

**GOVERNEMENT OF ANDHRA PRADESH
DEPARTMENT OF TECHNICAL EDUCATION**

Lr. No.: AICTE/Circular/2020

Dated: 02.02.2021

From Sri. M.M. NAYAK, IAS., Special Commissioner of Technical Education, 1 st and 2 nd Floor, ANR Towers, Jammichettu Street, Prasadampadeu, Vijayawada - 521108	To The Registrars of all affiliating Universities in the State of Andhra Pradesh
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Respected Sir/Madam,

Sub: Technical Education – Private Un-Aided Professional Colleges –
AICTE Approval Process Hand Book 2020-21 – certain guidelines
on return of Original Certificates of the Students – Issued – Reg.

Ref: Several Complaints received from students and parents on
receiving their original certificates from the college.

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It is brought to the notice of the Special Commissioner of Technical Education that several complaints have been received from students and their parents stating that the management of various professional colleges are demanding fee for the subsequent years for issuing the original certificates to the students who discontinues their course.

In this regard, it is to inform to all affiliating Universities operating in the State of Andhra Pradesh that, the AICTE in its Approval Process Hand Book 2020-21 under Chapter VIII i.e., Penal Action in case of Violation of the Regulations/ Approval Process Handbook, Sl No. 8.13 (page No. 116 & 117 – Copies enclosed) mentioned about the Refund cases and the punitive actions in case of not following the guidelines issued by AICTE, New Delhi from time to time.

The AICTE in the above reference in the SL No's: 8.13.4 & 8.13.5 has clearly mentioned that ***"In case the vacated seat is not filled, the Institution should refund the Security Deposit and return the original documents. 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"***.

Therefore, the Registrars of all affiliating Universities in the State of Andhra Pradesh are requested to inform the above mentioned provisions of AICTE to all their affiliated colleges and instruct them to follow the above mentioned instructions scrupulously, failing which they be liable to punitive actions by the Council as mentioned in the Sl. No. 8.13.6 (copy enclosed).

Sd/- M.M. NAYAK
SPECIAL COMMISSIONER

To,

Copysubmitted the Principal Secretary to the Government, Department of Higher Education, AP Secretariat, Velagapudi, Amaravathi for favour information

Copy to the Secretary, APSCH, Tadepalli, Guntur dist for favour Information.


For COMMISSIONER 02/02/21.


8.1 Introduction

- a. An Institution offering any Programme/ Course in Technical Education in violation of Regulations/ Approval Process Handbook, shall be liable to appropriate Penal action including fine/ no admission/ reduction in “Approved Intake”/ Withdrawal of Approval/ criminal action by the Council against defaulting Trust/ Society/ Company/ Associated Individuals/ the Institution, as the case may be.
- b. If any Technical Institution contravenes any of the provisions of relevant Regulations, the Council after making appropriate inquiry through Standing Hearing Committee and after providing an opportunity of being heard through the Standing Appellate Committee shall withdraw the approval granted. In case of Withdrawal of Approval of the Institution, the Technical Institution/ Trust/ Society/ Company shall apply afresh for approval after completion of two Academic Years for setting up a new Technical Institution with a different name as per the procedure defined in the Approval Process Handbook.
- c. Further that, the students admitted to the Institution whose approval has been withdrawn for the current Academic Year shall be redistributed to other AICTE approved Institutions in the jurisdiction of the affiliating University/ Board by the Competent Authority of the respective State Government/ UT. AICTE approval given to the Course(s) in the previous Academic Year(s), if any, to such Institution against which the admitted students shall be treated as AICTE approved Course(s) only.
- d. If any of the information mentioned in the Affidavit is proved as false, penal action shall be initiated on the Deponent.

8.2 Non-Submission/ Submission of incomplete/ false information on application for Extension of Approval

Non-Submission/ submission of incomplete/ false information, while applying for Extension of Approval shall invite appropriate penal action against the Institution. The Institution shall be liable to any one or more of the following punitive actions by the Council.

- a. Suspension of approval for NRI and supernumerary seats, if any, for one Academic Year
- b. Reduction in “Approved Intake”
- c. No admission in one/ more Course(s) for one Academic Year
- d. Withdrawal of approval for Programme(s)/ Course(s)
- e. Withdrawal of approval of the Institution



- 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 Foreign University/ Institution fails to comply with any of the conditions as contained in the Approval Process Handbook, the Council after giving reasonable opportunity of being heard through Standing Appellate Committee 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 Centres 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 repatriation of funds from India to home 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.

8.13 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.



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.

- a. Fine for Non-Compliance of refund rules of the Fee levied against each case shall be five times the total Fee collected per student
- b. Suspension of approval for NRI and supernumerary seats, if any, for one Academic Year
- c. Reduction in “Approved Intake”
- d. No admission in one/ more Course(s) for one Academic Year
- e. Withdrawal of approval for Programme(s)/ Course(s)

8.14 AICTE shall initiate appropriate penal action, if Plagiarism is found in the academic, research, project work, journal publication, etc. of the Institutions. Each Institution should have a Plagiarism Software to check the integrity of the work of the students and Faculty by ensuring that all content is unique.

8.15 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.

8.16 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.

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

8.18 Complaint Cases

All Institutions shall have Grievance Redressal mechanism as notified by the Council.

- a. In case of receipt of any Complaint(s) about an Institution, the same shall be processed by Public Grievance Redressal Cell (PGRC) of AICTE.
- b. 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.
- c. The report of the Expert Visit Committee/ Show Cause notice, if issued shall be placed before the Standing Hearing Committee.
- d. 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

