

BEFORE THE APPELLATE AUTHORITY CONSTITUTED UNDER THE MADHYA  
PRADESH NIJI VYAVSAYIK SHIKSHAN SANSTHA (PRAVESH KA VINIYAMAN  
AVAM SHULK KA NIRDHARAN) ADHINIYAM, 2007 AS AMENDED IN 2013.

Appeal No. 49/2016

Al-Farooque Unani Tibbiya College,

Indore

M.P.

MUSER – 392849

Appellant

VERSUS

1. The Admission and Fee Regulatory  
Committee, Bhopal.

Respondent

ORDER

(Date 07/09/2016)

1. This appeal under Sec. 10 of Madhya Pradesh Niji Vyavasayik Shikshan Sanstha, (Pravesh Ka Viniyaman Avam Shulk ka Nirdharan), Adhiniyam, 2007 (the Act, for short) and Sec. 10 (1) & (2) of Sansodhan Ahiniyam 2013 has been filed by Al-Farooque Unani Medical College, Indore against Admission & Fee Regulatory Committee's (AFRC for short) order No. AFRC/2016/3622 dated 06.08.2016 fixing fee of Rs. 81,000.00 per year for B.U.M.S. course for academic sessions 2016-17, 2017-18 & 2018-19.
2. Appellant and Respondent were heard.
3. Appellant submitted that the appellant institute had incurred substantial revenue loss of Rs. 13.70 lacs, 14.78 lacs and 37.60 lacs and 23.98 lacs during financial years 2012-13, 2013-14, 2014-15 and 2015-16 respectively. Appellant also submitted that the fee fixed by AFRC vide impugned order was not adequate to meet the increased expenditure burden on the institute



particularly owing to increase in expenditure because of higher salary and cost of infrastructure.

4. Respondent submitted that AFRC before passing the impugned order had considered audited accounts of the institute and had also given opportunity of hearing to the institute.
5. Audited accounts submitted by the appellant were perused. Deficit in income and expenditure in financial years 2013-14, 2014-15 and 2015-16 as pleaded by the appellant are corroborated from audited accounts for the concerned year.
6. It is further noted that the appellant institute had an outstanding unsecured loan of Rs. 98.69 lacs from Al-Farooque Trust as on 31.03.2016.
7. Keeping in view the recurring deficit in income and expenditure account of the institute during the last 3 financial years and also considering the outstanding unsecured loan of Rs. 98.69 lacs from the Al-Farooque Trust and considering the appellant's pleadings for a reasonable increase in fees to enable it to upgrade the quality of education; it is reasonable to increase the fee to Rs. 87,500.00 per year for academic sessions 2016-17, 2017-18 and 2018-19. Remaining terms and conditions would apply.
8. Para 11 of the impugned order is erroneous. Sec. 10 of the Principal Act has been substituted by Section 10(1) & (2) of the Amended Act, 2013. Hence, AFRC is directed to issue a revised order after necessary correction.



**(P.K.Dash)**  
**Appellate Authority**