

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. 72/2016

L.B.S. Homeopathic Medical College,
BHOPAL
M.P.

Appellant

VERSUS

1. The Admission and Fee Regulatory
Committee, Bhopal.

Respondent

ORDER

(Date 13/10/2016)

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 **L.B.S. Homeopathic Medical College, Bhopal** against Admission & Fee Regulatory Committee's (AFRC for short) order No. AFRC/2016/3608 dated 06.08.2016 fixing fee of Rs. 36,000.00 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 has submitted that the audited accounts of the institution for financial year 2015-16 had not been considered by AFRC while passing the impugned order. Appellant also pleaded that the institution is required to increase pay for the faculty to hire and retain quality staff. Appellant also submitted that the institution is now affiliated to MP Medical Sciences University, Jabalpur for which the annual charges payable to the University is

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Rs. 5.25 lacs which works out to cost of Rs. 5250/- per student since the students strength is 100.

4. Respondent submitted that AFRC while passing the impugned order had considered the institute's audited accounts and fee proposal of the college.
5. Audited accounts submitted by the appellant were perused. It is noted that the institute had a modest surplus of Rs. 3.99 lacs in 2015-16 and Rs. 4.21 lacs in 2013-14. In financial year 2014-15, there was a deficit of Rs. 2.22 lacs. It is also noted that salary paid in 2013-14 was Rs. 66.13 lacs which had increased to Rs. 80.59 lacs in 2015-16. Thus, appellant's submission that there was increase in expenditure owing to higher salary to staff is corroborated from audited accounts. Appellant's submission regarding higher cost of affiliation to MP Medical Science University, Jabalpur was also confirmed by Respondent.
6. Keeping in view the increase in cost of affiliation and the higher expenditure burden on the institute owing to increase in salary to staff; it is reasonable to increase the fees to Rs. 39,000.00 per year (inclusive of Development fee & all other miscellaneous fee). Other 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.

P.K. Dash
13/10/2016
(P.K. Dash)

Appellate Authority