

**FEE REGULATORY COMMITTEE(MEDICAL)  
GUJARAT STATE**

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No: FRC/653/2013

Date : 13/09/2013

**AMENDING ORDER OF FEE FIXATION FOR THE YEARS**

**2012-13, 2013-14 AND 2014-15.**

**Parul Institute of Ayurved, Waghodia, Vadodara**

Fee Regulatory Committee (Medical) ('Committee' for short) constituted under the Gujarat Professional Medical Educational Colleges or Institutions (Regulations of Admission and Fixation of fees) Act, 2007 (Gujarat 3 of 2008) ('the Act' for short) had called for the proposal together with necessary data from Parul Institute of Ayurved, Waghodia, Vadodara (hereinafter be referred to as the institution for short) for determination of the fee structure for Under Graduate Course for the Block Period of 3 years viz. 2012-13, 2013-14 and 2014-15. In response to that the Institution had forwarded proposal together with the necessary record to the Committee to enable it to determine the fee structure for the aforesaid period. The institution had initially, when the proposal was forwarded had proposed fee of Rs.1,60,000/- per student per annum. However at

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the time of hearing the proposal was amended and the fee proposed was Rs.2,00,000/- per student per annum. The Chartered Accountants of the Committee had considered the material provided by the institution and carried out the necessary exercise to arrive at a figure to be considered by the Committee. The Committee in turn had considered the same keeping in view the data provided by the Institution, the relevant factors prescribed under the Act and also after granting proper opportunity of hearing to the authorized representatives of the institution. The Committee had ultimately determined the fees structure of Rs.1,60,000/- per student per annum by passing order in this respect dated 12.7.2012.

Since the Institution was not satisfied with the fee structure determined by the Committee for Under Graduate Course, it approached the Hon'ble High Court of Gujarat by filing petition, being Special Civil Application No.16589/2012 wherein it prayed for quashing the order of the Committee and for directing the Committee to revise the fee structure of the institution. The Committee resisted the petition and supported its order by filing Affidavit-in-Reply wherein it raised various contentions including the contentions based on provisions of section-10(3) of the Act and also on the judgment of the Hon'ble Supreme Court rendered in the case of Fee Regulatory Committee, appellant v/s. Kalol Institute of Management, etc. Respondent in Civil Appeal No.8543 of 2011 and



its cognate Civil appeals dt.11th October, 2011 interpreting those provisions.

On 6.5.2013 the Hon'ble High Court having regard to the submissions made by the learned senior counsel for the petitioner and learned counsel for the respondent Committee passed order requiring the institution to make representation along with relevant data in support thereof to the Committee requesting the Committee to reconsider the fee structure. The Hon'ble High Court also directed the Committee to afford opportunity of hearing to the institution and to take decision on merits on the representation of the institution without being influenced in any manner by the fee structure in question. The Hon'ble High Court also directed the institution that till such decision was taken by the Committee it should charge the fees as per the fee structure in question and liberty was given to the institution to take undertaking from the students for the payment of differential amount of fee, if any, on the basis of the decision that may be taken by the Committee. The Hon'ble High Court also gave certain ancillary directions to the parties and also right to the institution to challenge the revised order of the Committee in case it was not satisfied with it. On the basis of this order the Hon'ble High Court disposed of the petition. The Hon'ble High Court, however, thought it fit not to quash the impugned order of the Committee.



In pursuance of the directions given by the Hon'ble Court, the institution made representation dated 4th June, 2013 and along with that provided the audited accounts of 2010-11, 2011-12 and 2012-13 to the Committee. The Authorized representatives of the Committee were summoned and heard by the Committee on 13.8.2013. At the hearing it was submitted that considering the expenses incurred by the Institution for the education of the students of this course the fee structure determined by the Committee was falling short of meeting its financial requirement. The Institution submitted that the fee may be increased to Rs.2 lakhs to enable the institution to impart quality education to its students.

The Committee, in compliance of the Hon'ble High Court's order, carried out the necessary revisional exercise and took into consideration the Institution's representation, audited accounts of the aforesaid period and oral submissions made at the hearing. The Committee scrutinized the audited accounts of the said years and re-examined the proposal of the institution of Rs.2 lakhs in view of the above circumstances.. After analysis of relevant cost of medical education based on this audited accounts, the Committee has found that it is fair and reasonable to increase the existing fee by Rs.10,000/-. The Committee, therefore, determines the fee at Rs.1,70,000/- per student per annum for the period mentioned



above for the Under Graduate Course. All other conditions mentioned in order dated 12.7.2012 will remain the same.



Member Secretary

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