

**Government of Madhya Pradesh,
Department of Technical Education, Skill Development and Employment
Secretariat, Bhopal, Madhya Pradesh**

R 2294217 /2024/42-1/678

Dated 21/05/2025

To,

The Chairman/Secretary/Director,
Jabalpur Institute of Health Science,
Near Agrasen Mandapam Ahinsha Chowk,
Vijay Nagar, Jabalpur
Mail- jihs25jabalpur@gmail.com
Mob: 9981535553

Sub: Order passed in Appeal No. 27/2021 (M.Sc. Nursing).

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I am directed to send you a copy of the order dated 21.05.2025 in above mentioned appeal passed by the Secretary, Government of Madhya Pradesh, Department of Technical Education, Skill Development and Employment, Bhopal and Hon'ble Appellate Authority, AFRC, Bhopal for your information and necessary action. A copy of the same is being provided to Secretary/ O.S.D., AFRC, Bhopal for their information and necessary action.

Enclosure : As above.


(Dr. Santosh Kumar Gandhi)

Officer on Special Duty,
Government of Madhya Pradesh,
Department of Technical Education,
Skill Development and Employment

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Dated 21/05/2025

R 2294217 /2024/42-1/ 679

Copy to:

1. Personal Assistant, Secretary, Government of Madhya Pradesh, Department of Technical Education, Skill Development and Employment, Bhopal and Hon'ble Appellate Authority, AFRC, Bhopal for kind information.
2. Secretary/ O.S.D., AFRC, Bhopal for information and necessary action..



Officer on Special Duty

Government of Madhya Pradesh,
Department of Technical Education,
Skill Development and Employment

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

Presided over by Shri Raghuraj Rajendran, Secretary, Govt. of Madhya Pradesh,
Department of Technical Education, Skill Development and Employment.

Appeal No. 27/2021

Jabalpur Institute of Health Science,
Jabalpur

...Appellant

VERSUS

Admission and Fee Regulatory Committee,
Bhopal

...Respondent

ORDER

(Date: 21st May, 2025)

This appeal is filed u/s 10 of Madhya Pradesh *Niji Vyavasayik Shikshan Sanstha (Pravesh Ka Vinियaman Avam Shulk ka Nirdharan), Adhiniyam, 2007* (hereinafter referred to as the Act) challenging the order dated 04/08/2021 passed by the Admission and Fee Regulatory Committee (hereinafter referred to as AFRC).

- 2) The facts in brief are that the Appellant institute offers a M.Sc. Nursing program. By the impugned order dated 04/08/2021, the AFRC fixed the fee for the academic sessions 2021-22, 2022-23 and 2023-24 at ₹ 1,03,000/- per student per annum. This fee is, reportedly, determined on the basis of audited financial statements submitted by the Appellant for the financial years 2018-19, 2019-20, and 2020-21.

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- 3) The Appellant has challenged the order dated 04/08/2021 primarily on the ground that no reasoning was assigned for fixation of fees while passing the impugned order. The appellant further submitted that for earlier academic sessions 2018-19, 2019-20, and 2020-21, the AFRC had fixed the fee at ₹ 1,35,000/- per student per annum. The Appellant submitted that the reduction in fees for the subsequent sessions is inconsistent with the established norms and methodology of AFRC. Additionally, the Appellant, by way of rejoinder, has pointed out various arithmetic errors and deficiencies in the AFRC's calculation sheet and contends that the reduction has caused operational hardship to the institution.
- 4) Per Contra, the Respondent AFRC submits that the fee fixation process was transparent and conducted in accordance with the prescribed norms. The methodology adopted was duly communicated to the Appellant throughout the process. It was further submitted that, upon calculation, it was found that the fee should have been lower than ₹1,35,000/-, and accordingly, the fee of ₹ 1,03,000/- was arrived at by computing the minimum fee and adding a 10% enhancement for 'growth and development', followed by an additional 10% increase.
- 5) The AFRC also contends that the academic sessions in question have concluded and students have already graduated. Therefore, any retrospective alteration in the fee structure is not feasible and the appeal deserves to be dismissed.
- 6) Heard the appellant and respondent and perused the record.

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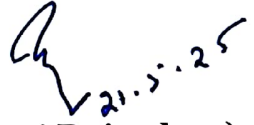
- 7) During the course of arguments, a key issue that arose was whether the AFRC, in computing the fee, had duly considered all expenditure heads of the institution. The AFRC asserted that all expenditure has been considered and the Institution asserted that there are expenditures beyond their locus of control which have not been considered in the fee determination exercise
- 8) In order to resolve the factual dispute, it was directed to scrutinize the documents submitted by both parties and arrive at a factual clarification. From an analysis of the documents, it was evident that the expenditure of the Appellant institution exceeds its normative income. It is noticed that 'University Fee' should have been included in the expenditure for the purpose of fee determination as it is something beyond the locus of control of the Institution and any change in the same, if not absorbed in the determination of fees will adversely affect the balancing of income and expenditure.
- 9) Considering the fact that the academic sessions for which the fee was fixed have already concluded, it would not be feasible to revise the fees for those academic sessions retrospectively. However, the factual findings in the matter after deliberations before AFRC representatives reveals that hike in legitimate expenditure heads such as 'University Fee' has not been considered. This selective consideration of expenditure and income has resulted in a distorted financial picture, leading to an unjustified downward revision of fees for the academic sessions 2021-22, 2022-23, and 2023-24.
- 10) Such an approach not only contravenes the mandate of the AFRC, particularly the duty to assign reasons and follow a transparent, evidence-

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based methodology, but also undermines the financial viability of the institution. The claim of the appellant that the methodology adopted by AFRC in this instance lacks parity with its own precedents could not find an able reply from AFRC.

11) In view of the above, the impugned order of AFRC is to be revised and it is directed that that the AFRC recalculates the fee for the session considering all genuinely admissible expenditures and also considering the income of the institution. The exercise should not be allowed to affect the students who have already passed out of the institution. The additional amount that would be realizable through fee by the institution should be a factor for consideration in the determination of the fees for the future years in a manner of truing up based on past actuals.

12) With the aforesaid directions, the appeal stands disposed of.


(Raghuraj Rajendran)
Appellate Authority