

**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 Justice Prakash Chandra Gupta.

Appeal No. 40/2025

**Acropolis Institute of Technology and Research,
Indore**

..... Appellant

V E R S U S

**The Admission and Fee Regulatory Committee,
Bhopal**

..... Respondent

**ORDER
(Date: 3rd February, 2026)**

1. This appeal is filed under Sec. 10 of Madhya Pradesh Niji Vyavasayik Shikshan Sanstha (Pravesh Ka Viniyaman Avam Shulk ka Nirdharan), Adhiniyam, 2007 (hereinafter referred to as “Act of 2007”) against the order passed by the Admission and Fee Regulatory Committee (AFRC for short) dated 23/06/2025, whereby the fee for the appellant institute was regulated at Rs. 38,000/- per student per semester for B.E. course being run by it, for academic session 2025-26, 2026-27 and 2027-28.
2. On perusal of record, it appears that earlier on 24.09.2025 appeal filed by the appellant against the impugned order passed by AFRC was dismissed by this Authority. Against the order passed by this Authority, the appellant filed a Writ Petition No. 43015/2025 before the Hon’ble High Court of Madhya Pradesh at Bench Indore, which was allowed on 07.01.2026 with the following observations: -

“6. In view of the aforesaid, without examining the merit of the order passed by the Appellate Authority, we deem it proper to set aside the said order and direct the Appellate Authority to pass a fresh order after obtaining the report from the Chartered Accountant of the AFRC in terms of the order dated 03.09.2025 and shall also consider the other submissions advanced on behalf of the appellant in

accordance with the law. Since the matter relates to the fixation of fee of an educational institution for a course, we expect that the Appellate Authority shall decide the appeal as early as possible within a period of 30 days from the date of filing of copy of the order passed today."

3. The appellant filed an application on 15.01.2026 along with the order passed by Hon'ble High Court at Bench Indore. On the same day, the respondent was directed to comply the order passed by this Authority dated 03.09.2025. Under compliance of the directions, the Chartered Accountant of respondent filed report today itself. Copy is supplied to the Appellant.
4. It is submitted by the appellant that at the relevant time, he had uploaded audited balance sheet for the F.Y. 2022-23 and 2023-24. Audited balance sheet for F.Y. 2024-25 was under process. Therefore, he was unable to file the aforesaid balance sheet. It is also submitted that the appellant had proposed fee of the course at Rs. 98,500/- per student per year for academic year 2025-26, Rs. 1,08,500/- per student per year for academic year 2026-27 and Rs. 1,18,500/- per student per year for academic year 2027-28 (Average Fee Rs. 1,08,500/- per student per year), but the AFRC has calculated the fee at Rs. 76,000/- per student per year. It is also submitted that All India Council for Technical Education (AICTE) has fixed minimum fee of the course at Rs. 79,600/- per student per year and maximum fee of the course at Rs. 1,89,800/- per student per year, but no fee has been regulated on the basis of aforesaid recommendation. It is also submitted that at the time of regulation of fee, no opportunity of hearing has been given to the appellant. It is also submitted that ingredients of Section 9 of the Act of 2007 have also not been considered. Therefore, it is prayed that the case may be remanded back for fresh regulation of fee after giving hearing opportunity to the appellant.
5. The respondent supported the impugned order and prays for dismissal of this appeal.
6. The Chartered Accountant of the respondent is also present. She explained her report to the appellant before this Authority. As per report of the Chartered Accountant fee comes at Rs. 78,000/- per student per year after considering audited balance sheet for F.Y. 2024-25.
7. I have heard both the parties. Perused the record.

8. On perusal of the case, it appears that hearing opportunity has not been given to the appellant by the respondent at the time of regulation of fee. On perusal of the order, it also not appears that section-9 of the Act has been considered properly. As per AICTE recommendations, minimum and maximum fee of the course is recommended at Rs. 79,800/- per student per year to 1,89,800/- per student per year, but it has not been mentioned in the impugned order that why the aforesaid recommendations have not been adopted. Therefore, in view of this Authority, the impugned order is interferable. Consequently, in the considered view of this Authority, the appeal is partly allowed and the impugned order passed by AFRC is liable to be set aside and hereby set aside. The matter is remanded back to AFRC with a direction to pass speaking order as early as possible preferably within 30 days from today, after considering the AICTE recommendations, report of the Chartered Accountant of AFRC and Section-9 of the Act of 2007 along with giving hearing opportunity to the appellant.

Accordingly, this appeal stands disposed of.

**(Justice Prakash Chandra Gupta)
Appellate Authority**