

**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. 73/2025

**NRI Institute of Research Technology,
Bhopal
Tuser24360**

..... Appellant

V E R S U S

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

..... Respondent

ORDER

(Date: 19th 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 26/08/2025, whereby the fee for the appellant institute was fixed at Rs. 27,500/- per student per semester for B.Pharm. course being run by it, for academic sessions 2025-26, 2026-27 and 2027-28.
2. It is submitted on behalf of the appellant that the appellant uploaded all required data and necessary documents on the portal of respondent, but the same was not considered by the respondent. It is also submitted that as per balance sheet of F.Y. 2024-25, expenditure of the institute has been increased and for last several years, the fee of the appellant college is same. Therefore, the fee should be calculated after considering the audited

financial data of the course and for that the aforesaid balance sheet was material.

3. It is also submitted that at the time of regulating fee, opportunity of hearing has not been provided to the appellant under 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). It is also submitted by the appellant that if the data uploaded by the appellant is not audited, then notice must be given to him by the respondent to produce proper documents, but same has not been complied by the AFRC and it has been mentioned in the impugned order that in absence of audited balance sheet for the concerning F.Y. minimum fee has been regulated for three academic sessions, which is not proper.
4. It is further submitted by the appellant the fee regulated by the respondent is at lower side and in this fee, the appellant is unable to run the institute properly. Therefore, it is requested by the appellant to enhance fee properly.
5. On the other hand, respondent supported the impugned order, but it is fairly submitted that the appellant submitted the data on the portal of AFRC, but it was not audited and unaudited data never considered by the AFRC and therefore, the expenditure as shown in the data submitted by the appellant cannot be considered. It is also submitted by the respondent that for academic session 2025-26 the impugned order passed by AFRC can be affirmed and fees as regulated by the respondent for the academic sessions 2026-27 and 2027-28 can be set aside with a direction to regulate fee for the aforesaid sessions after considering audited balance sheet for the relevant F.Y. and other necessary documents. The respondent is also agree with above averments of the institute.
6. I have heard both the parties. Perused the record.

7. 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. In this case, the appellant failed to upload audited balance sheet.
8. 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.
9. Under such a situation, in view of this Authority, the impugned order passed by AFRC relating to academic sessions 2026-27 and 2027-28 is hereby set aside. While, order passed for academic session 2025-26 is affirmed. The respondent is directed to regulate the fee for the appellant institution afresh for academic sessions 2026-27 and 2027-28, when occasion arises, after considering all the necessary documents and giving opportunity of hearing to the appellant.
10. With aforesaid directions and modifications in the impugned order passed by AFRC, the appeal stand disposed of.

(Justice Prakash Chandra Gupta)
Appellate Authority