

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. 51/2016

**S.M.Deo Homoeopathic Medical
College & Hospital,
BALAGHAT
MUSER – 373091**

Appellant

VERSUS

**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), Adhiniyam, 2007 (the Act, for short) and Sec. 10(1) & (2) of Sanshodhan Adhiniyam 2013 has been filed by **S.M.Deo Homoeopathic Medical College & Hospital, Balaghat** against Admission & Fee Regulatory Committee's (AFRC for short) impugned order No. Sectt/AFRC/2016/3617 dated 06.08.2016 fixing fee of Rs. 33,000.00 per year for **B.H.M.S.** course run by the appellant institution for academic sessions 2016-17, 2017-18 & 2018-19.
- 2.** Appellant and Respondent were heard.
- 3.** Appellant mentioned that the institution had incurred operating losses during the last 3 financial years. Appellant further mentioned that the fee fixed by AFRC was not adequate to meet its operating expenditure particularly in view of higher expenditure of salary and other required infrastructure.



4. Respondent mentioned that appellant institution's fee of Rs. 25,500.00 per year for previous three years block had been increased to Rs. 33,000.00 per year vide the impugned order. Before passing the impugned order, AFRC had considered the audited accounts as submitted by the institute and had also given an opportunity of hearing to the institute.
5. Audited accounts submitted by the appellant institution were perused. Income and expenditure account of the institution show a surplus of Rs. 1.6 lacs, 36.72 lacs and 17.24 lacs in 2013-14, 2014-15 and 2015-16 respectively. Balance sheet as on 31.03.2016 shows a cumulative surplus of Rs. 33.37 lacs in income and expenditure account of the institution.
6. Thus, the appellant's contention that the institution had been incurring deficit in the previous financial year is not correct. Appeal is without ground and hence, **rejected**.
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
21.11.2016

(P.K.Dash)

Appellate Authority