

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

Appeal No. 67/2016

Anushree Homoeopathic Medical College,
JABALPUR
M.P.
TUSER - 373087

Appellant

V E R S U S

1. The Admission and Fee Regulatory
Committee, Bhopal.

Respondent

ORDER

(Date 21.11.2016)

1. This appeal under Sec. 10 of Madhya Pradesh Niji Vyavasayik Shikshan Sanstha, (Pravesh Ka Viniyaman Avam Shulk ka Nirdharan), Adhinyam, 2007 (the Act, for short) and Sec. 10(1) & (2) of Sanshodhan Adhinyam 2013 has been filed by **Anushree Homoeopathic Medical College, Jabalpur** against Admission & Fee Regulatory Committee's (AFRC for short) impugned order No. AFRC/2016/3614 dated 06.08.2016 fixing fee of Rs. 42,500.00 per year for **B.H.M.S.** course run by the appellant institution for sessions 2016-17, 2017-18 & 2018-19.
2. Appellant and Respondent were heard.
3. Appellant submitted that the fee fixed vide AFRC's impugned order is not adequate to meet the substantial increase in operating cost, particularly the cost towards staff salary, affiliation fee and further to provide for growth and development of the institution. Appellant has submitted audited accounts of the institution as well as for the Society running the institution for 2013-14,



2014-15 and 2015-16. Appellant has pleaded that higher fee may be considered for the institution.

4. The respondent submitted that AFRC had considered fee proposal and the audited accounts of the institution for 2015-16 while passing the impugned order.
5. Audited accounts submitted by the appellant were perused. It is noted that the institution generated a surplus of 25.09 lacs in 2013-14 and a surplus of Rs. 22.10 lacs in 2014-15, whereas it incurred deficit of Rs. 10.74 lacs in 2015-16. During hearing appellant had submitted that the appellant institution had overall deficit in the Society's account as on 31.03.2016 notwithstanding the surplus in income and expenditure of the appellant institution in 2013-14 and 2014-15.
6. Perusal of balance sheet of Anushree Education Society, the Society running the appellant institution shows that the appellant institution had received Rs. 42.29 lacs from the Society whereas the Society had a liability of Rs. 15.37 lacs towards the appellant institution. In the Society's balance sheet as on 31.03.2016 the appellant institution had a net liability of Rs. 26.92 lacs (42.29-15.37) towards the Society. Thus, the appellant's contention that the appellant institution is in overall deficit as on 31.03.2016 is corroborated.
7. Keeping in view the deficit incurred by the appellant institution in 2015-16, the liability of the institution to the parent Society as on 31.03.2016 and also keeping in view the increase in employee cost, the affiliation cost and further keeping in view the growth and development needs of the institute; it is reasonable to increase the fee to Rs. 47,000.00 per year for academic sessions 2017-18 and 2018-19. Since the admission process for academic session 2016-17 is already under way, the fee fixed by AFRC i.e. Rs. 42,500.00 per year would prevail for students admitted in 2016-17 and the same fee will



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be paid by students admitted in 2016-17 for the entire duration of their course. Remaining terms and conditions of the AFRC's impugned order would be valid.

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
23.11.2016

(P.K.Dash)
Appellate Authority