

**BEFORE HIMACHAL PRADESH PRIVATE EDUCATIONAL INSTITUTIONS
REGULATORY COMMISSION AT SHIMLA**

Case No: 6/2012

Date of institution; 1.9.2012

Date of decision: 10.04.2013

H.P. Private Educational Institutions

... On its own motion

Versus

Bells Institute of Management and Tech, Knowledge City Mehli, district Shimla
(HP).

... Respondent

Present: Shri Hem Lal Ghrera, Registrar of respondent institute.

ORDER

The directions under Rule 5(1-A) of H.P. Private Educational Institutions Regulatory Commission Rules, 2011 were issued to the Principle, Bells Institute of Management and Technology, Knowledge city, Mehli for the following shortcomings noticed by an inspection committee during its visit to the Institute on 7-8th August, 2012:

- a. Shortage of faculty
- b. Charging of fee not otherwise approved
- c. Running of Diploma in Mech. & Civil Engg. Sanctioned under 2nd shift by the AICTE without adequate faculty and infrastructure
- d. Lack of infrastructure requisite journals for running Civil and Mechanical Labs.

The respondent was given opportunity to comply with the directions issued by the HPPEREC and the case was fixed for hearing on 8.10.2012. On 8.10.2012 Shri Ghrera, Registrar appeared in person. He stated that the notice sent by the Commission was received quite late and he could not prepare reply in the matter and steps could not be taken for compliance of the notice. He prayed that further time be given to the Institute for submission of reply and reporting

compliance in the matter. Prayer made by Shri Ghrera was accepted. The institute was granted time to submit reply to the notice duly supported by documents by 12.10.2012. However, next date for compliance in the matter was fixed for 18.10.2012. On 18.10.2012 Shri Hem Lal Ghrera, Registrar Bells Institute of Management & Tech. Group of Institute appeared in person. He submitted reply to the notice issued by the Commission. However the documents in support of the reply could not be furnished by the Institute, as such further time was sought by the Institute for furnishing complete documents. The prayer made by Shri Ghrera was accepted. The matter was accordingly adjourned for 30.10.2012. On 30.10.2012 Shri Ghrera Registrar Bills Institute of Management & Tech. Group of Institute appeared in person. He submitted department wise list of faculty alongwith copies of appointment letters. He also submitted a copy of letter dated 20.10.2012 whereby the matter for approval of fee structure in the case of BBA & BCA students was taken up by the Institute with the HP University. He also submitted downloaded copy of schedule of fee being charged by HP Takniki Shiksha Board Dharamshala. The documents submitted by the Institute were examined. Shri Ghrera was directed to submit the course wise details of faculties as on the date of inspection and appointed thereafter alongwith their appointments letters, as such the documents showing incomplete information were returned to Shri Ghrera. Moreover letter dated 20.10.2012 written by the Institute to the HPU was not found satisfactory as the Institute could not produce any document supporting the fee being charged by the Institute from students. The original vouchers in support of expenditure being incurred by the Institute were also shown. In reply to the observations made by the Commission viz. "The leaflet issued by the institute regarding courses offered contains information like *fees once paid are not refundable. Fees paid by the non-eligible students is not refundable etc*", Shri Ghrera stated that fee refund has been made and in future also the same will be made to all the eligible candidates as per instructions of the affiliating body. After examination of entire documents submitted, Shri Ghrera was directed to submit the following information.

- (a) Details of faculties (course wise) as on the date of inspection and faculty appointed thereafter alongwith their appointment letters and qualifications.
- (b) Details and number of students undergoing BBA and BCA courses from whom Rs. 4000/- and Rs. 3500/- has been charged and supporting documents with regard to deposit of such amount with the H.P. Takniki Shiksha Board and H.P. University, as the case may be.

The next date in this case was fixed for 5.11.2012 for compliance and this being the last opportunity. On 5.11.2012 Shri Ghrera Registrar Bells Institute of Management & Tech. Group of Institute appeared in person. He stated that the inspection team from H.P. University is visiting the Institute and requested for another date. He also handed over the request letter in this context. Prayer of Shri Gharera was allowed. The case was adjourned and fixed for 6.11.2012. On 6.11.2012 Shri Hem Lal Ghrera Registrar Bells Institute of Management & Technology Group of Institute appeared in person. He submitted set of documents with regard to details of faculties and the fee deposited by them with the HPU in the case of BBA and BCA courses and further stated that the fee being charged by the Institute has not yet been approved by the HP University despite of several references. I heard Shri Ghrera at length and the documents submitted by him were taken on record for detailed examination. The decision in the case was reserved and to be pronounced after examination of entire documents furnished by the Institute.

After hearing the representative of the Bells Institute at length and examination of the documents submitted by the institute, the following position emerged:

a. Shortage of faculty

The inspection committee reported the deficiency of faculty vis a vis AICTE norms.

The other points linked to this were:

- I. that the faculty were not qualified.
- II. that proper appointment orders were not being issued by the institute nor faculty covered under the E.P.F. Scheme.

III. that the institute has no regular principal to run the institute's affairs.

During the course of hearing, the representatives of the Institute averred that the existing strength of the students is much less than the approved in-take. The faculty have been recruited keeping in view the requirement as per existing students strength. Further the institute is in the process of appointing the faculty and that the shortages have been made good as per detail given hereunder:

Sr. No.	Department	Faculty required on existing Strength	Faculty available
1	ECE-Deptt.	4	4
2	ME-Deptt.	9	7
3	CE-Deptt.	10	7
4	CSE-Deptt.	3	9
5	EEE-Deptt.	1	2
6	Applied Sciences	11	10
7	Management	12	27

The representative of the institute produced the copies of their appointment orders including that of the Principal. It was also assured that the steps are afoot to cover the staff under E.P.F. scheme.

The plea of the institute that the faculty strength be worked out on existing student strength is not tenable. I hold that the faculty strength should be worked on the basis of sanctioned strength. The institute is directed to meet out the norms of faculty based on sanctioned intake. This decision is also required to be communicated to all private engineering institutes operating in the State. Besides, the faculty in position, in the institutes as reported be verified by carrying out surprise inspection of the institute.

b. Charging of fee not otherwise approved.

The amount of Rs. 4000/- per student charged from BBA & BCA students as "University and other fees" was not approved by the competent authority.

The representative of the institute was asked to submit proof of approval but they could not submit the same.

The fee of Rs. 4000/- and Rs. 3500/- per student collected by the institute from BBA & BCA students respectively is ordered to be refunded to the students concerned. Further, the institute is directed not to charge any fee which is not approved by the competent authority.

c. Running of Diploma in Mech. & Civil Engg. sanctioned under 2nd shift by the AICTE without adequate faculty and infrastructure.

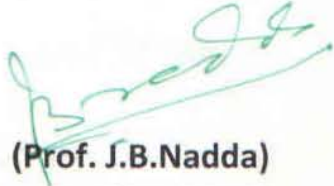
The AICTE has approved diploma in Mech. & Civil Engg. under 2nd shift by the AICTE without adequate faculty and infrastructure. Running of these courses with other courses and not recruiting additional faculty for running the course is violation of approval accorded by the AICTE.

I hold that it is violation of AICTE norms. Therefore, the AICTE be informed in this regard for taking appropriate action.

d. Lack of infrastructure in terms of equipments, requisite journals for running Civil and Mechanical Labs.

The institute be directed to make good the deficiencies relating to equipments and journals within a months period and report compliance

Announced


(Prof. J.B.Nadda)
Member (HP-PERC)