



Government of West Bengal
Department of Higher Education, Science & Technology and Biotechnology
University Branch
Bikash Bhavan, Bidhannagar, Kolkata - 700091

No. 209 (29)-Edn(U)/1U-32/17

Dated: 24/07/2017

From: Shri Siladitya Basuray, W.B.C.S. (Exe)
Joint Secretary to the Government of West Bengal

To: The Vice Chancellor,
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Sub: Refund of Fees

Madam/Sir,

I have been directed to request you to issue the necessary orders regarding refund of fees in consonance with University Grants Commission instructions on refund of fees issued under D.O. no. 1-3/2007(CPP-II) dated 6.12.2016 (copy enclosed) to include the University and all the Colleges under your affiliation, if any. It may be mentioned that the West Bengal State Council of Higher Education is also in agreement with the instructions of the University Grants Commission regarding return of fees. (copy of Resolution enclosed)

In view of the ongoing admission season this may be done immediately to safeguard the students from harassment.

Yours faithfully,

Sd/- Siladitya Basuray
Joint Secretary

No. 209 (29)/1(1) - Edn(U)/ 1U-32/17

Dated: 24/07/2017

Copy forwarded for information and necessary action to:

- 1) The Director of Public Instruction, West Bengal. Bikash Bhavan, 6th Floor, Kolkata - 91
- 2) The P.S. to the Minister-in-Charge, Department of Higher Education, Science & Technology and Biotechnology
- 3) The Senior P.A. to the Additional Chief Secretary, Department of Higher Education, Science & Technology and Biotechnology
- ✓ 4) IT Cell of this Department for uploading on the Departmental Website.


24/7/2017
Joint Secretary



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