

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

Appeal No. 62/2016

R.D.Memorial Ayurvedic

College Hospital

BHOPAL

MUSER – 362753

Appellant

VERSUS

1. The Admission and Fee Regulatory
Committee, Bhopal.

Respondent

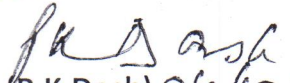
ORDER,
(Date 04/10/2016)

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 R.D.Memorial Ayurvedic College Hospital, Bhopal against Admission & Fee Regulatory Committee's (AFRC for short) impugned order No. Sectt/ AFRC/2016/3739 dated 22.08.2016 fixing fee of Rs. 1,57,000.00 per year for B.A.M.S. course of the institute for sessions 2016-17, 2017-18 & 2018-19.
2. Appellant and Respondent were heard.
3. Appellant pleaded that the institute had been incurring substantial deficit in running BUMS course during financial years 2013-14, 2014-15 & 2015-16. The increase in expenditure was primarily owing to increase in number of staff, salary and increase in number of hospital beds and other operating expenditure. Appellant also mentioned that the Society running the appellant institute had outstanding secured loan of Rs. 1.80 crores and unsecured loan

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of 8.86 crores as on 31.03.2016. These loans had been primarily used to meet the deficit for BAMS and MD Courses run by the appellant institute. Appellant pleaded that appropriate increase in fee may be considered.

4. OSD AFRC mentioned that AFRC had considered audited accounts submitted by the appellant institute while passing the impugned order and vis-a-vis a fee of Rs. 1.25 lacs per year fixed for previous three years block (2013-14 to 2015-16) Rs. 1.57 per year has been fixed for 2016-17, 2017-18 and 2018-19.
5. Audited accounts submitted by the appellant were perused. Audited accounts for B.A.M.S. course shows deficit of Rs. 1.96 crores, 1.91 crores and Rs. 3.26 crores for financial years 2013-14, 2014-15 & 2015-16 respectively. Appellant's submission that the institution had incurred substantial operating deficit for running BAMS course during the previous financial years is corroborated from the audited accounts. It is further noted that the salary paid in 2014-15 was Rs. 2.90 crores which had increased to Rs. 4.36 crores in 2015-16. Thus, appellant's claim that increase in expenditure was primarily owing to increase in salary for staff is also corroborated from audited accounts.
6. Keeping in view the substantial operating deficit incurred by the appellant institution for running BAMS course during 2013-14, 2014-15 & 2015-16, it is reasonable to increase the fees to Rs. 1,62,000.00 per year (including Development Fees and all other miscellaneous fees) for academic sessions 2016-17, 2017-18 & 2018-19. Remaining terms and conditions of AFRC's 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) 09/10/2016
Appellate Authority