

FEE REGULATORY COMMITTEE FOR MEDICAL EDUCATION IN KERALA

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FRC 50/21/MBBS/SNIMS

MBBS Admission 2021-22- Regulation of tuition fee, Special fee and other fees in respect of Sree Narayana Institute of Medical Sciences, Ernakulam- Order issued on 12.01.2022

PRESENT

1. Hon'ble Justice Mr R Rajendra Babu (Retd) ➤ Chairman
2. Dr. Asha Thomas I A S ➤ Member Secretary
[Additional Chief Secretary, H&FWD]
3. Sri. S Suresh Babu ➤ Member
[Chartered Accountant]
4. Sri. P P Gopi ➤ Member
[Subject Expert]

READ

1. Lr. No. FRC 50/21/PG/UG/Medical/Dental/SFMDCK dated 16.09.2021 issued by the FRC
2. Lr.No. ACD/3074/2209/2021 dated 22.09.2021 received from the Principal, Sree Narayana Institute of Medical Sciences, Ernakulam
3. Lr.No. ACD/3113/2110/2021 dated 21.10.2021 received from the Principal, Sree Narayana Institute of Medical Sciences, Ernakulam
4. Lr. No. FRC 50/21/MBBS/SNIMS dated 03.12.2021 issued by the FRC
5. Hearing of the representatives of Sree Narayana Institute of Medical Sciences, Ernakulam, held by the FRC dated 14.12.2021
6. Lr.No. ACD/3252/1312/2021 dated 13.12.2021 received from the Principal, Sree Narayana Institute of Medical Sciences, Ernakulam

ORDER

1. The Sree Narayana Institute of Medical Sciences, Ernakulam, in short the Medical College, run by the Gurudeva Charitable Trust, is having an intake strength of 100 candidates for the academic year 2021-22.
2. The Hon'ble Supreme Court as well as the High Court in various judgments have pronounced that the Fee Regulatory Committee, herein after referred as the Committee, was empowered to regulate the tuition fee in respect of Self Financing Colleges before the commencement of each academic year for professional courses. The Hon'ble Courts have also directed the Self Financing Colleges to submit their fee proposal along with the supporting documents within the prescribed time, as mentioned by the Hon'ble Court, before the Committee for the regulation of the tuition fee. The Committee has examine the fee proposal and to regulate a reasonable fee structure for the Colleges after eliminating the profiteering and exploitative elements in the proposal.
3. In view of the above directions of the Hon'ble Courts, the Committee regulated the tuition fee from the academic years 2017-18 to 2019-20 in respect of all the Self Financing Medical Colleges, including Sree Narayana Institute of Medical Sciences also. The tuition fees fixed by this Committee in respect of most of the Medical College for the academic years 2017-18 to 2019-20 have been challenged before the Hon'ble High Court on various writ petitions and through common judgement dated 19.05.2020, the Hon'ble Court set aside the orders passed by the Committee and directed the Committee to regulate the tuition fee specifying certain fresh guidelines.
4. The above Court order was challenged by the State of Kerala before the Hon'ble Supreme Court in SLP (C) No. 9847- 9857/2020 & connected cases. In the petition seeking stay of the implementation of the above order

passed by the Hon'ble High Court, the Hon'ble Supreme Court passed the following interim order

“In the meantime, if the Fee Regulatory Committee submits any report after remand, the same shall not be implemented.”

5. In the meanwhile, Lock-down was declared due to the COVID spread all over the country and the process of admission for the academic year 2020-21 was extended to January 2021 due to the pandemic situation and the priority was given to regulate the tuition fee for the academic year 2020-21, as the MBBS admission procedure was started at the end of the year. Hence, the committee primarily considered the regulation of tuition fee for the academic year 2020-21. Accordingly, the Committee through a common order dated 04.11.2021 has regulated the tuition fee in respect of all Self-financing medical colleges for the academic year 2020-21.
6. Thereafter, the Hon'ble Supreme Court by judgment dated 25.02.2021 in Civil Appeal No. 617 of 2021 has directed the Committee to expeditiously reconsider the fee proposals of the Private self-financing Medical colleges for fee fixation from 2017-18 onwards. The Hon'ble Court has also directed the managements to furnish any information that is required for the purpose of arriving at a decision that the fee proposed by the managements is neither excessive nor exploitative nature. The Hon'ble Court further directed the committee that a reasonable opportunity should be given to the managements of private self-financing colleges to substantiate their proposal for fee fixation and the entire exercise shall be completed within a period of three months from the date of the order.
7. In pursuance to the above direction, the Committee has reconsidered the fee proposal submitted by all the Medical Colleges in Kerala and the entire

process was completed by the Committee on 22.11.2021, within the extended time allowed by the Hon'ble Apex Court.

8. After completing the entire process of work relating to the reconsideration of fee proposal from the academic years 2017-18 to 2020-21, the Committee in its meeting held on 08.09.2021 and decided to commence the process of fee regulation for the academic year 2021-22. The Committee has also observed that Medical College has failed to submit the fee proposal along with the supporting documents before the Committee, as per the Hon'ble High Court direction in **2017 (4) KLT 809**. Therefore, the Committee decided to call for the relevant documents along with the fee proposal from the Self Financing Medical Colleges to regulate the tuition fee for the academic year 2021-22.
9. Accordingly, the Committee through communication dated 16.09.2021 has directed the Medical College to submit two copies of the relevant documents, as mentioned in the communication, to submit before the Committee along with the fee proposal on or before 22.09.2021 for regulating the tuition fee for the academic year 2021-22.
10. In compliance of the above direction, the Principal of the Medical College through communication dated 22.09.2021, has submitted the documents as called for by the Committee for regulation of the tuition fee in respect of MBBS Course for the academic year 2021-22. In the said communication management has stated that draft audited financial statements for the financial year 2020-21 and report thereon is subject to the approval and adoption by the Trust Board. The said financial document which is relevant for the fee regulation of the academic year 2021-22 is not produced before FRC.
11. Thereafter, the Principal of the Medical College through communication

dated 21.10.2021 has submitted a representation before the Committee, which would read as

“We are willing to admit MBBS students for the academic year 2021-22 at the same fees approved by the FRC for the academic year 2020-21, order No. FRC No. 50/20/MBBS/SFMC dated 4/11/2020 (General Category- (85%)- 7,65,400/-, NRI-15% Rs. 20 lakhs.”

12. The Committee has gone through the documents and representation submitted by the Medical College and decided to give an opportunity of hearing the Medical College in connection with the regulation of tuition fee for the academic year 2021-22. Accordingly, through communication dated 03.12.2021, the Principal of the Medical College was requested to attend the hearing held on 14.12.2021 through Google Meet.
13. In compliance of the above direction, the following representatives of the Medical College were present.

SL NO	NAME OF THE REPRESENTATIVE	DESIGNATION
1.	SRI. MURALEEDHARA PANICKER	PRESIDENT
2.	SRI. CA ANOOP M P	FINANCE CONTROLLER
3.	SRI. CA GOPALAKRISHNAN	CHARTERED ACCOUNTANT
4.	SRI. CA VISHNU MOHAN	CHARTERED ACCOUNTANT

14. During the hearing, the representatives of the Medical Colleges have submitted that the management is expecting permission for additional 50 MBBS seats from the current academic year and the total student intake is likely to be increased to 150 numbers. They further submitted that the

letter of the Principal dated 21.10.2021 can be accepted fee fixed by the Committee and last year fee may be allowed to be collected for the year 2021-2022.

15. The matter has been considered by the Committee and as the College is not seeking any hike in the fee. The Committee has unanimously decided to accept the request of the Medical College and to confirm the tuition fee earlier regulated & fixed by the committee in respect of Sree Narayana Institute of Medical Sciences, , Ernakulam for the academic year 2021-22 also. The details of the tuition fee and other fees confirmed by the Committee as aforesaid, for the academic year 2021-22 are given hereunder.

SREE NARAYANA INSTITUTE OF MEDICAL SCIENCES ERNAKULAM		
TUITION FEE & OTHER FEES DETAILS FOR THE ACADEMIC YEAR 2021-22		
SL NO	PARTICULARS	AMOUNT (Rs)
1.	TUITION FEE FOR 85% SEATS	7,65,400
2.	TUITION FEE FOR 15% SEATS	20,00,000
3.	SPECIAL FEE FOR THE 1 ST YEAR	97,597
4.	SPECIAL FEE FOR THE REMAINING YEARS [2 ND , 3 RD , 4 TH & 5 TH]	46,846
5.	HOSTEL FEE FOR 1 ST YEAR	1,18,000
6.	HOSTEL FEE FOR THE REMAINING YEARS [2 ND , 3 RD , 4 TH & 5 TH]	1,07,000

16. The Principal of the Sree Narayana Institute of Medical Sciences, Ernakulam is hereby permitted to collect the aforesaid amount only from the MBBS candidates for the academic year 2021-22.

17. Email this copy of the order to the Government of Kerala and the Principal of the Sree Narayana Institute of Medical Sciences, Ernakulam. The Government of Kerala shall notify the fee structure in respect of Sree Narayana Institute of Medical Sciences, Ernakulam for the academic year 2021-22, as per the section 9 (2) of Act 15 of 2017.

Dated on this the 12th day of January 2022

**Sd/-
CHAIRMAN**

