

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. 68/2016

Sophia Homoeopathy Medical College
GWALIOR
MUSER – 373093

Appellant

VERSUS

The Admission and Fee Regulatory
Committee, Bhopal.

Respondent

ORDER

(Date 22.11.2016)

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 **Sophia Homoeopathy Medical College, Gwalior** against Admission & Fee Regulatory Committee's (AFRC for short) impugned order No. Sectt/AFRC/2016/3619 dated 06.08.2016 fixing fee of Rs. 44,000.00 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 submitted that the institution had incurred a deficit of Rs. 17.64 lacs in financial year 2015-16 in support of which audited accounts of the institution was submitted. Appellant pleaded that higher fee may be fixed to enable the institution to meet its operating expenditure and growth and development needs.



4. Respondent submitted that AFRC had fixed fee after considering fee proposal and audited accounts submitted by the appellant institute while passing the impugned order.
5. Audited accounts submitted by the appellant institution, were perused. As per balance sheet as on 31.03.2016, the institution has liability of Rs. 59.18 lacs towards Unsecured Loan and loan of Rs. 31.91 lacs to Swastik Education. The institution had incurred a deficit of Rs. 17.64 lacs in 2015-16 and as per balance sheet on 31.03.2016, the cumulative deficit was Rs. 52.74 lacs.
6. Considering the institution's deficit in income and expenditure account for financial year 2015-16 and the cumulative deficit as reported in balance sheet on 31.03.2016 and the loan liability of the institution; it is reasonable to fix fee of Rs. 48,000.00 per year for academic sessions 2017-18 and 2018-19. Since admission for 2016-17 is already under way AFRC's impugned order fixing fee of Rs. 44,000.00 per year will apply for students admitted in 2016-17 for the entire duration of their course. Remaining terms and conditions of the 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
22.11.2016

(P.K.Dash)

Appellate Authority