

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

Appeal No. 80/2016

Shubh Deep Ayurved Medical College,
303, Starlit Tower, Y.N.Road,

INDORE - 452020

MUSER – 362754

Appellant

VERSUS

The Admission and Fee Regulatory
Committee, Bhopal.

Respondent

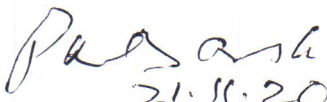
ORDER

(Date- 21.11.2016)

1. This appeal under Sec. 10 of Madhya Pradesh Niji Vyavasayik Shikshan Sanstha, (Pravesh Ka Viniyaman Avam Shulk ka Nirdharan), Adhiniyam, 2007 (the Act, for short) and Sec. 10 (1) & (2) of Sanshodhan Adhiniyam 2013 has been filed by **Shubh Deep Ayurved Medical College, Indore** against Admission & Fee Regulatory Committee's (AFRC for short) impugned order No. Sectt/AFRC/2016/3740 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 and 2018-19.
2. Appellant and Respondent were heard.
3. Appellant has pleaded that while passing the impugned fee fixation order AFRC had not considered audited accounts of the institution for 2015-16. Appellant mentioned that the institution had incurred deficit during the last 3 financial years and therefore, fee of Rs. 1,75,000.00 per year may be fixed for academic session 2016-17 & 2017-18 and 2018-19.



4. Respondent submitted that AFRC had passed impugned order after considering fee proposal of the appellant college and the audited accounts of the institute.
5. Appellant has submitted audited accounts for the institution for year 2015-16 which were perused. It is noted that the institution had incurred a deficit of Rs. 20.61 lacs in 2015-16. However, perusal of Schedule "F" enclosed to the accounts shows substantial interest payment of Rs. 50.40 lacs on Unsecured Loan. No detail regarding terms and tenure of unsecured loans has been furnished. Appellant has not submitted audited accounts for 2013-14 and 2014-15 to substantiate his claim regarding deficit in those years.
6. Fee fixed for the institution for previous three years block was Rs. 1,25,000.00 per year. AFRC vide impugned order has increased it substantially to Rs. 1,57,000.00 per year which is adequate and reasonable.
7. Considering the fact that if interest payment of unsecured loan were excluded, the institution would have generated a surplus in 2015-16 and further keeping in view the substantial increase made by AFRC vide impugned order, the appeal is not merited and is hence dismissed.
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.


21.11.2016
(P.K.Dash)
Appellate Authority