



Visvesvaraya Technological University

"Jnana Sangama"

Belagavi - 590 018, Karnataka State

Dr. H.N. Jagannatha Reddy B.E., M.E., Ph.D.
REGISTRAR

Phone : (0831) 2498100

Fax : (0831) 2405467

Ref: VTU/BGM/Aca-OS/Gen-Cir/2018-19/8720

Date : 28 DEC 2018

: CIRCULAR :

**Sub: Lein on original certificates
demanding fees for entire Course
from the student - reg..**

**Ref: This office Circular VTU/BGM/Aca-OS/Gen-
Cir/2018-19/1349 dated : 17-5-2018**

With reference to the above, the University is receiving many petitions / requests w.r.t. retention of original certificates for fee for the entire course from the students.

In this regard, the following are enclosed for your kind information and necessary action:

1. AICTE letter No. F. No. 1-01/DPC/AICTE/Regulations/2018 dt: 6-4-2018 and UGC is enclosed herewith.
2. UGC Notification dated Dec, 2016 – Remittance and refund of fees and other student centric issues
3. VTU Regulations Governing Institutions Malpractice – 2015 – Sl.No 13 of Clause No. VIII – Penalties and punishments .
4. **Further, in W.P. 62299/2016 and 47380/2017 Hon'ble High Court ordered that no educational institution can retain the original documents of students.**

Page 1/2

In light of all the above (1,2, 3 and 4), you are hereby informed **not to retain** the original documents of **any student**.

Failing which, the University will be forced to initiate action against the college and will also report to AICTE, UGC & State Govt.

This is for strict compliance.

Sd/-

Encl: As above

**Registrar,
VTU Belagavi**

To,

The Principals of all colleges(Affiliated/Autonomous/Constituent) under the ambit of VTU Belagavi.

Copy to:

1. The Secretary to VC, VTU, Belagavi.
2. The Regional Directors(I/c)of all regional offices of VTU.
3. The Special officers of Academic Section, VTU Belagavi
4. The computer Network Centre to upload on VTU website


REGISTRAR

Page 2/2





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REGISTRAR

Phone : (0831) 2498100

Fax : (0831) 2405467

Ref: VTU/BGM/Aca-OS/Gen-Cir/2018-19/1349

Date :

17 MAY 2018

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REGISTRAR



प्रो. आलोक प्रकाश मित्तल
सदस्य सचिव
Prof. Alok Prakash Mittal
Member Secretary



अखिल भारतीय तकनीकी शिक्षा परिषद्

(भारत सरकार का एक सांविधिक निकाय)
(मानव संसाधन विकास मंत्रालय, भारत सरकार)
नेल्सन मंडेला मार्ग, वसंत कुंज, नई दिल्ली-110070
दूरभाष: 011-26131497
ई-मेल: ms@aicte-india.org

ALL INDIA COUNCIL FOR TECHNICAL EDUCATION
(A STATUTORY BODY OF THE GOVT. OF INDIA)
(Ministry of Human Resource Development, Govt. of India)
Nelson Mandela Marg, Vasant Kunj, New Delhi-110070
Phone: 011-26131497
E-mail: ms@aicte-india.org

F. No. 1-101/DPG/AICTE/Regulation/2018

6th April, 2018

Subject: Retention of original documents of demanding fees for the entire course from the student - reg.

Sir,

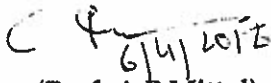
It has come to notice of AICTE that some institutions are retaining original certificates of students and demanding fee for the subsequent years from the students cancelling their admission at any point of time. This is a serious violation of norms and standards and AICTE has taken it very seriously.

AICTE vide public notice PGRC/08(06)/2017 dated 25.08.2017 has already informed to all stake holders that it would not be permissible for institute to retain original certificates and demand fee for the subsequent years from the students cancelling their admission at any point of time. This has also been clearly indicated in the **Approval Process hand Book 2018-2019**.

Kindly take note that AICTE has been empowered under Section 10(n) of AICTE Act to "take all necessary steps to prevent commercialization of technical education." Non-refund of fee and non-return of original certificates subsequent upon a student not continuing with the course amount to commercialization of education.

All the Institutions should comply with the above instructions.

Yours Faithfully,


(Prof. A.P. Mittal)

To
The Directors / Principals
AICTE's approved Institutions

Copy to:

1. Advisor (Approval)
2. All Regional Officers of the Council
3. Director (e-governance), AICTE



विश्वविद्यालय अनुदान आयोग
बहादुरशाह जफर मार्ग
नई दिल्ली-110 002
UNIVERSITY GRANTS COMMISSION
BAHADURSHAH ZAFAR MARG
NEW DELHI-110 002

No.F.10.5/2018 (CPP-I/PU)

SPEED POST

March, 2018

✓ The Registrar,
Visveswaraiah Technological University,
"Jnana Sangama",
Belgaum-590 018,
Karnataka.



28 MAR 2018

Subject: Representation for Retention of Original document and demanding fee

Sir,

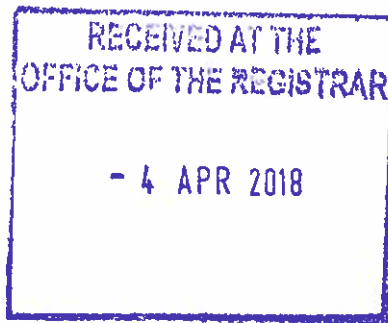
The UGC has received a letter dated 12.02.2018 from Shri Shaik Ameen Sharief, S/o Shri Shaik Ahmad Sharief, Door no- 6-135, Naik Street, Vayalpad- 517299, Andhra Pradesh regarding retention of original document and demanding fees for the entire course from the student (copy enclosed). The UGC has issued instructions to all the Universities in regard to refund of fee. A copy of the same is enclosed.

You are requested to kindly deal with the request of the applicant and intimate the action taken to UGC at the earliest.

Yours faithfully


(Kundla Mahajan)
Under Secretary

Encl: As above.



sp. office

Ph. 23206351, 23232701, 23237721, 23231116
23235733, 23232117, 23236735, 23239417

W. www.ugc.ac.in



SPEED POST

विश्वविद्यालय अनुदान आयोग
बहादुरशाह जफर मार्ग
नई दिल्ली 110 002
UNIVERSITY GRANTS COMMISSION
BAHADURSHAH ZAFAR MARG
NEW DELHI-110 002

F. No. 6-1(7)/2006(CPP-I)

June, 2011

The Vice-Chancellor

All State Private Universities (25 letters)

12 JUN 2011

Subject: Retention of original certificates and refund of fees in case student leaves after joining the course.

Sir,

A Public Notice was issued by the University Grants Commission vide No. F. 1-3/2007(CPP-II) dated 23rd April, 2007 (Copy enclosed) wherein the Institutions/Universities were instructed not to retain the original certificates and also requested to abide by the instructions issued with regard to refund the fee in case of students leaving the Institutions/Universities. It has come to the notice of the University Grants Commission that some of the State Private Universities are not adhering to the instructions issued and are admitting students to technical and professional education programmes long before the actual starting of an academic session; collecting full fees from the admitted students; and, retaining their school/institution's leaving certificates in the original. These State Private Universities are also reportedly confiscating the fee paid if a student fails to join by such dates and insisting fee for remaining semesters from those who leave after joining the course, before returning their original certificates.

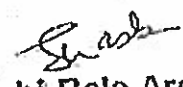
The University Grants Commission is of the view that these State Private Universities, by way of retaining the certificates in original and forced retention of admitted students, are limiting the opportunities for the candidates from exercising other options of joining other institutions of their choice. As such, it is not permissible for State Private Universities to retain the School/Institution Leaving Certificate, mark sheet, caste certificate and other documents in original.

The Universities/Institutions have already been requested by the University Grants Commission to maintain a waiting list of students/candidates. In the event of a student/candidate withdrawing before the starting of the course, the waitlisted candidates should be given admission against the vacant seat. The entire fee collected from the student, after a deduction of the processing fee of not more than Rs. 1000/- (One Thousand only) shall be refunded and returned by the State Private University to the student/candidate withdrawing from the programme. Should a student leave after joining the course and if the seat consequently falling vacant has been filled by another candidate by the last date

of admission, the State Private University must return the fee collected with proportionate deductions of monthly fee and proportionate hostel rent, where applicable.

All the State Private Universities are hereby requested to abide by the above instructions issued by the University Grants Commission with regard to refund of fees and return of original certificates.

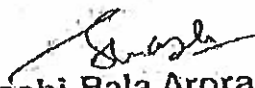
Yours faithfully,

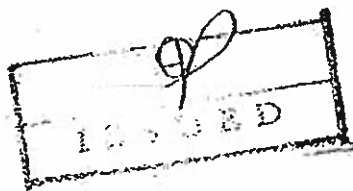

(Shashi Bala Arora)
Under Secretary

q/c

Copy to :

1. Sh. Des Raj, Under Secretary, Government of India, Ministry of Human Resource Development, Department of Higher Education, Shastri Bhawan, New Delhi - 110 001 - With reference to letter No. F. 12-2/2011-U.3A(Pt.1) dated 22nd February, 2011.
2. The Publication Officer, UGC. - To post the letter on UGC website.


(Shashi Bala Arora)
Under Secretary



NK
- 20/6/2011



UNIVERSITY GRANTS COMMISSION
NEW DELHI

F.No.1-3/2007 (CPP-II)

23rd April, 2007

PUBLIC NOTICE

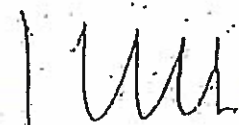
It has come to the notice of the University Grants Commission that Institutions and Universities including Institutions deemed to be universities are admitting students to various programmes of studies long before the actual starting of academic session; collecting full fee from the admitted students; and, retaining their schools / Institutions leaving certificate in original. The Institutions and Universities are also reportedly confiscating the fee paid if a student fails to join by such dates.

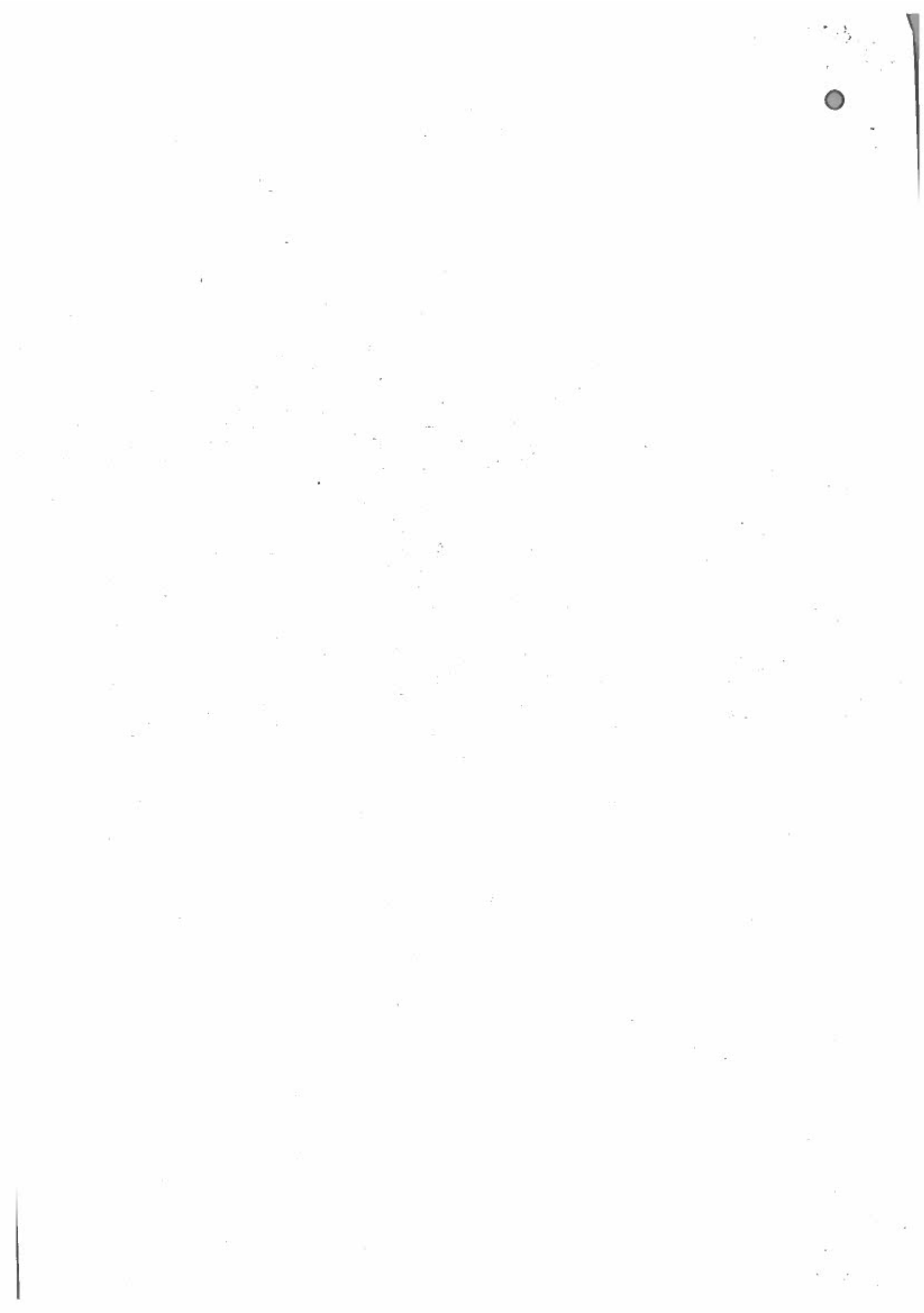
2. The Commission is of the view that the Institutions / Universities, by way of retaining the certificate in original, force retention of admitted students which limits the opportunities for the candidates from exercising other options of joining other institutions of their choice. However, it would not be permissible for Institutions and Universities to retain the School / Institution Leaving Certificate, mark sheet, caste certificate and other documents in original.

3. The Ministry of Human Resource Development and University Grants Commission have considered the issue and decided that the Institutions and Universities, in the public interest, shall maintain a waiting list of students / candidates. In the event of a student / candidate withdrawing before the starting of the course, the waitlisted candidates should be given admission against the vacant seat. The entire fee collected from the student, after a deduction of the processing fee of not more than Rs.1000/- (one thousand only) shall be refunded and returned by the Institution / University to the student / candidate withdrawing from the programme. Should a student leave after joining the course and if the seat consequently falling vacant has been filled by another candidate by the last date of admission, the Institution must return the fee collected with proportionate deductions of monthly fee and proportionate hostel rent, where applicable.

4. The Universities / Institutions are requested to abide by the instructions issued by the UGC. The UGC, shall on its own or on receipt of specific complaints from those affected, take all such steps as may be necessary to enforce these directions.

5. Institutions / Universities are also required to convey these instructions to the colleges affiliated to them.


(Tilak R. Kem)
Secretary



14-4/2007-U.3(A)
Government of India
Ministry of Human Resource Development
Department of Higher Education
[U.3 (A) Section]

Dt 22-4-2007

Whereas it has come to the notice of the Government of India that Institutions and Universities, including Institutions Deemed to be Universities, are admitting students to technical education programmes long before the actual starting of an academic session; collecting full fees from the admitted students; and, retaining their school / institution's leaving certificates in the original;

And Whereas, Institutions and Universities are also reportedly confiscating the fee paid if a student fails to join by such dates;

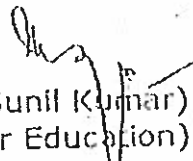
And, Whereas, certificates in original are being detained by institutions and universities to force retention of admitted students;

And, Whereas the time-limit for students to join the courses / programmes is also being advanced in some cases unrealistically so as to pre-empt students / candidates from exercising other options of joining other institutions of their choice.

Now, therefore, in exercise of the powers conferred in it by Section 20(1) of the University Grants Commission Act and Section 20(1) of the All India Council of Technical Education Act, the Central Government hereby directs the UGC and the AICTE to instruct Institutions and Universities in the public interest to maintain a

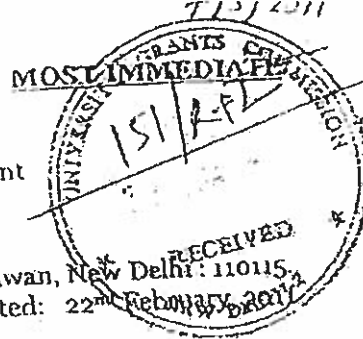
waitlist of students / candidates. In the event of a student / candidate withdrawing before the starting of the course, the wait listed candidates should be given admissions against the vacant seat. The entire fees collected from the student, after a deduction of the processing fee of not more than Rs.1000/- (one thousand only) shall be refunded and returned by the Institution / University to the student / candidate withdrawing from the programme. It would not be permissible for Institutions and Universities to retain the School / Institution Leaving Certificates in original. Should a student leave after joining the course and if the seat consequently falling vacant gets filled by another candidate by the last date of admission, the Institution must return the fees collected with proportionate deductions of monthly fee and proportionate hostel rent, where applicable.

Any violation of instructions issued, by the UGC, and the AICTE, shall call for punitive action including withdrawal of approval and recognition of erring institutions and universities. The UGC and the AICTE shall on their own or on receipt of specific complaints from those affected, take all such steps as may be necessary to enforce these directions.


(Sunil Kumar)
Joint Secretary (Higher Education)

1. PS to HRM
2. PS to MOS
3. Secretary, Higher Education
4. Joint Secretary (T)
5. Chairman, UGC
6. Chairman, AICTE
7. PIO, PIB

No.F. 12-2/2011-U.3 A(Pt. 1)
Government of India
Ministry of Human Resource Development
Department of Higher Education



To

F-7-3/2011 (CPPF)
The Vice Chancellor,
Shanmugha Arts, Science, Technology &
Research Academy (SASTRA),
Tirumalaisamudram, Thanjavur - 613401.
Tamilnadu, India.

Subject: Regarding retention of original certificates of six students and asking for payment of 7 semester fees for returning of certificates by SASTRA University - complaint made by Consumer Protection Council, Tamilnadu.

Sir,

13/1/11
I am directed to say that the Consumer Protection Council of Tamilnadu had made a complaint to the Hon'ble Minister for Human Resource Development regarding retention of original certificates of six students and asking for payment of 7 Semester fees for return of the certificate by SASTRA University. It has been stated that the students left SASTRA University to join NIT, Tiruchirapalli, in its V Counseling and they have joined NIT on the basis of an acknowledgement given by the Deemed to be University for receipt of original certificates. Now NIT wants them to submit the original certificates.

(CPP-5)
2. As you are aware, as per the PUBLIC NOTICE No. F. 1-3/2007 (CPP-II) dated 23rd April, 2007 (copy enclosed for ready reference) issued by the University Grants Commission, it is not permissible for Institutions and Universities to retain the School/Institution Leaving Certificate, mark sheet, caste certificate and other documents in original. Further, if a student leaves after joining the course, the institution must return the fee collected with proportionate deductions of monthly fee and proportionate hotel rent, where applicable.

3. The matter has been considered in the Ministry of Human Resource Development and it has been decided to request the SASTRA University to return the original certificates of six students and also the balance amount of fees, who have joined NIT, Tiruchirapalli.

4. You are, therefore, requested to kindly to return the original certificates of six students and also the balance amount of fees, who have joined NIT, Tiruchirapalli immediately, under intimation to the Ministry.

Yours faithfully,

Sd —
(Des Raj)

Under Secretary to the Govt., of India.
Tele: 23384897.

Encl: As above.

Mr. Manoj

20/3/11

21/3/11

Copy to Shri S.Pushpavanam, Secretary, Consumer Protection Council, Tamilnadu, 2 RMS Buildings Thillainagar MainRoad, Tiruchirapalli - 620018, w.r.t his letter dated 4.1.2011, 7.2.2011 and 17.2.2011.

2. Copy also to the Secretary, University grants Commission, New Delhi, with the request to kindly issue necessary instructions to all the deemed universities immediately with regard to the above.


(Des Raj)



विश्वविद्यालय अनुदान आयोग
University Grants Commission

(मानव संसाधन विकास मंत्रालय, भारत सरकार)
(Ministry of Human Resource Development, Govt. of India)

बहादुरशाह जफर मार्ग, नई दिल्ली-110002
Bahadur Shah Zafar Marg, New Delhi-110002

Ph: 011-23239337, 23236288,

Fax: 011-23236958, Email: jsandhu@ugc.nic.in

प्रो (डॉ) जसपाल एस सन्धु

सचिव

Prof. Dr. Jaspal S. Sandhu

UGBS, HS (Orho), BSM, FMS, FASM, FAFSM, FFMS, FAMS

Secretary

D.O. No. 1-3/2007 (CPP-II)

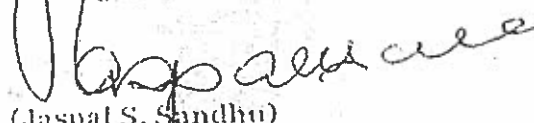
6th December, 2016

Dear Sir / Madam,

UGC has striven to discharge the mandate of regulating the standards of higher education given to it by the UGC Act, 1956 through issuance of regulations, guidelines, notifications and other instruments. UGC (Grievance Redressal) Regulations, 2012 and UGC (Students' Complaints and Entitlements) Regulations, 2012 are some of the initiatives that the Commission took to address the interests and entitlements of students in higher education. Institutions, UGC's public notice in 2007 articulating a procedure for resolving grievances of students related to fee, admission and retention of original certificates was aimed in this direction. However, in view of complaints that have dramatically changed in the subsequent decade and increasing flow of complaints and appeals from students and parents on issues covered in public notice, UGC felt the need to appoint a committee to review its policy on this and other related student-centric matters. A committee constituted in this regard has formulated an elaborate notification on "Remittance and Refund of Fees and other Student Centric Issues" which was approved by the Commission in its 519th meeting held on 15th November, 2016. The notification is available on UGC website.

Let me apprise you that UGC has taken a serious view of these matters which have been brought to its notice by students and other stakeholders and will take strict action against universities and their affiliated/constituent colleges breaching the provisions of this notification. I request you to give specific and stern instructions to various departments and colleges under your university for complete compliance of the Notification. The provisions of the Notification may also be included in the institutional website and prospectus suitably for wider dissemination.

With regards,



(Jaspal S. Sandhu)

To the Vice Chancellors of all universities

Copy to:

1. The Publication Officer, Website Division, UGC, New Delhi.
2. The Bureau Heads, UGC, New Delhi (to take action on complaints / representations concerning their universities / colleges / institutes).

H.A. 2016

(Dr. Hemang Desai)
Education Officer



University Grants Commission

Notification

on

Remittance and Refund of Fees and Other Student-centric Issues

December, 2016

1. Introduction:

One of the fundamentals of the Indian higher education system, even after the significant evolution of private sector in the domain, has remained its commitment to provide education without profit. The rationale behind this policy paradigm has been to protect the rights and entitlements of students whose financial conditions often pose a roadblock to their desire for quality higher education. For a country like India, it is but natural to promote "not-for-profit" paradigm in view of low per capita income and high poverty index. It has to be acknowledged that this apparently idealistic principle has worked to an appreciable extent in India. However, the considerable number of complaints, grievances, court cases and other references received by UGC on various coercive and shady dealings carried out by HEIs reflect that profiteering motivations still drive the operation of quite a few institutions in India. The reason behind the proliferation of such malpractices can be many, including absence of an effective and robust policy regime. However, what is most disturbing about the dismal scenario is that students are at the receiving end of this malaise. The Commission has earlier notified University Grants Commission (Grievance Redressal) Regulations, 2012 on redressal of multifarious grievances of students. But given the sheer volume of the complaints regarding non-refund of fees and retention of original certificates by

HEIs and other related issues, the Commission has felt the need to notify elaborate instructions so as to curb such malpractices. Considering the seriousness of the issue, the UGC has decided to issue appropriate instructions in the form of this notification to all universities and other higher educational institutions under the purview of UGC.

2. Objective:

To prohibit coercive and profiteering institutional practices in the matters related to verification of certificates and testimonials at the time of admission, remittance of fees and refund thereof in case of cancellation of admission and other such student-centric issues.

In exercise of powers conferred by Section 12 (d) read with Section 12(j) of the UGC Act, 1956, the UGC issues this notification for adoption of standard operating procedures in the matters related to verification of certificates and testimonials at the time of admission, remittance of fees and refund thereof in case of cancellation of admission and other such student-centric issues with an aim to curb coercive and profiteering institutional practices that directly and indirectly constrain the fundamental rights of students to explore multiple opportunities and choices in terms of their academic career.

3. Application and Enforcement

1.1. The instructions contained in this notification shall be in supersession to its earlier Public Notice dated 23.04.2007. It shall be applicable to Undergraduate, Postgraduate and Research Programs run by all statutory universities recognized by UGC under Section 2 (f) of UGC Act, together with all colleges under their affiliating domain and institutions declared as deemed to be universities under Section 3 of the UGC Act.

1.2 The instructions contained in this notification shall come into force with immediate effect and shall have regulatory force on extant as well as future grievances over issues and matters covered herein.

1.3 Universities shall amend their relevant statutes, rules, regulations etc. and bring them in line with the provisions contained herein.

4. Specific Instructions and Mandatory Actions for HEIs:

The Commission herewith lays down specific instructions and consequent mandatory actions on the issues related to (1) verification and non-retention of students' academic and personal certificates and testimonials, (2) remittance of fees by students and refund thereof by the institution concerned in the event of the cancellation of admission by the student and (3) an effective grievance redressal mechanism to be installed by the affiliating university for quick and effective resolution of grievances in this regard;

4.1 Verification and Non-retention of Students' Academic and Personal testimonials

4.1.1 No institution of higher education shall insist upon a student to submit the original academic and personal certificates and testimonials like mark-sheets, school leaving certificates and other such documents at the time of submitting admission form.

4.1.2 In line with instructions issued by Ministry of Personnel, Public Grievances & Pension, Department of Administrative Reforms, PG & Pension, the Commission has already written to HEIs about allowing self-attestation of documents such as mark-sheets, birth certificate etc. by the applicant where there is a system of verification of the original certificates and testimonials at any stage before the finalization of the process of admission.

4.1.3 HEIs shall physically verify the originals at the time of admission of the student in his/her presence and return them immediately after satisfying themselves about their authenticity and veracity, keeping the attested copies for their record.

4.1.4 The self-attested testimonials of students shall be held valid and authentic by institution concerned and/or the affiliating university for all purposes and administrative requirements and should there be a need for physical verification at any time during the course of program of study, such verification shall be undertaken in the presence of the student and certificates and testimonials thus verified shall be returned immediately to the student.

4.1.5 Taking the certificates and testimonials into institutional custody under any circumstances or pretexts is strictly prohibited for it is a coercive tactic which can be misused for blackmailing students who wish to withdraw admission from the institute for better prospects or other compulsions.

4.1.5 In case of any suspicion over the authenticity or genuineness of the testimonials, the reference may be made to the university or the Board which issued certificates to the student and the admission be subjected to the authentication, but original certificates shall not be retained under any circumstances

4.2 Remittance and Refund of Fees

4.2.1 No HEI shall make it mandatory for applicants to purchase the institutional prospectus any time during the course of the program of study. Purchasing prospectus shall be the personal choice of the student and he/she has all rights to decide against it in case he/she wishes to access the information from institutional website. As laid down in the Right to Information Act, 2005, and reiterated in the UGC Guidelines on Students' Entitlement, all HEIs shall disclose on their website and prospectus information like the status of the institution, its affiliation, accreditation rating, physical assets and amenities, course-wise sanctioned intake of students, details of faculty, membership of governing bodies and minutes of the meetings of bodies like Academic/Executive council, sources of income and the financial situation and any other information about its functioning necessary for a student to make a fully informed choice.

4.2.2 HEIs shall charge fees in advance only for the semester/year in which a student is to engage in academic activities. Collecting advance fees for entire program of study or for more than one semester/year in which a student is enrolled is strictly prohibited as it restricts the student from exercising other options of enrolment elsewhere. This enabling provision is in line with the UGC guidelines on Choice-Based Credit System (CBCS) and Model Curricula which are geared towards promoting a student's inter-institutional mobility.

4.2.3 If a student chooses to withdraw from the program of study in which he/she is enrolled, the institution concerned shall follow the following four-tier system for the refund of fees remitted by the student.

Sr. No	Percentage of Refund of Aggregate fees*	Point of time when notice of withdrawal of admission is served to HEI
(1)	100%	15 days before the formally-notified last date of admission
(2)	80%	Not more than 15 days after the formally-notified last date of admission
(3)	50%	More than 15 days but less than 30 days after formally-notified last date of admission
(4)	00%	More than 30 days after formally-notified last date of admission

**(Inclusive of course fees and non-tuition fees but exclusive of caution money and security deposit)*

4.2.4 In case of (1) in the table above, the HEI concerned shall deduct an amount not more than 10% of the aggregate fees as processing charges from the refundable amount.

4.2.5 Fees shall be refunded by all HEIs to an eligible student within fifteen days from the date of receiving a written application from him/her in this regard.

4.3 Constitution and Functions of Grievance Redressal Committee (GRC)

4.3.1 All universities shall mandatorily constitute a "Grievance Redressal Committee" (GRC) mandated by UGC (Grievance Redressal) Regulations 2012 to address and effectively resolve complaints, representations and grievances related to any of the issues mentioned in this notification, among others articulated in the regulations. The GRC shall do all it takes to ensure that its

departments and affiliated colleges unfailingly comply with all the instructions articulated in this notification.

4.3.2 The GRC shall follow procedures outlined in UGC (Grievance Redressal) Regulations 2012 for resolution of the students' grievances in above matters.

5. Punitive Actions by Commission against defaulting HEIs

5.1 Any act of retention of original certificate or non-refund of fee by any college shall be deemed to have been committed by the affiliating university which shall only be liable for punitive action by the UGC.

5.2 On receiving any complaint from students or aggrieved person on any of the issues outlined in this notification, the Commission shall forward it to the GRC of the university concerned for feedback.

5.3 The GRC of the university concerned shall furnish to Commission the "Action Taken Report" and/or status of the grievance resolution within a period of twenty days from the date of receipt of the Commission's missive.

5.4 On basis of the feedback of the GRC, if the Commission feels the defaulting HEI is wilfully contravening the provisions contained in this Notification, it shall take all such punitive actions as notified in Regulation 9 of UGC (Grievance Redressal) Regulations 2012 against the defaulting HEIs.

5.5 Additionally, the Commission shall write to accreditation agencies about the misconduct and malpractices of the erring HEI with the request to take all such actions as deemed fit by them to ensure compliance.

(Jaspal S. Sandhu)
Secretary

DY.N-131811/R41/18
9-110-25(HR)

2
16
APPLICATION FOR RETENTION OF ORIGINAL DOCUMENTS AND DEMANDING FEES
FOR ENTIRE COURSE EVEN THOUGH RECEIVING NOTICES FROM AICTE, UGC AND
AFFILIATED UNIVERSITY.

DATE: 12-02-2018

PLACE: VAYALPAD.

TO

UNIVERSITY GRANT COMMISSION
BAHADUR SHAH ZAFAR MARG
DELHI-110002

Sub:

CPP-1/PU

8124/UPP1/PU

08-03-2018

Retention of original documents and demanding fees for the entire course from the student, even though after receiving notices from AICTE, UGC and affiliated university.

Respected Sir/Madam

I am writing this in order to inform you about my college who is refusing to return back my original documents and transfer certificate submitted at the time of admission, when I am withdrawing from the course. I took admission for Bachelor of Engineering (BE) course at the college

HKBK COLLEGE OF ENGINEERING

22/1, OPP Manyatha tech park, Nagwara

Bengaluru, Karnataka-560045 For Academic year 2016-17, But due to my health and other problems. I cannot continue my course further and therefore had to withdraw my admission after first year. (i.e. 2016-17) itself.

But the college officials and authorities are refusing to return back my documents and transfer certificates submitted at the time of admission, unless I pay fee for remaining three years, I have already paid full fees for first year. Even though college receiving notices from AICTE, UGC, FROM AFFILIATED UNIVERSITY (VISVESWARAYA TECHNOLOGICAL UNIVERSITY). I wrote a written complaint to AICTE stating my problem and they replied to me on aug 22nd 2017. the copy has enclosed. A copy has sent to the Director of HKBK college of engineering to take necessary action. But they are not responding. I also wrote a complaint to UNIVERSITY GRANT COMMISSION and affiliated university (visveswaraya technological university). They replied me both (ugc and affiliated university). They have sent a notices to the Director of our college. They are not responding. I am completely helpless.

2.14.19
ac
08/03/18
I already lost two valuable years of my life. I am writing this to you, so that you might take strict action against my college and order them to return my original documents. I request you take strict action and get back my documents from the college. My career depends on your action. The notices doesn't make any sense to the college. I request you to solve my issue as early as possible.

I have already registered a complaint on department of administrative grievance & public grievance. Grievance no: DARPG/E/2017/27004, NO ACTION HAS BEEN TAKEN SO FAR.

Student Residential address:-

Shaik Ameen Sharief
#6-135, Naik Street,
Vayalpad P&M, Chittoor (Dist)
Andhra Pradesh. Pin - 517099

Yours truly

Shaik Ameen Sharief

Name: Shaik Ameen Sharief
Contact no: 7207142040



Phone : 011-26131576, 77, 78, 80
Website : www.aicte-india.org

No.: 1-102/AICTE/PGRC-GRC/2017/65 /744

अखिल भारतीय तकनीकी शिक्षा परिषद्
(भारत सरकार का एक सांविधिक निकाय)
मानव संपादन विकास मंत्रालय, भारत सरकार
नेल्सन मंडेला मार्ग, नई दिल्ली-110067
ALL INDIA COUNCIL FOR TECHNICAL EDUCATION
(A Statutory Body of the Govt. of India)
Ministry of Human Resource Development, Govt. of India
Nelson Mandela Marg, New Delhi-110067

22nd August, 2017

To

Mr. Shaik Ameen Sharief
S/o Shaik Ahamed Sharief
Door No. 6-135,
Naik Street, Vayalpad
Chittoor (Dist) Andhra Pradesh
Pincode 51/299

Sir/Madam,

This is with reference to your representation dated 07.08.2017. Your kind attention is invited to the Public Notice issued by the AICTE (copy enclosed) wherein provision has been made for Establishment of a Grievance Redressal Committee and appointment of OMBUDSMAN (as per AICTE Regulation No. 37-3/Legal/2012 dated 25.05.2012) by all the affiliating Technological Universities for the purpose of Redressal of grievances of the students, parents and others.

Accordingly, each technical Institution shall establish a registry, headed by an employee of the concerned Institution to receive the grievances, where an aggrieved student or person shall send their representation for Redressal of their grievance.

Now, therefore all aggrieved students, their parents & others may henceforth approach the **Grievance Redressal Committee (GRC)** in the first instance; and if they are not satisfied with the decision of the committee, they may send their appeals to the **"OMBUDSMAN"** directly. The 'OMBUDSMAN' shall exercise its powers to hear those grievances and ensure speedy Redressal of the grievances. On conclusion of the proceedings, the Ombudsman shall pass appropriate orders in the matter. Please approach to Registry established by respective Institution for considering your appeal by OMBUDSMAN appointed by the affiliating University.

You are, therefore, requested to approach directly to GRC and Ombudsman along with all relevant supporting documents with complete detail for Redressal of your grievances to the Institution and its Registry established by concerned Institution.

Yours faithfully,

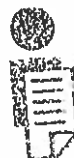
Deputy Director (PGRC)

Encl: Public Notice dated 27.8.2016.

Copy to:

The Director,
HKBK College of Engineering
22/1, Opp Manyatha Tech Park
Arabic College Post, Nagwara
Bengaluru (560045), Karnataka

For necessary action.



सूचना का
अधिकार



ALL INDIA COUNCIL FOR TECHNICAL EDUCATION

(A STATUTORY BODY OF THE GOVERNMENT OF INDIA)

Nelson Mandela Marg, Vasant Kunj,
New Delhi - 110067 Ph: 011-26131576, Website: www.aicte-india.org

PUBLIC NOTICE

In exercise of the powers conferred upon it under clause 1 of section 23 of the AICTE Act, 1987 (52 of 1987), All India Council for Technical Education (AICTE) has framed the AICTE (Establishment of Mechanism for Grievance Redressal) Regulations, 2012 and has notified those Regulations vide notification F.No. 37-3/Legal/ 2012 dated 25-05-2012. A copy of the Regulations is available on the AICTE web portal www.aicte-india.org>Bureau>Administration>Rules & Regulations.

These Regulations provide for (1) Establishment of a Grievance Redressal Committee in each technical Institution approved by the AICTE; and (2) Appointment of Ombudsman, by the Affiliating Universities for the purpose of redressal of grievance of the students, parents and others.

Accordingly, all AICTE approved Institutions/Affiliating Universities shall comply with the above Regulations. They shall publish detailed information, including name, addresses etc. regarding constitution of the Grievance Redressal Committee, the OMBUDSMAN and its registry etc., in their website (public domain), prospectus and Notice Boards for wide publicity.

All aggrieved students, their parents & others may henceforth approach the Grievance Redressal Committee (GRC) of the institution in the first instance; and if they are not satisfied with the decision of the committee, they may send their appeal to the "OMBUDSMAN" directly. The "OMBUDSMAN" shall exercise its powers to hear those grievances and ensure its disposal within one month of the receipt of the appeal.

Advt.No. PG/08(04)/2016

Member Secretary, AICTE

Size : 12 cm. x 12 cm.



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विश्वविद्यालय अनुदान आयोग
बहादुरशाह जफर मार्ग
नई दिल्ली-110 002
UNIVERSITY GRANTS COMMISSION
BAHADURSHAH ZAFAR MARG
NEW DELHI-110 002

No.F.10.5/2017 (CPP-I/PU)

SPEED POST

September, 2017

The Registrar,
Visveswaraiah Technological University,
"Jnana Sangama",
Belgaum-590 018,
Karnataka.

12 SEP 2017

Subject: Representation for Retention of Original document and demanding fee

Sir,

The UGC has received a letter dated nil from Shri Shaik Ameen Sharief, S/o Shri Shaik Ahmad Sharief, Door no- 6-135, Naik Street, Vayalpad- 517299, Andhra Pradesh regarding retention of original document and demanding fee (copy enclosed). The UGC has issued instructions to all the Universities in regard to refund of fee. A copy of the same is enclosed.

You are requested to kindly deal with the request of the applicant and intimate the action taken to UGC at the earliest.

Yours faithfully

(Kundla Mahajan)
Under Secretary

Encl: As above.

Copy to:-

1. The Director, HKBK College of Engineering, 22/1, Opp. Manyat, on park, Nagwara, Bengaluru- 560045, Karnataka
2. Shri Shaik Ameen Sharief, S/o Shri Shaik Ahmad Sharief, Door no- 6-135, Naik Street, Vayalpad- 517299, Andhra Pradesh.

(Naresh Kumar Sharma)
Section Officer (CPP-I)

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF DECEMBER, 2013

BEFORE

THE HON'BLE MR. JUSTICE KRISHNA S.DIXIT

W.P.NO.62299 OF 2016 (EDN-RES)

BETWEEN:

SUSHANT DESHMUKH,

AGED 21 YEARS,

S/O SRI SATISH DESHMUKH,

PRESENTLY RESIDING AT

HOUSE NO.1054, "KAVERI",

50 FEET MAIN ROAD,

OPPOSITE PUNJAB MAHARASHTRA

CO-OPERATIVE BANK, 1ST STAGE,

KUMARASWAMY LAYOUT,

BENGALURU - 560 078.

... PETITIONER

(BY SRI. K C SHANTAKUMAR, ADVOCATE)

AND

1. THE VISVESVARAYA TECHNOLOGICAL
UNIVERSITY,

JNANA SANGAMA, VTU MAIN ROAD,

MACHHEM BELAGAVI - 590 018.

REPRESENTED BY ITS REGISTRAR.

2. SAMPOORNA INSTITUTE OF

TECHNOLOGY & RESEARCH,

SAMPOORNA INSTITUTE OF

MANAGEMENT STUDIES, BELAKERE,

CHANNAPATNA TALUK - 571 501.

RAMANAGAR DISTRICT,

REPRESENTED BY ITS PRINCIPAL.

3. KARNATAKA STATE PROFESSIONAL COLLEGES,

ADMISSION MONITORING COMMITTEE,

2ND FLOOR, CET CELL, SAMPIGE ROAD,
18TH CROSS, MALLESWARAM,
BENGALURU - 560 003
REPRESENTED BY ITS PRESIDENT. ... RESPONDENTS

(BY SRI. SANTOSH S NAGARALE, ADVOCATE FOR R1;
SRI.N.S. SANJAY GOWDA, ADVOCATE FOR R2;
SRI.N.K. RAMESH, ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT RESPONDENTS IN GENERAL AND R-3 IN PARTICULAR TO CAUSE THE RETURN OF THE ORIGINAL TESTIMONIALS SUCH AS MARKS CARD, TRANSFER CERTIFICATES ETC., OF THE PETITIONER, FORTHWITH AND WITHOUT BROOKING ANY FURTHER DELAY IN THE MATTER FOR ENABLING HIM TO PURSUE HIS EDUCATIONAL CAREER AT ANY EDUCATIONAL INSTITUTION OF HIS CHOICE AND ETC.

THIS WRIT PETITION COMING ON FOR HEARING ON INTERLOCUTORY APPLICATION, THIS DAY, THE COURT MADE THE FOLLOWING:-

ORDER

The short grievance of the petitioner, an engineering student who has quit the course in the 2nd Respondent-College mid-way is against the act of the said college in retaining his original educational records for coercing the payment of a liquidated sum of money for so quitting and thereby occasioning the loss.

2. After service of notice, the Respondent-College has entered appearance through its senior panel Counsel Sri.N.S. Sanjay Gowda, who opposes the petition on the ground that the

petitioner has given an undertaking on a stamped paper voluntarily to pay a certain sum of money by way of liquidated damages which would approximate the likely loss the management would suffer for his quitting the course half way through; the basic rule being *pacta sunt servanda* ie, 'abide by what is agreed to', the conduct of the petitioner does not warrant grant of any relief to him at the cost of the college.

3. The learned panel counsel Shri N.S.Gowda further submits that the undertaking being legally enforceable, it is open to the 2nd respondent-College to retain the School/College Records so that petitioner discharges the undertaking given by him, an argument to the contrary having the effect of diluting the enforceability of the said undertaking in question. A Writ Court has to take this aspect of the matter in entertaining the grievance of the petitioner, contends the counsel.

4. I have heard the learned counsel for the petitioner and the learned panel counsel for the respondent-college. I have perused the records.

5. The question as to the right of the educational institution to retain the School/College Records of the students quitting the

course mid-way is no longer *res integra*. A Co-ordinate Bench of this Court in W.P.No.47380/2017 (Edn-Res) has in identical circumstances rendered a judgment dated 27.03.2018 answering the said question in the negative ie., in favour of the petitioner and against the educational institution. No derogatory circumstances that justify taking of a different path than the one indicated in the said judgment are shown to exist in the matter.

6. In the above circumstances, this Writ Petition succeeds; the 2nd Respondent-College is mandamised to return the original educational records of the Petitioner within a period of four weeks. However, liberty is reserved to the 2nd respondent-College/its management to sue the petitioner for enforcing the alleged undertaking furnished by him, all contentions having been kept open.

Costs made easy.

**Sd/-
JUDGE**

cbe