



ANDHRA PRADESH HIGHER EDUCATION REGULATORY AND MONITORING COMMISSION

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PROCEEDINGS OF THE ANDHRA PRADESH HIGHER EDUCATION REGULATORY AND MONITORING COMMISSION RELATING TO THE REVIEW AND DETERMINATION OF FEE STRUCTURE FOR B.TECH, B.ARCH AND MARINE ENGINEERING COURSES IN THE PRIVATE UN- AIDED PROFESSIONAL HIGHER EDUCATIONAL INSTITUTIONS IN THE STATE OF ANDHRA PRADESH FOR THE BLOCK PERIOD 2020-21 TO 2022-23

The Commission met on **15.12.2020, 17.12.2020, 18.12.2020 and 19.12.2020** in the Office of the Commission and the meeting was attended by the following Members:

| <u>S.No.</u> | <u>Name</u> | <u>Designation</u> |
|--------------|----------------------------------|---|
| 1. | Justice V.Eswaraiah | Chairperson |
| 2. | Prof. N. Bhargava Rama Mohan Rao | Vice-Chairperson |
| 3. | Dr. N. Rajasekhar Reddy | Member Secretary & CEO |
| 4. | Prof. D.Usha Rani | Member (Academic) |
| 5. | CA Kaliki Vijayulu Reddy | Member (Finance) |
| 6. | Prof. P.Vijaya Prakash | Member (Academic) |
| 7. | Sri. Asutosh Mishra IAS., (Rtd) | Member (Administration) |
| 8. | Dr. Santa Rao | Member (Academic) |
| 9. | Sri A. Samaba Siva Reddy | Member (Nominee, Higher Educational Institutions) |

MINUTES

1. The fee proposals dated 12.11.2020 sent by the Commission relating to B.Tech, B.Arch and Marine Engineering for the block period 2020-21 to 2022-23 have been returned in original by letter No.1282533/EC/2020 dated 11.12.2020 by the Government of A.P., Higher Education (E.C.) Department. The Commission met on 15.12.2020, 17.12.2020, 18.12.2020 and 19.12.2020 re-looked and revised the proposals for onward transmission to the Government for the block period 2020-21 to 2022-23.

2. In view of the matter that the Government has returned the entire fee proposals recommended for the block period from 2020-21 to 2022-23, the Commission re-considered the whole issue keeping in view of the background that for the block period 2019-20 to 2021-22, a notification was issued in September, 2018 and the review of the fee proposals was finalised by the Commission and sent the fee proposals for notification vide resolution dated 17.03.2020 to notify the fee for a period of one (1) year alone under the special circumstances though the notification was issued for three (3) years.

Accordingly, the Government notified the fee for one (1) year vide G.O.Ms.No.15, Higher Education (E.C.) Department dated 24.03.2020 for the academic year 2019-20. Rules existing on the day contemplates for the issuance of three (3) years and therefore certain college managements challenged the action of the Government in notifying the fee vide G.O.Ms.No.15, Higher Education (E.C.) Department dated 24.03.2020 for one (1) year in W.P.No.8266 of 2020 on the file of A.P. High Court. The Hon'ble High Court by order dated 07.05.2020 suspended the said G.O until further orders on the ground that the fee shall be notified for three (3) years but not for one (1) year as per Rule 8(6) of APHERMC Rules, 2019. The applications filed to vacate the stay by the Commission as well as the Government in I.A.Nos.5 and 6 of 2020 in W.P.No.8266 of 2020 were dismissed and the earlier interim order granted on 07.05.2020 are made absolute by order dated 22.05.2020.

Though the said orders are applicable to 23 writ petitioners in the said W.P., the Hon'ble High Court further observed in the order that as far as the other colleges are concerned, the fee structure fixed in G.O.Ms.No.15, Higher Education (E.C.) Department dated 24.03.2020 shall be treated as interim arrangement until further orders are passed. The writ petition is still pending.

The notification was also issued for submitting the fee proposals for the next block period of three (3) years i.e., 2020-21 to 2022-23. The



said notification was also questioned by some of the colleges in W.P.No.13541 of 2020 but however all the colleges including the petitioner-colleges have participated in the process of fee determination for the block period 2020-21 to 2022-23.

3. The views of the Government have been carefully considered by the Commission keeping in view of the total scenario of current Covid-19 pandemic situation of 2020, the 1st academic calendar of 2020-21 is yet to commence, the admission process for the 1st year is not yet began even after lapse of six (6) months and the colleges are not functioning physically from March, 2020 till date, there will be a minimal expenditure incurred for the year 2019-20, 2020-21 by the college managements. In addition to the facts mentioned, the pandemic of Covid-19 in all regions of the State which restricted the movement of the citizens and also led to the complete closure of all economic activities resulting in deepening the financial crisis of the State. Simultaneously, all the colleges were closed down thereby resulted in reduction of daily operational, maintenance and other costs.
4. In view of the facts and circumstances, the Government issued G.O.Ms.No.57, School Education (PS) Department dated 30.10.2020 in respect of Private Un-Aided Schools/Junior Colleges on the recommendation of the A.P. School Education Regulatory and Monitoring Commission and after ascertaining views of other Departments, to impose a reduction of 30% of the tuition fee for the academic year 2020-21 and shall collect 70% of the tuition fee from the parents' equivalent to which they collected during last academic year i.e., 2019-20.
5. Keeping in view of the facts and circumstances, the Government has taken various measures to reduce financial burden on the students/parents. In view of the facts that the Governments have been taking remedial economic measures in support of stakeholders, the Government of A.P is of the opinion that the Commission may consider



to re-look into the fee proposals and send the revised fee proposals to the Government.

6. The Commission considered the fee proposals of the colleges to review and determine the fee structure for the block period 2020-21 to 2022-23 taking into consideration various aspects, records submitted by colleges and also compared the expenditure incurred for the academic year 2019-20, for this block period 2020-21 to 2022-23 and noticed that there is not much change in the expenditure as the facts mentioned above. The financial aspects also have been verified by the appointed Chartered Accountants and the expenditure relating to imparting education alone are taken into account while disallowing various allowances which are not relating to imparting education.
7. The college managements have been given reasonable opportunity of personal hearing and after hearing the colleges, the Commission has arrived the fee structure keeping in view of the provisions of the Act, Rules, Regulations and the Andhra Pradesh Educational Institutions (Regulation of Admissions and Prohibition of Capitation Fee) Act, 1983 (Act No. 5 of 1983), according to which the capitation fee is prohibited and the colleges cannot make any profit but it should be run as a Non-Profit Organisation.
8. As per the Admission Rules issued vide G.O.Ms.No.74 Higher Education (EC.2) Department, dated 28.07.2011 and G.O.Ms.No.75 Higher Education (EC) Department dated 28.07.2011, and amended subsequently 70% of the seats are under convenor quota and 30% of the seats are under management quota. Out of these management quota seats of 30%, up to 15% seats can be filled with NRI's. In respect of NRI quota, those institutions who desires to admit/admitted the students for Engineering Courses, the fee can be charged up to \$5,000 (US dollars) per student per annum as per G.O.Ms.No.43, Higher Education (EC) Department dated 25.06.2016. The fee collected from the students admitted under the NRI quota shall be credited to separate



bank account and the same will be used only for the benefits of the students belonging to economically weaker sections and/or for increasing infrastructure facilities. The institution shall also furnish all the information pertaining to utilization of the excess fee collected for the seats meant for management quota and from NRI category students in the information memorandum which may be submitted along with fee proposals for the next block period of 3 years.

9. The Commission after considering various aspects, evaluation of inspection reports, worksheets, audited accounts and resolved to recommend the fee structure as given **ANNEXURE-I (B.Tech)**, **ANNEXURE-II (B.Arch)** and **ANNEXURE-III (Marine Engineering)** for the block period 2020-21 to 2022-23 for the purpose of notifying under Section 7 of Andhra Pradesh Educational Institutions (Regulation of Admissions and Prohibition of Capitation Fee) Act, 1983 (Act No. 5 of 1983).
10. The fee is not fixed for the institutions listed in **ANNEXURE-IV (B.Tech)** as the Affiliating Universities inspected the said institutions who applied for affiliation for the academic year 2020-21 and after inspection and scrutiny, the Executive Council of the Affiliating Universities i.e, JNTUK, JNTUA have recommended for zero admission for the academic year 2020-21. The Commission also considered the fee proposal of the said institutions and based on the inspection reports conducted by the Commission and on the scrutiny of the records, the admissions are meager and the fee arrived is also meager and hence the said colleges are not viable to provide quality education. The said colleges have also not properly furnished the information as per the guidelines prescribed by the APHERMC Regulations, 2020 and the financial data furnished is not accurate and therefore the Commission has not considered for determining the fee for the academic year 2020-21 to the said colleges.

11. The Colleges mentioned in **ANNEXURE-V** has not applied for the affiliation to the concerned university (JNTUA) and no admissions were made during the academic year 2019-20 and the calculation of the fee is negligible in view of the zero admissions for the year 2019-20, the fee is not fixed by the Commission.
12. The said fee structure may be considered and notified by the Government under section 7 of Andhra Pradesh Educational Institutions (Regulation of Admissions and Prohibition of Capitation Fee) Act, 1983 (Act No. 5 of 1983) for the Academic years 2020-21 to 2022-23 subject to the following directions:
- a. The fee is an all-inclusive annual fee, including like tuition fee, affiliation fee, cost of identity card, medical fee, inter college/inter university sports, games & cultural meet fee, computer/internet fee, College magazine and student activities, student health care scheme, student welfare fund, study tour, alumni fund, sports and games fee, examination fee including stationery, maintenance and amenities fee, extracurricular activities fee, development fee, Recognition fee, Common Services fee and other recurring expenditure.
 - b. The aforesaid fee determined for all the engineering courses for the colleges mentioned in **ANNEXURE-I (B.Tech), ANNEXURE-II (B.Arch) and ANNEXURE-III (Marine Engineering)**, for the Convener Quota does not include hostel, transport, mess charges, Registration fee, admission fee and refundable deposits of library and laboratory fee.
 - c. The institutions are at liberty to collect higher fee for the management quota upto two times of the fee fixed as notified for the convener quota. The additional amount collected shall be utilized for the development of the college, infrastructure and instructional facilities.
 - d. The minimum fee mentioned in **ANNEXURE-I (B.Tech), ANNEXURE-II (B.Arch) and ANNEXURE-III (Marine**



Engineering), shall be applicable for the new Courses/Colleges sanctioned during the block period 2020-21 to 2022-23.

- e. The same fee shall continue for the students admitted during the block period of 2020-21 to 2022-23 till they complete the course.
- f. The institutions whose affiliations are not extended by the affiliating Universities for the academic year 2020-21 are not entitled to collect any fee.
- g. The institution shall not charge either directly or indirectly any other amount over and above the fee fixed in the **ANNEXURE-I (B.Tech), ANNEXURE-II (B.Arch) and ANNEXURE-III (Marine Engineering)**. If any other amount is charged under any other head or guise i.e., donations, the same would amount to charging of capitation fee and in that case the institution shall be liable to be prosecuted under Section 9 of Andhra Pradesh Educational Institutions (Regulation of Admissions and Prohibition of Capitation Fee) Act, 1983 (Act No. 5 of 1983) apart from imposing appropriate penalty under the APHERMC Act, 2019 and the APHERMC Rules, 2019.
- h. In case of any deviation from these directions, the Commission will initiate serious penal action as per the provisions of the Act and Rules made there under.

Justice V.Eswaraiah
Chairperson

Prof. N. Bhargava Rama Mohan Rao
Vice-Chairperson

Dr. N.Rajasekhar Reddy
Member Secretary & CEO

Shri. Asutosh Mishra IAS.,(Rtd)
Member (Administration)

Shri. Kaliki Vijayulu Reddy
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Prof D.Usha Rani
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Dr. G.Santa Rao
Member (Academic)

Prof. P.Vijaya Prakash
Member (Academic)

Shri. A. Sambasiva Reddy
Member Nominee from
Higher Educational Institutions

Attested

W. Reddy.

MEMBER SECRETARY & CEO
A.P. HIGHER EDUCATION
REGULATORY AND MONITORING COMMISSION