

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. 63/2016

Sendhwa Homoeopathic  
Medical College & Hospital  
Sendhwa  
MUSER – 372845

Appellant

VERSUS

The Admission and Fee Regulatory  
Committee, Bhopal.

Respondent

ORDER


(Date 18/10/2016 )

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 **Sendhwa Homoeopathic Medical College & Hospital, Sendhwa Distt. Barwani** against Admission & Fee Regulatory Committee's (AFRC for short) impugned order No. Sectt/AFRC/2016/3611 dated 06.08.2016 fixing fee of Rs. 41,000.00 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 pleaded that the institute had incurred deficit during 2013-14, 2014-15 and 2015-16 and hence appropriate increase in fee may be considered.
4. OSD, AFRC mentioned that audited accounts of the institute had been considered by AFRC while passing the impugned order and further that fee of



Rs. 34,000.00 per year fixed for previous 3 years block has been increased to Rs. 41,000.00 per year for the current 3 years block.

5. Audited accounts submitted by the appellant were perused. It is noted that appellant has submitted three separate audited accounts for- 1. Sendhwa Homoeopathic Hospital, Sendhwa, 2. Sendhwa Homoeopathic Medical College and 3. Sendhwa Homoeopathic Shikshan Sanstha; the Society running the college and the hospital.
6. Since AFRC vide impugned order had fixed fee for Sendhwa Homoeopathic Medical College & Hospital against which the present appeal lies; it is not clear why the appellant institute had not put up a composite balance sheet for Homoeopathic Medical College and the Hospital.
7. Respondent has submitted that audited accounts of the institute had been considered by AFRC while passing the impugned order. It is presumed that AFRC considered the audited accounts for the medical college, hospital and the Society while passing the impugned order. AFRC vide impugned order had fixed fee of Rs. 41,000.00 per year thereby providing a substantial increase over the fee of Rs. 34,000.00 per year fixed for the previous three years block. Therefore, the appeal is without merit and is dismissed.
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.

  
18.10.2016

(P.K.Dash)

Appellate Authority