



Visvesvaraya Technological University

(State University of Government of Karnataka Established as per the VTU Act, 1994)

“Jnana Sangama” Belagavi-590018, Karnataka, India

Dr. A. S. Deshpande B.E., M.Tech., Ph.D.
Registrar

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Ref: VTU/BGM/Aca-OS-Cirs/2022-23/ 1356

Date : 7 JUN 2022

: CIRCULAR :

Sub: Retention of original certificates and demanding fees for entire Course
from the student – reg..

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
2. AICTE – Extract from Approval process handbook 2022 – Fee Refund Cases
3. UGC Notification – Refund of Fees and Non –retention of Original Certificates
4. VTU Regulations Governing Institutions Malpractice – 2015 – Sl.No 13 of Clause No. VIII – Penalties and punishments .
5. 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.

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

Follow the directions of AICTE as mentioned above in this regard, failing which, the University will be forced to initiate action against the college and will also report to AICTE, UGC and State Govt.

This is for strict compliance.

Encl: As above

BY ORDER

Registrar, 07/06/2022
VTU Belagavi

To,

The of Principals of All Engineering (Affiliated/ Constituent) Colleges under the ambit of VTU, Belagavi

Copy to:

1. Hon'ble Vice Chancellor through the Secretary to VC, VTU, Belagavi for kind information
2. The Registrar (Evaluation), VTU, Belagavi for kind needful
3. The Regional Directors (I/C) of all the Regional Offices of VTU for circulation
4. The Director, Computer Network Centre, VTU, Belagavi- to upload on VTU website and also incorporation in Registration portal
5. The PS to Registrar, VTU, Belagavi
6. All the concerned Special Officers and Case-workers of Academic Section, VTU, Belagavi for information and necessary action
7. Circular file
8. Office Copy.



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



सत्यमेव जयते

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/2019

29th March, 2019

Sub: Withholding/Retaining of original certificates of faculty/Non-Teaching Staff Members /Students by the employer Institutions.

Sir,

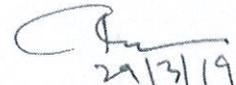
AICTE has been receiving a number of complaints against the Institutions for withholding / retaining the original education qualification certificates of faculty/non-teaching staff members resigning / leaving from employment. As per guidelines Institutions are not allowed to retain the original certificates. Any violation in this regard shall attract strict punitive action including "withdrawal of Approval".

Members of faculty /non-teaching staff of technical Institution are also advised to give at least one month's notice while leaving the job in mid-session keeping in view the academic interest of students.

It has also come to the notice of AICTE that some Institutions are withholding the original certificates of students cancelling their admission at any point of times and demanding fee for subsequent years. This is a clear violation of AICTE norms and attracts strict punitive action.

In view of the above, all the AICTE approved Technical Institutions are directed to comply the guidelines of AICTE and not to indulge in such illegal and unethical restrictive practices.

Yours Faithfully,


29/3/19
(Prof. A.P.Mittal)

To

The Director / Principals
AICTE's Approved Institutions

Copy to:

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

8.11 Violation of norms of admission by the Institutions/ Universities conducting PGDM/ PGCM Courses/ PGDM Institutions not having NAD or Institutions offering PGDM Course(s) in Regular or ODL mode not uploading student enrollment data and list of students completed the Course(s) successfully along with their CGPA/ Percentage of marks in the AICTE Web-Portal.

Norms for conducting PGDM/ PGCM Courses shall be as per **Appendix 9** of the Approval Process Handbook. If any Institution/ Institution Deemed to be University fails to comply with any of the conditions specified therein/any violation in the admission procedure specified in the Approval Process Handbook for the PGDM/ PGCM Courses/ PGDM Institutions not having NAD or Institutions offering PGDM Course(s) not uploading student enrollment data in the AICTE Web-Portal, the Council after giving reasonable opportunity of being heard through Standing Appellate Committee shall be liable for any one or more of the following punitive actions by the Council:

- a. No admission for Academic Year
- b. Withdrawal of approval of the Institution.
- c. Withdrawal of graded autonomy granted by the Council.

8.12 Violation of Norms in Case of Collaboration and Twinning Programme

- a. If a University/ Institution fails to comply with any of the conditions as contained in the Approval Process Handbook, even after giving reasonable opportunity of being heard through Standing Appellate Committee, the Council shall withdraw the approval of the Twinning Programme granted to such University/ Institution to offer their Diploma/ Post Diploma Certificate/ Under Graduate Degree/ Post Graduate Diploma/ Post Graduate Degree in India and forbid such Foreign University/ Institution to either open Centers or enter into any Collaborative arrangement with any University/ Institution in India.
- b. The Council shall also inform the concerned agencies including Ministry of External Affairs, Ministry of Home Affairs, RBI of such decisions and advise these agencies to take any or all of the following measures
 - Refusal/ withdrawal for grant of visa to employees/ teachers of the said Foreign University/ Institution.
 - Stop transfer of funds from India to parent Country.
 - Informing the Public about the withdrawal of approval of the Twinning Programme with Foreign University/ Institution and the consequence thereof.
- c. In case, it comes to the notice of the Council, that a Foreign University is offering Diploma/ Post Diploma Certificate/ Under Graduate Degree/ Post Graduate Diploma/ Post Graduate Degree Level Programme in Technical Education in India directly or in Collaboration with an Indian Partner without obtaining approval, the Council shall initiate immediate action under the Indian Penal Code for Criminal breach of Trust, misconduct, fraud, cheating, etc.
- d. Once the approval of the Twinning Programme is withdrawn, the Council shall make an attempt in co-ordination with concerned State Government/ UT to re-allocate the students enrolled in such Programme to other approved Institutions of the Council. The Institution shall have to return the entire Fee collected from such students to the Institutions in which the students are accommodated.
- e. Such Foreign University/ Institution shall not be allowed to collaborate with any other Centre/ Institution or enter into a Collaborative arrangement in India for at least next 3 years.
- f. UGC amendments from time to time on the subject shall be applicable.

8.13 Fee Refund Cases

- 8.13.1 In the event of a student withdrawing before the start of the Course, the entire Fee collected from the student, after a deduction of the processing Fee of not more than ₹1000/- (Rupees One Thousand only) shall be refunded by the Institution. It would not be permissible for Institutions to retain the School/ Institution Leaving Certificates in original.
- 8.13.2 In case, if a student leaves after joining the Course and if the vacated seat is consequently filled by another student by the last date of admission, the Institution must refund the Fee collected after a deduction of the processing Fee of not more than ₹1000/- (Rupees One Thousand only) and proportionate deductions of monthly Fee and hostel rent, where applicable.
- 8.13.3 The last date for withdrawal of PGDM admission for the purpose of refund of Fee shall be 30th June of every year. However, due to pandemic Supreme Court has permitted up to July 30th, 2022.

- 8.13.4 In case the vacated seat is not filled, the Institution should refund the Security Deposit and return the original documents.
- 8.13.5 The Institution should not demand Fee for the subsequent years from the students cancelling their admission at any point of time. Fee refund along with the return of Certificates should be completed within 7 days.
- 8.13.6 Institutions not following guidelines issued by the Council regarding refund of Fee for cancellation of admission or delaying refunds shall be liable to any one or more of the following punitive actions by the Council.
- Fine for Non-Compliance of refund rules of the Fee levied against each case shall be five times the total Fee collected per student
 - Suspension of approval for NRI and supernumerary seats, if any, for one Academic Year
 - Reduction in "Approved Intake"
 - No admission in one/ more Course(s) for one Academic Year
 - Withdrawal of approval for Programme(s)/ Course(s)

NOTE: Any changes in the Schedule for any of the academic related activities as notified by the Council from time to time are binding on all the AICTE Approved Universities/Institutions.

8.14 Security Deposit

In case of Institutions where FDRs are encashed before the date of maturity or not depositing the required Security Deposit at the time of LoA, a penalty of 10% of the value of the FDR shall be imposed. However, Institutions that had not created FDR/created FDR for lesser duration/ lesser amount than prescribed at the time of LoA have to create the same accordingly as specified in the Approval Process Handbook.

8.15 Complaints regarding the use of fake certificates of SC/ST/OBC to be investigated in time bound manner and if found guilty, such admission should be cancelled. Further, appropriate action shall be initiated accordingly with due intimation to AICTE.

8.16 Penalty amount shall be paid online to the Council as per the instructions.

8.17 Complaint Cases

- All Institutions shall have Grievance Redressal mechanism as notified by the Council.
- In case of receipt of any Complaint(s) about an Institution, the same shall be processed by Public Grievance Redressal Cell (PGRC) of AICTE.
- The Complaint shall be placed before a Standing Complaint Scrutiny Committee (SCSC) for further necessary action. If necessary, the complainant may be called to appear before SCSC at his/ her own cost. Based on the recommendation of SCSC, a Warning or Show Cause Notice may be issued to the Institution or Expert Visit Committee may be conducted through Approval Bureau.
- The report of the Expert Visit Committee/ Show Cause notice, if issued shall be placed before the Standing Hearing Committee.
- Two representatives of the Institution (Chairman/ Secretary of the Trust/ Society/ Company or Principal/ Director/ Faculty of the Institution/ Trustee duly authorized by them) along with Photo ID proof shall present their case along with the compliance and supporting documents before the Standing Hearing Committee. If necessary, the complainant may be called to appear before Standing Hearing Committee at his/ her own cost.
- The recommendations of the Standing Hearing Committee shall be placed before the Executive Committee for approval.
- The decision of the Executive Committee shall be uploaded in the Web-Portal by a detailed Speaking Order. If the Institution is aggrieved by the decision of the Executive Committee, the Institution shall have the right to appeal as per **Clause 1.10** of the Approval Process Handbook.



3

University Grants Commission

Notification

on

Refund of Fees and Non-Retention of Original Certificates

October, 2018

1. Introduction:

The Commission has 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 Higher Educational Institutions (HEI), the Commission felt the need to notify elaborate instructions so as to curb such malpractices and decided to issue appropriate instructions in the form of this Notification to all universities and other HEIs under the purview of the UGC.

2. Objective:

To prohibit coercive and profiteering institutional practices in the matters related to refund of fees in case of withdrawal from the programme and retention of original certificates at the time of and / or after admission.

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 refund of fees in the event of student's withdrawal from the program and non-retention of certificates at the time of admission.

3. Application and Enforcement

3.1. The instructions contained in this Notification shall be in supersession to its earlier Public Notice dated 23.04.2007 and its Notification dated 16th December, 2016. It shall be applicable to Undergraduate, Postgraduate and Research Programs run by universities included 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.

3.2 The provisions 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.

4. Specific provisions for Mandatory compliance by HEIs:

The Commission herewith lays down specific provisions and consequent mandatory compliance on the issues related to:

- (1) Refund of fees by the institution concerned in the event of the withdrawal from the programme by a student; and
- (2) Verification and non-retention of academic and personal certificates of student;

For any complaint in respect of (1) & (2) above, the grievance redressal mechanism as prescribed under UGC (Grievance Redressal) Regulations, 2012, shall be followed.

4.1 Refund of Fees

4.1.1 No HEI shall make it mandatory for applicants to purchase the institutional prospectus at any time during the course of the programme of study. Purchasing prospectus shall be the personal choice of the applicant and he/she shall have rights to decide against it in case he/she wishes to access the information from the 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 regarding the status of the institution, its affiliation, accreditation

status, physical assets and amenities, course-wise sanctioned intake of students, various types of fees payable for different programmes, total fees payable for an entire programme, last date of admission, details of faculty, members of governing bodies and minutes of the meetings of bodies like Academic/Executive Council, sources of income, the financial situation and any other information about its functioning, necessary for an applicant to make a fully informed choice.

4.1.2 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 the entire programme of study or for more than one semester/year in which a student is enrolled is strictly prohibited.

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

S. No	Percentage of Refund of fees*	Point of time when notice of withdrawal of admission is received in the HEI
(1)	100%	15 days or more before the formally-notified last date of admission
(2)	90%	Less than 15 days before the formally-notified last date of admission
(3)	80%	15 days or less after the formally-notified last date of admission
(4)	50%	30 days or less, but more than 15 days, after formally-notified last date of admission
(5)	00%	More than 30 days after formally-notified last date of admission

NOTE : *Caution money and security deposit, which are not part of the fees chargeable, shall be refunded in full.

4.1.4 In case of (1) in the table above, the HEI concerned shall deduct an amount not more than 5% of the fees paid by the student, subject to a maximum of Rs. 5,000/- as processing charges from the refundable amount.

4.1.5 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.

4.2 Verification and Non-retention of Students' Academic and Personal certificates

4.2.1 No HEI shall insist upon a student to submit the original academic and personal certificates, like, mark-sheets, school leaving certificates and other such documents, at the time of submitting admission form, but the submission of self-attested copies thereof shall be mandatory.

4.2.2 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, keeping the attested copies for their record.

4.2.3 The self-attested certificates 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 the programme of study, such verification shall be undertaken and the original certificates thus used for verification shall be returned immediately to the student concerned.

4.2.4 Taking the certificates into institutional custody under any circumstance or pretext is strictly prohibited.

4.2.5 In case of any suspicion over the authenticity or genuineness of a certificate, reference may be made to university or the Board which issued the certificate to the student and the admission be subjected to the authentication, but original certificate shall not be retained by the HEI under any circumstance.

4.3 Grievance Redressal Mechanism (GRM)

4.3.1 All HEIs shall mandatorily have a "Grievance Redressal Mechanism" (GRM) as mandated by UGC (Grievance Redressal) Regulations, 2012, as amended from time to time, to address and effectively resolve complaints, representations and grievances related to any of the issues mentioned in this Notification.

4.3.2 The GRM shall be available on HEI website.

4.3.3 HEIs shall ensure that all grievances received are addressed as deemed fit within 30 days.

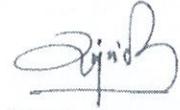
5. Punitive Actions by Commission against defaulting HEIs

The Commission, in respect of any HEI which contravenes or fails to comply with the provisions of this Notification, shall proceed to take one or more of the following actions, namely:-

- (a) withdrawal of declaration of fitness to receive grants under Section 12B of the UGC Act, 1956;
- (b) withholding any grant allocated to the HEI;
- (c) declaring the HEI ineligible for consideration for any assistance under any of the general or special assistance programs of the Commission;
- (d) informing the general public, including potential candidates for admission, through a notice displayed prominently in the newspapers or other suitable media and posted on the website of the Commission, about the non-compliance by the HEI concerned;
- (e) recommend to the affiliating university for withdrawal of affiliation, in case of a college / institute;
- (f) recommend to the Central Government for withdrawal of declaration as Institution deemed to be university, in case of an institution deemed to be university;
- (g) recommend to the appropriate State Government for appropriate necessary action in case of a university established or incorporated under a State Act;

- (h) taking such other action within its powers as the Commission may deem fit.

Provided that no action shall be taken by the Commission under this Notification unless the HEI has been given an adequate opportunity of being heard.



(Rajnish Jain)

Secretary