduce the fee of the College by 50%. 50 % of the fee recovered to be refunded. Office to take necessary steps.

Due to paucity of time following items to be considered in the next meeting.

Item No. 6: **To discuss and decide an affidavit dated 24/12/2014 received from Citizen Forum for Sanctity in Educational system in respect of their various complaints made (Ref: Item No. 5(a) Minutes dated 21/1/2015).**

And

Item No. 7(i): **To discuss and decide the letter dated 25/3/2015 received from Citizen Forum for Sanctity in Educational system regarding to assist the investigation of legal status of NYSS Airoli to govern Datta Meghe College of Engineering and Shriram Polytechnic Airoli Mumbai (Ref: Item No. 5(i) Minutes 23/12/2014)**

And

Item No. 7(ii): **To discuss and decide the letter dated 25/3/2015 received from Citizen Forum for Sanctity in Educational system requesting to assist the investigation of legal status of NYSS Airoli to govern Datta Meghe College of Engineering and Shriram Polytechnic Airoli Mumbai.**

And



Item No.8: To discuss and decided the letter dated 24/3/2015 received from Under Secretary, Govt. Of Maharashtra - Higher & Technical Dept., Mantralaya, Mumbai along with the letter dated 23/1/2015 submitted by Citizen Forum for Sanctity in Education System regarding fixation of fee structure for the K.C. College of Engineering, Thane (Ref: Item No. 7 Minutes 17/9/2014)

And

Item No. 9: To discuss and decide on the letter dated 13/11/2014 received from Mahesh Malushte Partner SSNM & Associates CA regarding Proposal for fee for Audit of J.J. Magdum College of Engineering, Jaysingpur (Ref Item No. 4(ii) of Minutes 17/10/2014, Item No. 5(iii) of minutes 23/12/2014 and Item No. 7 Minutes 21/1/2015)

And

Item No. 10: To discuss and decide on the letter dated 9/2/2014 received from Bharat Ratna Indira Gandhi College of Engineering, Solapur Complaining of Mr. Vijaykumar L. Nirmal requesting to take strict action against the Dummy colleges those who are cheating by giving false statement. (Ref: Item No. 5(b) of Minutes 21/1/2015).

And

Item No. 11: To discuss and decide the letter dated 5/2/2015 received from Director of Technical Education, Mumbai submitting reply regarding complaint of Andand College of Pharmacy, Pathrdi

And

Item No. 12: To discuss and decide on the letter received from Kamla Nehru Mahavidyalaya, Nagpur regarding fee structure for MCA course also as only for MBA fee is declared for the AY 2014-15 (Ref. Minutes of Meeting dated 12/11/2014)


Item No. 13 : Any other matter with the permission of the chair.

Nil

The next meeting of the Shikshan Shulka Samiti (Higher and Technical Education) would be held on **Thursday the 28th May 2015 at 11.00 a.m.** in the Conference Hall, Office of the Samiti at 305, Government Polytechnic Building, 49, Kherwadi, Ali Yawar Jung Marg, Bandra (E) Mumbai 400 051.

Date:

7-5-15


(P.S. PATANKAR)
CHAIRMAN