

**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. 21/2025

**Vindhya Institute of Technology and Science,
Satna
Tuser13649**

..... 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 13/06/2025, whereby the fee for the appellant institute was fixed at Rs. 24,000/- per student per semester for B.E. 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 at the time of uploading audited balance sheet on portal of respondent, audited balance sheet of F.Y. 2024-25 was not ready, but he had uploaded provisional balance sheet of F.Y. 2024-25 along with audited balance sheet of F.Y. 2022-23 and 2023-24. It is submitted that as per balance sheet of F.Y. 2024-25, expenditure of the institute has been increased. Therefore, aforesaid balance sheet was

material for calculating fee of the course. 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). 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.

3. On the other hand, respondent supported the impugned order, but it is fairly submitted that due to non-filing of audited balance F.Y. 2024-25, 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 2025-26 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 session 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.
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. In this case, the appellant failed to upload latest audited balance sheet i.e. for the F.Y. 2024-25, but uploaded provisional balance sheet of F.Y. 2024-25. However, audited balance sheet for the F.Y. 2022-23 and 2023-24 was uploaded by the appellant on the portal of Respondent.

6. It is also apparent that the Respondent has regulated the fee on the basis of the latest audited balance sheet available on the Portal i.e. for F.Y. 2023-24, but it is also agreed that for audited balance sheet of 2024-25, 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 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.
8. With aforesaid directions and modifications in the impugned order passed by AFRC, the appeal stand disposed of.

(Justice Prakash Chandra Gupta)
Appellate Authority