



# ASSOCIATION OF THE MANAGEMENTS OF POLYTECHNICS

(Reg. No. MH / 75 / 2005 / Nashik, dtd. 24-2-2005)

C/o. K. K. Wagh Education Society, Hirabai Haridas Vidyanagari, Amrut Dham, Panchavati,  
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Ref: Poly. Asso. /CO/ 834 /2014

Date: 29/10/2014

To,  
Hon. Secretary,  
Higher & Technical Education Department,  
Government of Maharashtra  
Mantralaya, Annex Building,  
Mumbai-400 032

**Sub.: Fee Reimbursement to the Reserved Category students admitted during the Academic Year 2014-2015 in the colleges /courses started from the Academic Year 2014-2015.**

Ref.: 1) Government Resolution No. Approval-2014/Proposal-52/Tech. Edu.-5 dtd. 25/07/2014.  
2) Government Resolution No. Approval-2014/(Proposal-77/2014)/Tech. Edu.-5 dtd. 07/08/2014.

Respected Sir,

Please find enclosed herewith the copies of above referred Government Resolutions of Higher & Technical Education Department (**Annexure- I & II**).

In the above referred Government Resolutions (Clause No.14) it was stated that **'Fee Reimbursement facility will not be applicable to the Reserved Category students admitted in the newly established Institutions or newly started courses in the existing institutions in the academic year 2014-2015'**.

On behalf of The Association of the Managements of Polytechnics, I would like to state the following-

1. AICTE has published an advertisement [No.AB/01(01)/2014] inviting proposals for establishment of New Institute, for existing institutions, Increase in the intake capacity, variation in intake etc. (**Annexure-III**).
2. AICTE has published the detailed Approval Hand Book for 2013-14 on the Official Website [www.aicte-india.org](http://www.aicte-india.org). and the same shall be adopted for 2014-15.
3. Accordingly, DTE has also issued letter (No.10/NGP/Diploma/2014-15/165, dtd.24/02/2014) on their website stating that as per AICTE's notification, aspiring institutions shall submit online application form on DTE's website. In this letter, DTE has no where mentioned or informed to the Trust / Institutions regarding **Non-applicability of Fee Reimbursement facility to the Reserved Category Students (Annexure-IV)**.
4. Various Member Polytechnics / Institutes have submitted their application for establishment of New Institute, Additional courses in the existing institutions, Increase in the intake capacity etc. with prescribed fees with all required documents to AICTE and copy of the proposal submitted to State Government and concerned Affiliating Body.
5. As per DTE's letter (No.10/NGP/Diploma/2014-15/165, dtd.24/02/2014) the applicant Polytechnics / Institutes have submitted the application with required fees to the DTE (**Annexure-IV**).
6. For starting of new institution, DTE has constituted a State Level Committee for inspection of infrastructure facility established for starting of new institute and committee has submitted report to DTE.
7. In case of additional course in the existing institute / variation in the intake capacity etc, DTE has given hearing to verify the original documents in person.

Patel  
30/10  
लिपिक

दृष्ट व तत्र शिक्षण विभाग  
मंत्रालय विस्तार भवन  
मुंबई ४०००३३

8. During Inspection / hearing, there was no written intimation / communication to the applicants regarding **Non-applicability of Fee Reimbursement facility to the Reserved Category Students.**
9. AICTE has granted permission to those institutes who fulfill the norms of AICTE for establishment of New Institute, Additional courses in the existing Polytechnics / Institutions in first & second shift, Increase in the intake capacity etc. from the Academic Year 2014-15.
10. As per above referred Government Resolutions Clause No.14, we are shocked to note the contents mentioned in the Government Resolution as mentioned below.

In the above referred Government Resolution Clause No. 14, the State Government has objected that-

- The Polytechnics / Institutes have not submitted applications to AICTE through DTE/State Government.
- The application of Institutes which are not positively recommended by State Government but AICTE has granted permission to the Institutes.

Therefore, the reserved category students admitted in those above Polytechnics / Institutes will not get Fee Reimbursement facility.

The AICTE being Apex Body; in process of granting approvals to the Technical Institutes, there is no necessity / requirement to route applications through the State Government or obtain No Objection of State Government.

11. We want to bring to your kind notice that DTE has not communicated to applicants about any negative recommendations after the Inspection / hearings. In the absence of the above, it is presumed that whenever AICTE grants permission, those Polytechnics / Institutes are recommended by State Government.
12. DTE has sent following circulars to a) newly permitted institutes & b) to the institutes who has received permission introduction of new courses/ variation of intake capacity in the existing Polytechnics regarding submission of undertakings/ affidavits in the prescribed format as per the circular.

1. DTE's Letter No.10/NGP/Fixed Deposits/2014/Increase of Intake/701 dtd.25/7/2014 (**Annexure-V**)
2. DTE's Letter No.10/NGP/Fixed Deposits/2014/New Institute/702 dtd.25/7/2014 (**Annexure-VI**)
3. DTE's Letter No.10/NGP/Fixed Deposits/2014/Increase of Intake/782 dtd.11/8/2014 (**Annexure-VII**)
4. DTE's Letter No.10/NGP/Fixed Deposits/2014/New Institute/783 dtd.11/8/2014 (**Annexure-VIII**)

The DTE has forced to the Polytechnics / Institutes to submit Undertaking / Affidavit in the Prescribed Format –A, B & C stating the following points.

1. Our institute /Course are not recommended by State Government.
2. Asked the Polytechnics– To intimate the Backward Class students that they will not get the fee reimbursement facility.

In this connection we want to submit the following points.

- i. DTE has forced the institutes to submit the undertaking/affidavit.
- ii. Polytechnics has submitted the undertaking/affidavit without consent of reserved category students / aspiring students.
- iii. The fee reimbursements is for the students, not for the Polytechnics.

13. Taking into consideration of above facts & figures, the Institutes have submitted the undertakings / affidavits without their willingness. As per DTE's Letter No. 10/Affidavits/undertakings are submitted as per DTE's compulsion. This is against the interest of students. Our Members do not have any right to submit this affidavit without the written / prior consent of the students / aspiring students.
14. As per Social Welfare Department letter No. Sankirna 2014/S.No.371/Education-1 dtd 15/07/2014 & Tribal Development Department No. Yachika- 2014/proposal-121/Ka-12 dtd.16/07/2014; the Central Government is giving funds to the Maharashtra State towards reimbursement of scholarship to the eligible reserved category students. On behalf of this Association, we respectfully submit that, without consent of the Central Government, the State Government has taken the decision; that not to give the facility of fee reimbursement to the students admitted in the Institutes /Courses started from the Academic Year 2014-15. This is injustice to the reserved category students. (**Annexure-IX**)
15. As per constitutional reservation, we want to keep 50% seats for reserved category candidates. **Therefore, fee reimbursement facility to those Reserved Category Students should be made available.** If, the reimbursement facility is not available to the newly started Polytechnics / Courses; there will be disparities amongst the new and old students of the same institute; as well as in the new Polytechnics and old Polytechnics / Institutes which are against the principle of Social Justice.
16. Taking into account the earlier Government Resolutions; the fee reimbursement scheme is applicable to the candidates admitted through CAP conducted by State Government (**Refer Annexure X & XI**)
17. The State Government has brought in force its policy decision at a belated stage after the entire approval process is over.
18. Hon'ble Bombay High Court has given the decision in Writ Petition No. 5190/2013 (dated 09/09/2014 & 15/09/2014) for the Students admitted in the institute / courses started in the academic year 2013-14 as detailed below.

**Hon'ble Bombay High Court Order dated 09<sup>th</sup> September 2014 (Refer Annexure-XII)**

- a) The Government Resolution Nos. 74/2013 and 81 of 2013, dated 9<sup>th</sup> May 2013 and 15<sup>th</sup> May 2013 and all other consequential directions/orders are not applicable to the Petitioners/institutes/colleges approved by AICTE, for academic year 2013-14.
- b) Petitioners/institutes/colleges are entitled for fee-reimbursement, and all other related benefits continuously, based upon the earlier Government circulars/policies prior to 9<sup>th</sup> May 2013/15<sup>th</sup> May 2013, as per the State scheme.
- c) Interim orders of granting General Code on the DTE website is confirmed. The Petitioners and the Respondents are permitted to announce accordingly.
- d) Rule made absolute in above terms only.
- e) There shall be no order as to costs.

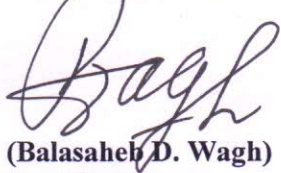
**Hon'ble Bombay High Court Order dated 15<sup>th</sup> September 2014 (Refer Annexure-XIII)**

- a) Called for speaking to the minutes of order dated 9<sup>th</sup> September 2014.
- b) In the operative part of the order in clause (a) the words "Clause 14 of" be added in the first line before the words "Government Resolution" and the words "Nos.74/2013 and 81 of 2013" be deleted.
- c) The order be corrected accordingly.
- d) The precipe is disposed of accordingly.

19. Taking into account of all above facts and figures, you are kindly requested to withdraw the Clause No.14 in the above referred Government Resolutions and allow the students (Reserved Category Students) for availing the fee reimbursement facility to the Students admitted through CAP conducted by D.T.E. during this Academic Year 2014-2015.

Thanking you in anticipation,

Yours faithfully,



(Balasaheb D. Wagh)  
President

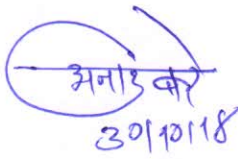
Association of the Managements of Polytechnics



Encls: Annexure- I to XIII

- Copy to: 1) The Secretary, Social Welfare & Justice Department, Mantralaya, Mumbai.  
2) The Secretary, Tribal & Development Department, Mantralaya, Mumbai.  
3) The Director, Technical Education, Maharashtra State, 3, Mahapalika Marg, Mumbai.

नोंदणी शाखा  
सामाजिक न्याय व विशेष सहाय्य विभाग  
मंत्रालय विस्तार भवन, मुंबई - ४०००३२.  
क्रमांक: DGMS/ 112/11/18  
दिनांक 30.10.18



नोंदणी विभाग प्रमुख  
स्वशिक्षण संचालनालय  
महाराष्ट्र राज्य, मुंबई ४०० ००९



विभागाध्यक्ष  
सामाजिक विकास विभाग  
महाराष्ट्र राज्य, मुंबई ४०० ०१५