

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

Appeal No. 78/2016

Rajiv Gandhi Ayurvedic College Hospital,

BHOPAL

MUSER – 362834

Appellant

V E R S U S

The Admission and Fee Regulatory
Committee, Bhopal.

Respondent

ORDER

(Date 21.11.2016)

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 Sanshodhan Adhinyam 2013 has been filed by **Rajiv Gandhi Ayurvedic College Hospital, Bhopal** against Admission & Fee Regulatory Committee's (AFRC for short) impugned order No. Sectt/ AFRC/2016/3741 dated 22.08.2016 fixing fee of Rs. 1,22,000.00 per year for **B.A.M.S.** course of the institute for sessions 2016-17 & 2017-18 and 2018-19.
2. Appellant and Respondent were heard.
3. Appellant has pleaded that the fee fixed by AFRC vide impugned order is not adequate to meet the operating expenses and growth and development needs of the appellant college. Appellant highlighted that the institution had incurred substantial deficit during the last 3 years in support of which he submitted copies of audited accounts. Appellant further mentioned that 2011-12 and 2012-13 had been declared as Zero year owing to which the institution




could not admit any student and had incurred a huge loss of more than 4 crores.

4. Appellant pleaded that higher fee may be considered to enable the institution to meet its operating expenditure for growth and development.
5. Respondent mentioned that AFRC had fixed fee vide impugned order after considering the audited accounts of the college. Respondent further mentioned that because of 'Zero' years in 2011-12 & 2012-13, the appellant institute had not submitted fee proposal in 2013-14, as a result of which fee of Rs. 75,000.00 per year for 2013-14, 2014-15 & 2015-16 had been fixed by AFRC which in appeal had been revised to Rs. 90,000.00. For the current 3 years period fee of Rs. 1.22 lacs had been fixed by AFRC.
6. Audited accounts submitted by the appellant were perused. It is noted that the institution had incurred deficit of Rs. 75.44 lacs, Rs. 1.39 crores and Rs. 1.81 crores in 2013-14, 2014-15 and 2015-16 respectively. Thus appellant's contention of substantial deficit during the last 3 financial years is corroborated.
7. However, it is noted that the audited accounts show expenditure for hospital consumables of Rs. 11.18 lacs in 2013-14, 13.45 lacs in 2014-15 and 19.45 lacs in 2015-16, but the institution has not shown any income from the hospital in its income and expenditure account. Therefore, the hospital consumable expenditure of total Rs. 44.08 lacs must be reduced from the reported deficit. Even then, the institution had incurred substantial deficit during the last 3 financial years.
8. Admission for academic session 2016-17 is already under way. Any upward revision of fee for academic session 2016-17 would seriously jeopardise the financial condition of students who have already taken admission. Therefore, AFRC's impugned order of fee fixation of Rs. 1.22 lacs per year is maintained.



Students admitted in 2016-17 will pay fee of Rs. 1.22 lacs per year for the entire duration of the course.

9. However, keeping in view the substantial deficit incurred by the institution during the last 3 years, even after excluding hospital consumables and also considering the huge loss on account of Zero year in 2011-12 and 2012-13, it is reasonable to increase fee to Rs. 1.40 lacs per year for academic sessions 2017-18 and 2018-19. Remaining terms and conditions of AFRC's impugned order would apply.
10. 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) 21.11.2016
Appellate Authority