

**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. 26/2023

**Motilal Nehru Vidhi Mahavidyalaya, Khandwa
Huser1114438**

..... Appellant

V E R S U S

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

..... Respondent

**ORDER
(Date: 13th August, 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 28/08/2023, whereby the fee for the appellant institute was fixed at Rs. 17,800/- per student per year for L.L.B. (Hons.) course being run by it, for academic sessions 2023-24 and 2024-25.
2. Earlier, the appellant had also filed an Appeal No. 02/2023 before this authority against the impugned order, which was disposed off on 20.07.2023, with the following directions: -

"9. In view of the above, the following directions are hereby issued:

a. AFRC is directed to provide detailed reasons and explanations in the orders, determining the fees for courses offered by different educational institutes. This will ensure that colleges are

aware of the factors considered in the fee determination process, which is their inherent right.

b. The various heads of fees, that are constituents of ₹ 31,000/- approved by AFRC for the academic block 2019-22, should not be considered as "Other Income". Such heads should not be deducted by AFRC to arrive at the net expenditure of the Appellant. The fees should be determined accordingly.

c. Any regular payments made by colleges for affiliation or permission purposes for periods longer than one year, as mandated by the regulatory laws, should be treated as "deferred payments." The expenses incurred by the colleges should be evenly distributed across the relevant years."

3. It is submitted on behalf of the appellant that the Appellate Authority, while deciding earlier appeal had specifically directed the AFRC, but the AFRC had not given an opportunity to the appellant in hearing the appeal. It is also submitted that the impugned order passed by the AFRC is totally silent in all aspects, no reason has been given in the impugned order. Rule-6 of 'Regulation for fixation of fee in a Private Un-aided Professional Institution Regulation, 2008' ('Regulation of 2008' in short) has also not considered, wherein several heads are shown for fixation of fees. Apart from that, expenditure of the appellant has not been considered properly. Therefore, the impugned order is liable to be set aside.
4. On the other hand, it is submitted on behalf of the respondent that the impugned order is proper, but it is fairly submitted that no specific reasons and grounds have been mentioned in the impugned order.
5. Having heard both the parties. Perused the record.
6. It appears that earlier, this Authority had given specific directions to the AFRC to decide the matter afresh, but on perusal of impugned order, it

appears that the AFRC has passed the impugned order in total 'Seven lines'. No reasons have been given in the order. The impugned order is totally silent in all essential ingredients. It is also clear that Rule-6 of Regulation of 2008 has not been considered by AFRC. It is also apparent that the AFRC has not complied the directions given by this Authority in earlier appeal. Therefore, the impugned order is liable to be set aside.

7. Accordingly, this appeal is partly allowed. Impugned order is set aside and the matter is sent back to AFRC to regulate the fee afresh considering Rule-6 of the Regulation of 2008 and the directions given by this Authority in earlier appeal within seven days. AFRC is also directed to pass reasoned and speaking order after giving hearing opportunity to the appellant.

This appeal stands disposed of accordingly.

Sd/-
(Justice Prakash Chandra Gupta)
Appellate Authority