

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. 71/2016

Hahnemann Homoeopathic Medical College
Bhopal
M.P.
MUSER – 372839

Appellant

VERSUS

1. The Admission and Fee Regulatory
Committee, Bhopal.

Respondent

ORDER

(Date 19/10/2016)

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 Sansodhan Ahinyam 2013 has been filed by **Hahnemann Homoeopathic Medical College, Bhopal** against Admission & Fee Regulatory Committee's (AFRC for short) order No. AFRC/2016/3606 dated 06.08.2016 fixing fee of Rs. 39,000.00 per year for B.H.M.S. course for academic sessions 2016-17, 2017-18 & 2018-19.
2. Appellant and Respondent were heard.
3. Appellant submitted that accumulated losses of the Society as on 31.03.2016 was Rs. 61.35 lacs. Appellant mentioned that affiliation fee had increased from Rs. 20,000.00 per year to Rs. 5.25 lacs since last year. Appellant also submitted that the appellant institute, being located in Nagar Nigam area was required to pay property tax of Rs. 1.35 lakhs per year. Appellant also



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mentioned that 25 bed hospital was currently operating from rental premises away from the college campus. As per mandatory requirement, the hospital is now required to be operated from within the campus which requires substantial capital investment. In the appeal memo, appellant has submitted that fee of Rs.23,500.00 per annum for the college had been fixed by AFRC in 2004-05 and Rs. 39,000.00 per annum for 2016-17, 2017-18 & 2018-19. Thus, over a period of 15 years, a meagre increase of only Rs. 15,500.00 per year had been given by AFRC owing to which the appellant college had accumulated loss and was not able to provide additional infrastructure and facilities. Therefore, to meet the development needs and operational requirements of the college, increase in fee is required. Appellant submitted audited accounts of the college and hospital and the Society for 2013-14, 2014-15 & 2015-16.

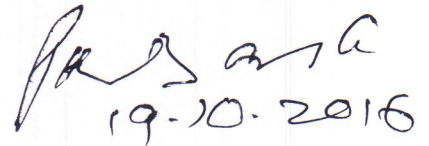
4. Respondent submitted that AFRC had fixed fees vide impugned order after considering the audited accounts of the institute.
5. Audited accounts submitted by the appellant were perused. Income and expenditure account of the Society shows a deficit of Rs. 9.84 lacs in 2013-14 and a small surplus of Rs. 3.39 lacs in 2014-15 and surplus of Rs. 8.39 lacs in 2015-16. Audited accounts corroborated appellant's claim that accumulated loss for the Society as on 31.03.2016 was Rs. 61.35 lacs. Respondent confirmed that now the appellant institute is linked to Jabalpur Medical University for affiliation, for which the annual cost is Rs. 5.25 lacs which works out to Rs. 5250.00 per student for intake strength of 100 students.
6. Keeping in view the accumulated loss of Rs. 61.35 lacs as on 31.03.2016, increase in affiliation fee to Rs. 5.25 lakh per year and the property tax assessment of Rs. 1.35 lakh per year on the appellant institute; it is reasonable to increase the fee to Rs. 46,000.00 per year including development and other



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miscellaneous charges for academic sessions 2016-17, 2017-18 and 2018-19.
Remaining terms and conditions of AFRC's impugned order would apply.

7. 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.


19-10-2016

(P.K.Dash)
Appellate Authority