

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION Nos.7873, 9799, 13427, 16267, 16343 and 16576 of 2015

COMMON ORDER:

These Writ Petitions are filed by various institutions imparting technical education. Admission and Fee Regulatory Committee (AFRC) was constituted in order to fix uniform fee and, in pursuance of the recommendations of the AFRC, the Government issued G.O.Ms.No.57 dated 06.07.2013 prescribing various types of fee to be collected by different institutions from the students. One of the recommendations, accepted by the Government, and incorporated in G.O.Ms.No.57 dated 06.07.2013 for the academic year 2013-14 to 2015-16, is a fee of Rs.1,500/- p.a. per student towards common services rendered by the University to the College in respect of the following services:

“Rs.1500 per annum per student during the course towards common services rendered by the University to the college as mentioned below and such amount collected by the Collect shall be remitted to the concerned University.

Particulars of the amounts that can be collected towards common services rendered by the University to the College.

S.No.	Services	Amount Rs.
1.	Examination related	500
2.	Academic Audit	200
3.	Curriculum Revision & Content Development Staff Training	300
4.	Coordination meeting	200
5.	University Publications	50
6.	Website Maintenance	50
7.		200
	Total	1500

The said amount has to be remitted to the concerned University. Challenging the collection of the said common services fee, the present Writ Petition is filed.

A counter affidavit is filed on behalf of the University stating that, though the petitioners collected that amount, they have not remitted to the University making a heavy burden on the University to continue the services without having necessary finances.

Learned counsel appearing for the University submitted that, in fact, the institutions paid the amounts by way of cheques but the cheques could not be realized.

Learned counsel appearing for the petitioners submits that, though the University is collecting the said amount, it is not rendering the services as stated in the said G.O, in fact, the University cannot collect such amount when the institutions have not collected it from the students.

G.O.Ms.No.57, Higher Education (EC/A2) Department, dated 06.07.2013, was issued pursuant to the recommendations made by the AFRC which was constituted pursuant to a decision of the Supreme Court. The committee is headed by a retired Judge of this Court. The committee fixes the fee in order to have uniformity among all institutions imparting technical education. The common services fee of Rs.1,500/- was included and the said amount has to be remitted to the concerned University. Along with common services fee, there are other fees mentioned which are supposed to be collected by the institutions. No student came to this Court challenging the collection of amount. Strangely, the institutions filed the present Writ Petitions challenging that part of the Government Order. Though the G.O. was issued in the year 2013, the Writ Petitions are filed in the year, 2015. The petitioners cannot be aggrieved parties because when they collected fee from the students, they are supposed to remit to the University as per the G.O.

In view of the above, the Writ Petitions are liable to be dismissed and are, accordingly, dismissed. If the concerned institutions have not collected the said amount, the reasons under which they have not collected have to be informed to the University and it is for the University to take necessary action in pursuance thereof.

Miscellaneous petitions, if any, pending in the writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

Date:03.07.2015
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