

**Before Dr. S.P. Katyal, Member, H. P. Private Educational
Institutions Regulatory Commission, Shimla -171009.**

Case No: 10/2018

Date of Institution: 02/05/2018

Date of Decision: 16.10.2018

In the matter of:

Sanjeet Bashlwan & others.

.....complainant.

Vs.

*Sarvapalli Radha Krishnan Institute for Teacher Education, Rampur
Bushahr.*

.....Respondent.

Present: Both the parties.

ORDERS

In response to complaint received by Himachal Pradesh Private Educational Institutions Regulatory Commission, Shimla, Dated 09/03/2018 from Sanjeet Bashlwan & others, students of respondent college against Sarvapalli Radha Krishnan Insitute for Teacher Education, Rampur Bushahr, regarding refund of extra fee charged, Commission sent a letter to respondent College dated 12/03/2018 and directed the respondent College to resolve this matter within stipulated time period of 15 days. In response to above said letter the college submitted its reply on dated 26/03/2018 and the reply was found unsatisfactory. Hence, the Commission directed both the parties to appear in person along with relevant records and the hearing was fixed for 02.05.2018.

On 02.05.2018 Sh. Sanjeet Kumar appeared in person before the Commission and submitted that college has charged extra fee from him and other students but failed to produce any document in support of his

submissions and he was asked to produce all relevant documents on the next date of hearing i.e. 06/06/2018.

Whereas, Sh. Navin Kumar Mokta, Principal of the respondent college appeared in person before the Commission and stated that college has charged fee according to the notifications issued by the Himachal Pradesh University. However he was not having the notification with him and was asked to produce notifications on the basis of which they have charged fee on the next date of hearing which was fixed for 17/05/2018. Hearing was postponed for 06/06/2018.

On 06/06/2018, Commission received an email from respondent who requested his exemption in the appearance and request was accepted. Whereas Sh. Sanjeet Kumar, Sh. Suresh Kumar and Sh. Vikrant appeared in person before the Commission and submitted fee receipts and they were asked to produce fee receipts of all the complainants on the next date of hearing which was fixed for 04/07/2018.

On 04/07/2018 both the parties were present in the hearing, Sh. Manoj Thapar and Sh. Deepak, Clerk appeared in person before the Commission on behalf of the respondent college and submitted notifications issued by HPU regarding fee vide Notification No. File No. 1-533/2011HPU(A) dated 21/11/2011, NotificationNo.1-533/2015-HPU (Acad.) dated 20/09/2016 and a copy of letter dated 18/10/2017 regarding levy charges issued by Chairperson, Department of Education , HPU, Shimla, and copy of order of Hon'ble High Court of Himachal Pradesh CWP No. 1167 of 2017 & CWP No. 4132 of 2017 which were taken on record.

Whereas, Sh. Vikrant, Anjana Sharma and Sh Nanak Chand appeared in person on behalf of the Complainant. After listening to the submissions made by both parties and considered the documents submitted certain points for consideration are as under:-

The point for consideration was whether the fee charged by the Sarpalli Radha Krishnan Institute for Teacher Education is more than the fee decided by the State Govt. for B. Ed. course for the session 2015-17 vide /notification/ No. EDN-A-Chha (7)-26/2009- dated 16/012/2016 i.e. Rs. 52,790/- (Rs. Fifty Two Thousand Seven Hundred and Ninety) only.

The College as per the receipts produced by students charged different fee from different students. Some paid more than that of the decided fee and some paid less than that of the decided fee.

Further the Court Case in CWP 1167/2017 in the matter B.Ed. College Association V/s State of Himachal Pradesh and others on fee issue is also pending before the Hon'ble High Court of Himachal Pradesh.

It appears from documents produced before the Commission that the fee from B.Ed. students for the session 2015-17 was not charged uniformly

Therefore it is decided that depending upon the decision of Hon'ble High Court, those students who have paid fee more than that of the decided fee by fee fixation Committee of the Govt. of Himachal Pradesh will be reimbursed that difference by the Sarvpalli Radha Krishnan Institute of Teachers Education, Nogli (Balna) Rampur Bushahr, Distt. Shimla and those students who have paid less fee than that of the decided fee will pay the balance fee to the Institute.

Copies of the order be supplied to party, in case specifically requested.

Orders be uploaded on the website of the Commission.

File after decision, be consigned to Record Room.

Announced

Sd /-
(Dr. S.P. Katyal)
Member