

FEE REGULATORY COMMITTEE(MEDICAL)
GUJARAT STATE

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AMENDING ORDER OF FEE FIXATION FOR THE YEARS
2015-16,2016-17 AND 2017-18

1. Charutar Arogya Mandal ('the institution' for short) addressed a letter dated September 7, 2015 to the Member Secretary, Fee Regulatory Committee (Medical) ('the Committee' for short) requesting it to re-examine its case regarding determining the fee structure for the Post Graduate Medical Courses for the block period of 3 years i.e. 2015-16, 2016-17 and 2017-18 and to modify the order of the Committee dated 17.7.2015 determined the fee structure for the said courses to safeguard the interest of the institution. The back ground in brief giving rise to the request of the institution is that the committee which is constituted under Gujarat Professional Medical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007, (Gujarat Act 3 of 2008) had called for the proposals together with necessary data from the institution for determination of its fee structure for its Post Graduate courses for the block period of 3 years viz. 2015-16, 2016-17 and 2017-18. In response to that the institution forwarded its proposal together with necessary record to the Committee to enable it to determine the fee structure for the aforesaid period. After completion of the requisite formalities, order was passed on 17.7.2015 fixing the fee structure for the aforesaid period. In pursuance of the deliberations made in the meetings of the Committee earlier, for the

aforesaid block period of 3 years, it was decided to add 25% of NRI fee in excess to the Government quota fee as income for calculation of the cost of education for determining the fee structure. Accordingly, on the basis of such decision the aforesaid order was passed. The fee structure is 3 tier fee structure with stepping up fee. In its order the Committee had also taken into consideration other relevant factors for determining the fee structure. The fee for the P.G. Courses of the institution is fixed at Rs.9.15 Lakhs in the year 2015-16, Rs.9.94 Lakhs in the year 2016-17 and Rs.10.74 Lakhs in the year 2017-18.

2. In its letter the institution has made a grievance that its excess NRI fee is being utilized for the scholarship to economically disadvantaged but meritorious students and for the development of infrastructure. The decision of the Committee to reduce 25% excess NRI fee from the cost of education is contrary to the provisions laid down by the Hon'ble the Supreme Court in its judgment rendered in the case of P.A. Inamdar. It is also contended that there is no provision in the Gujarat Act which can make possible such a stipulation. It has never happened in the past and it is for the first time that such provision is introduced. It has stated that the Mandal has been using the entire excess NRI fee for the above specified purposes. It also enclosed a statement duly certified by the Chartered Accountant showing the actual fee collected from the NRI students under various UG/PG courses and utilization of the excess NRI fee for disbursement of scholarship to economically challenged but meritorious students and for development of the infrastructure during the years 2012-13 to 2014-15. It has suggested that the addition of 25% of excess NRI fee to the income may be resorted to

only if the excess fee generated is not fully utilized. In view of the above, the institution has requested the Committee to modify its fee order.

3. The institution has also submitted another representation of the same date i.e. September 7, 2015. In it, it is stated that even as per the Standard Operational Procedure (SOP) the average fee works out to Rs.11.83 lakhs per student. To support this contention, it has enclosed calculation sheet as Annexure-A to the representation. It has submitted that according to it, the yearly fee should have been for the year 2015-16 Rs.10.88 Lakhs; for the year 2016-17 Rs.11.83 Lakhs and for the year 2017-18 Rs.12.78 Lakhs. It has averred that considering from any angle the reduction in the proposed fee is quite high and it would result in significant deficit between the actual cost of education and that recovered through fee.

4. The Committee upon receiving these representations re-examined the record on the basis of SOP and minutely scrutinized the data furnished by the institution and has found that it has committed error apparent on the face of the record while determining the fee structure of the institution and that has resulted into erroneous fixation of the fee structure. While carrying out exercise the Committee has made calculation of the fees on the basis of the higher sanctioned intake of the students than the actual sanctioned seats. The institution alongwith its representation has submitted statement- 'C' which shows that for the aforesaid block period of 3 years of all the P.G. Courses total sanctioned intake of seats is 195 whereas the Committee has determined the fee structure on the basis of 206 sanctioned seats. That has resulted into fixation of less fee than it actually ought to have been. This error is required to be corrected. Upon making the calculation on the basis of sanctioned intake seats of 195 the fee works out to for the year 2015-16

Rs.10.57 Lakhs; for the year 2016-17 Rs.11.49 Lakhs and for the year 2017-18 Rs.12.41 Lakhs.

5. In view of it the fee structure determined for the institution vide order dated 17.7.2015 stands modified to the aforesaid extent. Since the Committee has corrected the error apparent on the face of the record and has modified order dt.17.7.2015 on the basis thereof, there is no need to examine the merits of the other contentions of the institution. All other conditions contained in the said order will remain the same.


Member Secretary

To,
The Dean, H. M. Patel Institute of Post graduate Studies, P.S. Medical College, Karamsad.

Copy To :
1. The Registrar, Sardar Patel University, Vallabha Vidyanagar.