

U.P. Private Technical Educational Institutions (Regulation of Admission and Fixation of Fee) Regulations, 2015

UTTAR PRADESH

India

U.P. Private Technical Educational Institutions (Regulation of Admission and Fixation of Fee) Regulations, 2015

Rule

U-P-PRIVATE-TECHNICAL-EDUCATIONAL-INSTITUTIONS-REGULATION of 2015

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U.P. Private Technical Educational Institutions (Regulation of Admission and Fixation of Fee) Regulations, 2015 Published vide Notification No. 4781/16-1-14(34)-2014, dated December 22, 2015, published in the U.P. Gazette, Extraordinary, Part 4, Section (Ka), dated 22 December, 2015, pp. 5-8 No. 4781/16-1-14(34)-2014, dated December 22, 2015, published in the U.P. Gazette, Extraordinary, Part 4, Section (Ka), dated 22 December, 2015, pp. 5-8. - In exercise of the powers under- section 14 of the Uttar Pradesh. Private Technical Educational Institutions (Regulation of Admission and Fixation of Fee) Act-2006, (U.P. Act no. 24 of 2006) the Governor is pleased to make the following regulations:-

1. Short title and commencement.

(1) These regulations may be called as the Uttar Pradesh Private Technical Educational Institutions (Regulation of Admission and Fixation of Fee) Regulations, 2015. (2) They shall come into force with effect from the date of their publication in the Gazette.

2. Definition.

- In these regulations, unless there is anything repugnant in the subject or Definition context-(a)"Act" means the Uttar Pradesh Private Technical Educational Institutions (Regulation of Admission and Fixation of Fee) Act, 2006;(b)"Board" means the Uttar Pradesh Pravidhik Shiksha

Parishad;(c)"Chairman" means the Chairman of the Committee for admission and fee regulation constituted under sub-section (1) of the section 4 of the Act;(d)"Government" means the State Government of Uttar Pradesh;(e)"Institution" means an aided institution or private institution affiliated to the University or the Board.(f)"Rules" means the Uttar Pradesh Private Professional Educational Institutions (Regulation of Admission and Fixation of Fee) (Constitution of Committee) Rules, 2008;(g)"University" means Dr APJ Abdul Kalam Technical University, Uttar Pradesh

3. Constitution of Committee.

- The Committee shall consist of :#Constitution of

(1) The Principal Secretary/Secretary Technical Education	Member
(2) The Secretary/Special Secretary Finance	Member
(3) The Registrar of the University (for degree-level courses)/The Director Technical Education (for diploma level courses)	Member

4. Manner/criterion of determination of fee [Section 14 (2) (b)].

- The Committee may fix Standard Fee including tuition fee and development charges, for such institutions as are following the norms, guidelines and standards prescribed by the All India Council for Technical Education/Pharmacy Council of India/Council of Architecture etc.(2)The Chairman of the Committee may constitute a sub-committee to assist it in the fixation of Standard Fee. The sub-committee shall consist not more than six members including the Chairperson of the sub-committee.(3)If any institution referred to in sub-regulation (1) requests to the committee to fix a fee higher than the Standard Fee because it is an institute of excellence offering specific, useful and job oriented courses or is purchasing latest equipments for specific course for student welfare, of for any other reason, then the interest of growth of technical education and its quality, the Committee shall consider the institution's request for higher fee. Further, also if an institution requests to fix a fee lower than the Standard Fee because it is an institution of charitable nature or it is also involved in philanthropic work or for any other reason, the Committee shall consider the institution's request for lower fee. The Committee shall give the institution an opportunity of being heard before fixing its final fee.(4)The Committee shall fix the fee having regards to the following :-(i)Expenses on Depreciation. - Straight line method shall be applied and the revised rates mentioned in the Companies Act, 1956 will be taken into account.(ii)Expenditure on Advertisement. - Maximum 1% of the total expenses of the institutions on advertisement required for new courses and college related activities through newspapers, hoardings, magazines etc. will be allowed.(iii)Expenditure on Development. - Maximum of 10% development charges will be allowed.(iv)Expenditure due to inflation. - The basis of the average of, the rates of Consumer Price Index of last three years will be considered for calculating the average rate applicable for next three years, for the purposes of allowing inflation on expenses.(v)Expenditure on Salary. - The expenses on salary of teaching and non-teaching staff supported by Tax Deducted at Source certificates, Form-16, appointment letters and other proofs of payment of salary shall be considered.(vi)Expenditure on interest. - If the Institution has taken loan from any nationalized bank for infrastructure and other fixed capital assets, and the interest on above loan is paid by the institution, then 25% of the interest paid or Rs.

3,000 for degree courses /Rs 1000 for diploma courses, per sanctioned number of students, whichever is less, shall be considered as expenses; Provided that the interest paid on the loan taken for hostel and other works, for which the institution is charging money from the students shall not be considered. (vii) Direct recurring expenses. - The expenses on purchasing periodicals, journals and lab consumables will be considered as recurring expenses but expenditure on books will be considered as capital expenses. (viii) Total expenses per student. - The expenses of an institution shall be determined by considering different types of expenses and dividing it by the number of seats sanctioned by All India Council for Technical Education. (ix) Expenditure on electricity. - The expenses on electricity utilized in an administrative building and in laboratories for operating equipments excluding the expenses on electricity utilized in hostel, staff quarters and mess will be considered.

5. Application for fixing fee higher than standard fee.

- The institute as mentioned in sub-regulation (3) of regulation 4 shall submit the application to the Committee upto 30th October, accompanied by following documents - (i) The authorization; permission letter issued by the all India body controlling and regulating the technical studies such as the All India Council for Technical Education/Pharmacy Council of India/Council of Architecture. (ii) Documents regarding registration of the Society and its renewal. (iii) A copy of Project Report for starting the technical educational institution. (iv) The physical infrastructure facilities available for the institution, its title, ownership, the building, stating the number of classrooms, the administrative block, rooms available for library, reading, hostel and mess, playgrounds, laboratory, general utilities, together with the site plan. (v) Library Facilities. - Number of books, journals and periodicals etc., subject wise, faculty wise and for general reading. (vi) Reading room Facilities. - Number of daily, weekly, monthly magazines, periodicals, technical magazines and literature subscribed in institution along with e-journals. (vii) Laboratory Facilities. - Information regarding equipments and instruments available in the laboratory. (viii) The audited balance-sheet of last three years prior to the year for which the Institution has submitted application. (ix) Tie-up, if any, with a State enterprise, public/corporate body engaged in production of items relevant to the education provided by the institution. (x) Financial status - (a) proposed annual budget for the institution for the year, (b) amount required for annual maintenance of infrastructure, (c) amount required for development and up-gradation of laboratories, (d) fixed and current deposits in the name of the institution, along with the name of financial institutions/banks, (e) loans, if any, from a bank or any other financial institution, indicating the terms and interest payable thereon, (f) balance-Sheet and income and expenditure account of the institutions from the date of inception, duly authenticated by a Chartered Accountant, along with details of expenses on salary of teaching and non-teaching staff supported by Tax Deducted at Source certificates, Form-16, appointment letters and other proofs of payment of salary, (xi) the power point presentation of the institution showing pictures of existing infrastructure and faculty, (xii) detailed note with justification, why the institute wishes to have Fee higher than the Standard Fee.

6. Processing fee.

- The technical institution will deposit, along with the application, a processing fee of Rs. 30,000 for degree level institutions and Rs. 5,000/- for diploma level institutions, in favor of the Committee. The procedure for Utilisation of the processing fee so deposited shall be laid down by the State Government separately.

7.

The fee decided by the Committee shall be applicable to the students being 'admitted in the first year till the completion of their course. The fee so fixed shall include all types of fee except hostel fee, University/Board Examination fee and caution money. The Fee, as decided by the Committee shall be considered as tuition fee.

8. Inspection of institutes.

- For inspection of institutes which apply under sub-regulation (3) of regulation 4 for verification of the facts presented in their application, the Chairman shall constitute an inspection team which will include a representative nominated by the Government, an educationist, a Chartered Accountant nominated by the Chairman and an officer (not below the rank of Sub-Divisional Officer) nominated by the District Magistrate of the concerned district. The inspection team will verify the facts, figures/documents mentioned in the proposal and shall assess them with reference to the established norms it required. If any irregularity is found by the inspection team, the institution/society may be asked to submit its representation in the matter and the Committee, after considering the same, shall decide the issue of fee fixation, and shall also recommend to the, statutory authority for penal action against such society/Trust/institution, if required.

9.

A panel of 10 Chartered Accountants firms will be nominated by the State government for the assessment and verification of records submitted by the institutions. The Chairman will allot the above mentioned works for fixing the fee of a specific institution to a Chartered Accountant selected from the above panel. The Chairman will seek assistance from such Chartered Accountants for fixing Standard Fee.

10.

No capitation fee, other than the fee fixed by the Committee, shall be charged or collected from the students by any institution.

11. Penalties.

- The Committee, if satisfied that any aided or unaided technical educational institution has violated any of the provisions of the Act or these regulations or relevant Go' eminent orders or is charging more fee than the fee fixed by the Committee or the institution is not providing educational facilities according to the norms of All India Council for Technical Education shall make a recommendation to the appropriate statutory body/State Government to impose any or all of the following penalties against the institution :-(1)fine,(2)closure of any course or reducing the intake of a course,(3)withdrawal of the affiliation or recognition of the institution,(4)any other penalty laid down by the Committee.

12.

The Fee Fixation Orders issued by the Committee shall be sent to the institute by registered post and details of fee will also be available for public on the authorised website of the Committee. It shall be mandatory for the institute to display the details of the fee on its own institutional website, within a week of the receipt of the Committee's order fixing its fee.