

**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. 05/2025

**Aspire Institute,
Indore
Huser524189**

..... Appellant

V E R S U S

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

..... Respondent

ORDER

(Date: 18th November, 2025)

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 02/05/2024, whereby the fee for the appellant institute was fixed at Rs. 32,000/- per student per year for B.Ed. course being run by it, for academic sessions 2024-25, 2025-26 and 2026-27.
2. It is submitted on behalf of the appellant that at the time of uploading audited balance sheet on portal of respondent, audited balance sheet was not ready and in absence of audited financial data, the respondent regulated the 'minimum fee' for the institution. It is also submitted that at the time of regulating fee, opportunity of hearing has not been provided to the appellant and as per provision of the Section 9(2) of the Act of 2007 and Rule 5(26) of

Regulations for Fixation of fee in a Private Unaided Professional Institution Regulation, 2008 ('Regulations of 2008' for short), no notice has been served to the appellant to provide information. It is further submitted by the appellant the fee regulated by the respondent is at lower side and in this fee structure, it is difficult to run the institute properly. Therefore, it is requested by the appellant that its fee may be enhanced properly. It is also submitted by the appellant that income-expenditure and audited balance sheets was filed during appeal proceedings.

3. On the other hand, respondent supported the impugned order, but it is fairly submitted that due to non-filing of audited balance sheet, the expenditure as shown in the aforesaid balance sheet cannot be considered. It is also submitted that on the basis of aforesaid fees as regulated by the respondent for the academic session 2024-25 and 2025-26 can be affirmed and fees as regulated by the respondent for the academic session 2026-27 can be set aside with a direction to regulate fee for the aforesaid session after considering audited balance sheet for the relevant F.Y. and other necessary documents. The respondent further submitted that on the basis of the audited data, the AFRC would regulate the fee of the appellant institution in next academic session i.e. 2026-27.
4. I have heard both the parties. Perused the record.
5. Considering the facts and circumstances of the case, it is apparent that during regulation of fee, the institute needs to upload the audited balance sheet for the last three F.Y., but in this case, the appellant failed to upload required audited balance sheet.
6. It is also apparent that the Respondent has regulated the minimum fee in absence of the audited balance sheet, but it is also agreed by the respondent that for submission of audited balance sheet, no communication was made or

no hearing opportunity is granted to the appellant under Section 9(2) of the Act of 2007 and Rule 5(26) of regulations of 2008.

7. Under such a situation, in view of this Authority, the impugned order passed by AFRC relating to academic sessions 2026-27 is hereby set aside. While, order passed for academic session 2024-25 and 2025-26 is affirmed. The respondent is directed to regulate the fee for the appellant institution afresh for academic sessions 2026-27, when occasion arises, after considering all the necessary documents and giving opportunity of hearing to the appellant.
8. With aforesaid directions and modifications in the impugned order passed by AFRC, the appeal stand disposed of.

(Justice Prakash Chandra Gupta)
Appellate Authority