

BEFORE THE APPELLATE AUTHORITY CONSTITUTED UNDER THE MADHYA
PRADESH NIJI VYAVSAYIK SHIKSHAN SANSTHA (PRAVESH KA VINIYAMAN
AVAM SHULK KA NIRDHARAN) ADHINIYAM, 2007.

Appeal No. 54/2016

Mansarovar Ayurvedic Medical College

Hospital & Research Center,

Kolar Road,

BHOPAL

MUSER – 363086

Appellant

VERSUS

The Admission and Fee Regulatory

Committee, Bhopal.

Respondent

ORDER

(Date 18.11.2016)

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 **Mansarovar Ayurvedic Medical College Hospital & Research Center, Bhopal** against Admission & Fee Regulatory Committee's (AFRC for short) impugned order No. Sectt/ AFRC/2016/3743 dated 22.08.2016 fixing fee of Rs. 1,64,000.00 per year for **B.A.M.S.** course of the institute for sessions 2016-17 & 2017-18.
2. Appellant and Respondent were heard.
3. Appellant has pleaded that appellant college is the only Ayurvedic medical college in Central India with an intake of 100 seats. Owing to higher intake, the institute is required to spend substantially higher amount for providing necessary infrastructure, payment of salary and also for a 100 bed hospital.



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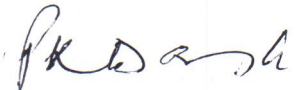
Appellant vide their written submission dated 15.09.2016 have given projection of estimated expenditure for 2016-17, 2017-18 & 2018-19 and have claimed that with the fee of Rs. 1,64,000.00 fixed by AFRC vide impugned order, appellant institute would incur substantial deficit per year for the next three years. Appellant has also mentioned that the institute would be required to secure bank loans to meet the required capital expenditure as well as operating expenditure. Appellant has pleaded for a fee of Rs. 2.50 lac per year.

4. Respondent mentioned that AFRC had considered audited accounts of the institute and the institution's need for additional infrastructure while fixing fee for the current three years block.
5. Audited accounts submitted by the appellant for appellant institute were perused. It is noted that the income and expenditure accounts of the appellant college for 2015-16 shows a deficit of Rs. 3.53 crores. It is also noted that the huge deficit is primarily owing to staff salary of Rs. 3.37 crores paid in 2015-16. Appellant has submitted that it has employed 185 staff as mandated by Central Council of Indian Medicine. Balance sheet of the appellant college as on 31.03.2016 shows Corpus/Capital Fund of Rs. 6.57 crores received from the Society.
6. Admission to BAMS for academic session 2016-17 is already under way. Therefore, any increase in fee for academic session 2016-17 would jeopardise the financial status of students who have already taken admission on the understanding that fee payable by them would be Rs. 1.64 lacs per year as fixed by AFRC. Hence the fee fixed by AFRC vide impugned order for academic session 2016-17 remains unchanged.



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7. However, keeping in view the substantial deficit incurred by the appellant college in 2015-16 and further keeping in view the fact that salary to staff alone was Rs. 3.37 crores in 2015-16 and also noting the appellant college's need for providing mandatory infrastructure during the next three years; it is reasonable to fix fee of Rs. 2,00,000.00 per year for academic session 2017-18.
8. Upon receipt of fee proposal from the appellant, AFRC is directed to fix fee for the appellant college for academic session 2018-2019 as under law.
9. 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