

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. 47/2016

Shivang Homoeopathic Medical
College & Hospital,
Bhopal
M.P.
MUSER – 372846

Appellant

VERSUS

1. The Admission and Fee Regulatory
Committee, Bhopal.

Respondent

ORDER

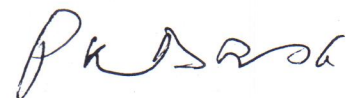
(Date 07/09/2016)

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 Ahiniyam 2013 has been filed by Shivang Homoeopathic Medical College & Hospital, Bhopal against Admission & Fee Regulatory Committee's (AFRC for short) order No. AFRC/2016/3612 dated 06.08.2016 fixing fee of Rs. 42,500.00 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 AFRC while passing the impugned order had not considered the audited accounts of the institute, the increased burden of expenditure on the institute owing to inflation, increase in affiliation fee for the university, AFRC's charges etc. Appellant submitted copies of audited accounts of the appellant institute for 2013-14, 2014-15 and 2015-16 and pleaded for suitable increase in fees.

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4. Respondent submitted that AFRC before passing the impugned order had considered audited accounts of the institute and had also given opportunity of hearing to the institute.
5. Audited accounts submitted by the appellant were perused. Income and expenditure account shows deficit of Rs. 30.93 lacs, 2.43 lacs and 13.10 lacs for financial year 2015-16, 2014-15 and 2013-14 respectively. Balance sheet as on 31.03.2016 shows net deficit of Rs. 87.27 lacs.
6. AFRC vide impugned order had fixed fee of Rs. 42,500.00 per year which constituted an increase of 25% over fee of Rs. 34,000.00 per year fixed for the previous 3 years block i.e. 2013-14, 2014-15 and 2015-16. It is clear that AFRC had provided a substantial rise over the fee fixed previously keeping in view the audited accounts of the institute.
7. Since a substantial increase in fee had already been provided by AFRC vide impugned order, there is no justification for further increase in fee. Hence, appeal is rejected.
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)
Appellate Authority