

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. 79/2016

Veena Vadini Ayurved College  
& Hospital,  
BHOPAL  
M.P.

Appellant

V E R S U S

1. The Admission and Fee Regulatory  
Committee, Bhopal.

Respondent


ORDER

(Date 20/10/2016)

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 Sansodhan Ahiniyam 2013 has been filed by **Veena Vadini Ayurved College & Hospital, Bhopal** against Admission & Fee Regulatory Committee's (AFRC for short) order No. AFRC/2016/3742 dated 22.08.2016 fixing fee of Rs. 1,22,000.00 per year for B.A.M.S. course for academic sessions 2016-17, 2017-18 & 2018-19.
2. Appellant and respondent were heard.
3. Appellant submitted that the institute had been suffering operating losses every year during 2012-13 to 2015-16 in support of which copies of audited accounts of the institution had been submitted alongwith appeal memo. Appellant specifically mentioned that the cumulative deficit in income and expenditure account of the institute as on 31.03.2016 was 3.52 crores.

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4. Appellant further mentioned that since 2012-13 was "Zero year" with no admission, hence the institution had not submitted fee proposal for 2013-14 which was the previous 3 years block. Owing to this AFRC had fixed fee of Rs.90,000.00 per year for 2013-14, 2014-15 and 2015-16 which was the same fee which had been fixed for the institution in 2010-11. Thus, during 2010-15 there had been no fee revision for the college.
5. Respondent submitted that AFRC vide impugned order had fixed fee after considering the audited accounts and the fee proposal submitted by the college. Respondent confirmed that the appellant institution had not submitted its fee proposal for 2013-14 owing to which fee of Rs. 90,000.00 per year had been fixed for the previous 3 years block.
6. Audited accounts submitted by the appellant were perused. Income and expenditure accounts show deficit of Rs. 44.02 lacs, Rs. 36.59 lacs, Rs. 32.62 lacs and Rs. 22.23 lacs for financial year 2012-13, 2013-14, 2014-15 & 2015-16 respectively. Audited accounts show cumulative deficit of Rs. 3.52 crores as on 31.03.2016.
7. Keeping in view the recurring deficit in income and expenditure account during 2012-13 to 2015-16 and particularly keeping in view the cumulative deficit of Rs. 3.52 crores as on 31.03.2016; it is reasonable to increase the fee to Rs. 1,40,000.00 per year including development fee and other miscellaneous fee for academic sessions 2016-17, 2017-18 & 2018-19. Remaining terms and conditions of AFRC's impugned order will apply.
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.

  
(P.K.Dash) 20.10.2016  
Appellate Authority