

**Before Himachal Pradesh Private Educational Institutions  
Regulatory Commission, Shimla.**

Case No: 26 of 2021  
Date of Institution: 02.11.2021  
Date of Decision: 17.02.2022

In the matter of:

Suo Moto

*Versus*

Heritage Institute of Hotel and Tourism, Sanjauli, Shimla-171006.

.....Petitioner (s)

.....Respondent (s)

**Orders**

This Commission take suo moto action in the matter on the basis of the inspection report, submitted by the Committee, which was constituted vide office order No. HP-PERC/427-GI-Vol.II/2021-3381-3383 dated 04.10.2021 and following observations was made in the inspection report:

1. Anomalies in charging of fee.
2. Running of BHM (Bachelor of Hotel Management) course with duration of three years in deviation of UGC Specification of Degrees notified vide No. F.5-1/2013 (CPP-II) dated 05.07.2014.
3. Running of Diploma course in Hotel Management.
4. Common Prospectus for Heritage College, Agra and Sanjauli.
5. Faculty in-adequacy.
6. Non compliance of observations of the Inspection Committee of affiliating University.
7. Non disclosure of information regarding faculty and fee etc. on college website as well as notice board.

In view of the above observations made by the Committee, the Commission vide its notice dated 02.11.2021 initiated proceedings for the clarifications on the observations made in the inspection report, the notice was issued to the Principal of the college to appear on part of the respondent college with all relevant documents on dated 18.11.2021. The respondent college on dated 02.12.2021 through its Principal, Sh. Ajay Pratap Singh and Sh. Bhageshwar Tiwari, Director and submitted its point wise reply alongwith all relevant documents sought

by the Commission. Moreover, the H.P. University Shimla (affiliating University of respondent college) and the Director Higher Education of Himachal Pradesh were also asked to submit the all documents pertaining to the college and the same were submitted by them during hearings.

After perusal of the records submitted by the respondent college as well as H.P. University and Director Higher Education, Shimla, anomalies in the following points have been emerged out:

1. **Anomalies in charging of fee:-** It has been revealed from the documents submitted that the respondent college is conducting the BHM course without getting its fee structure approved by the H.P. University, Shimla, which is the competent authority as per the Notification of Government of Himachal Pradesh, Department of Higher Education No. EDN-A-Kha(1)-12/2007 dated 23.08.2010. It has also been apprised by the H.P. University, Shimla vide letter dated 07.02.2022, that the respondent college has never applied before the University for the approval of fee structure of the BHM course. The respondent college has not been able to explain reason what on prevented them from getting their fee structure approved from the H.P. University, Shimla which clearly shows major violation on the part of the respondent college and charging fee from the students as per their own convenience which seems commercialization of the education system. It is of utmost surprise that how H.P. University Shimla was granting affiliation every year without approval of fee structure to the respondent college which is a big negligence on the part of the H.P. University, Shimla.
2. **Running of BHM (Bachelor of Hotel Management) course with duration of three years in deviation of UGC Specification of Degrees notified vide No. F.5-1/2013 (CPP-II) dated 05.07.2014.** It has also been found that the NOC has been issued in favour of respondent college by the Director of Higher Education, Himachal Pradesh through its letter No. EDN-H(8)A(1) PDC-2015/HIHT (SML-10) dated 30.06.2017 initial for three years w.e.f. 2017-18. The H.P. University, Shimla in pursuance to the provisions of its First Statute and provisions of Ordinances of H.P. University, granted provisional affiliation to start BHM three years course with sanctioned intake of 60 seats for the academic session 2017-18 in favour of respondent college through Notification dated 18.07.2017. However, it has been found that the approval given by the H.P. University Shimla to respondent college for running the three years BHM course was given in contravention to the UGC norms notified vide No. F.5-1/2013 (CPP-II) dated 05.07.2014

Moreover, the Universities cannot formulate terms and conditions in first statutes and ordinances in contravention to the UGC norms. It seems that so as to rectify the error occurred on the part of the H.P. University, Shimla, the said University, through its meeting of the Departmental Council of the Institute of Vocational Studies held on 28.12.2021 at 11:30 AM decided that an additional one year bridge course can be undertaken by all previous students who completed a three year BHM degree from the Institute of Vocational Studies and affiliated college of H.P. University from the year 2015 onwards. However, Commission puts question on the **validity of degrees** which has been granted to the students against the norms of UGC. It has also been revealed from the letter dated 07.02.2022 submitted by the H. P. University that the University has not granted B.Sc. HMCT course to any college till date.

3. **Faculty in-adequacy:** The respondent college has faculty strength of 11 including Principal for running both the courses out of which only four were approved by the affiliating University. The designation of faculty is Assistant Lecturer and Senior Lecturer which are not as per UGC norms. However, the H.P. University has constituted the Selection Committee for the post of Principal and Assistant Professors but no recommendations were received for approval by the respondent college.

**In view of the above, the Commission hereby pass the following orders:**

- That the respondent college is doing business in the name of education and charging fee as per their own convenience from the students without getting it approved from the competent authority which is violation of the admission norms for which penalty amount of Rs. 25.00 lakh is imposed upon the respondent college which shall be deposited in the Bank account of HP-PERC within 30 days from the issuance of these orders.
- That the H.P. University should not issue affiliation subsequently to any college till other mandatory requirements such as fee structure, faculty, infrastructure etc. are not approved / fulfilled by the concerned college, as it is against the interest of the students.
- That as per UGC Notification No. No. F.5-1/2013 (CPP-II) dated 05.07.2014, the duration for the BHM course is four years. The Director, Higher Education and Registrar, H.P. University, Shimla is required to look into the matter and the decision be taken in accordance with the law and the proposal submitted by the H.P.

University, Shimla dated 28.12.2021 to safeguard the interest of students and considering the **validity of the degrees issued in contravention to the UGC norms** with regard to the approval of BHM course for the duration of three years course.

- That the UGC is also required to check the validity of degrees granted by the H.P. University, Shimla to the BHM students in contravention of UGC guidelines as the fate of students at large is at stake.
- **As the H.P. University, Shimla vide its letter dated 07.02.2022 submitted that the University has not granted B.Sc.HMCT course to any college till date, therefore, if any colleges are conducting such course, it may be considered as invalid.**

The above shall order come into the power with immediate effect.

Matter stand adjudicated, representations / applications pending, if any, in this matter also stand disposed off.

Orders be uploaded on website of the Commission.

File after completion be consigned to record room.

Announced.

(Major General Atul Kaushik)  
**Chairman**

(Prof. Shashi Kant Sharma)  
**Member**