

**GOVERNMENT OF ANDHRA PRADESH  
DEPARTMENT OF TECHNICAL EDUCATION**

**Lr. No. No.EHE02-17023/3/2019-COMM-CTE**

**Dated:24.04.2019**

From Sri G.S.Panda Das, IAS., Spl.Commissioner of Technical Education, 1 <sup>st</sup> & 2 <sup>nd</sup> floors, ANR Towers, Jammi chettu Street, Pradampadu, Vijayawada, A.P-521108.	To The Registrars of all affiliating Universities in the State of Andhra Pradesh
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Respected Sir,

**Sub:** Technical Education – Private Unaided Professional Colleges – AICTE Approval Process Hand Book 2019-20-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 colleges.

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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/more than the prescribed fee 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 2019-20 under Chapter VII i.e., Penal Action in case of Violation of Regulations/Approval Process Hand book 2019-20, S.L.No.7.13 (Page nos.87 & 88-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: 7.13.4 & 7.13.5 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 the affiliating Universities in the State of AP 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 shall be liable to punitive actions by the Council as mentioned in the SL. No. 7.13.6 (copy enclosed).

Encl: As above

Yours Faithfully,  
Sd/- G.S. PANDA DAS  
**SPECIAL COMMISSIONER**

Copy Submitted to the Principal Secretary to the Government,  
Department of Higher Education, AP Secretariat,  
Velgapudi, Amaravathi for favor information

Copy to the Secretary, APSCH, Tadepalli, Guntur Dist. for favor information

Ramesh 24/04/19  
**For SPECIAL COMMISSIONER**

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24/04/19

### 7.1 Introduction

- a. An Institution running 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 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.

### 7.2 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.

- 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)
- Withdrawal of approval of the Institution

### 7.3 Non-Fulfillment of requirement of qualified Principal/ Director

An Institution, not having qualified Principal/ Director for a period **more than 12 months** shall be liable to any one or more of the following punitive actions by the Council till the regular Principal/ Director is appointed.

- Reduction in "Approved Intake"
- No admission for one Academic Year



### 7.13 Refund cases

7.13.1 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.

7.13.2 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 fees and hostel rent, where applicable.

7.13.3 The last date for withdrawal of PGDM admission for the purpose of refund of fees shall be 30<sup>th</sup> June of every year.

7.13.4 In case the vacated seat is not filled, the Institution should refund the Security Deposit and return the original documents.

7.13.5 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.

7.13.6 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)

7.14 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.

### 7.15 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 Approval Process Handbook.

7.16 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.

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



### 7.18 Complaint Cases

- 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 shall be invited to 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. Self-attested Photo ID proof and an authorization letter from the Chairman/ Secretary of the Trust/ Society/ Company shall be produced to the Committee.
- e. The recommendations of the Standing Hearing Committee shall be placed before the Executive Committee for approval.
- f. 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 1.15 of Approval Process Handbook.
- g. As per CVC guidelines, Anonymous/ Pseudonymous Complaints shall not be processed.
- h. Each Institution shall upload the number of Complaints and Grievances received and action taken in their Web site and update AICTE through the monthly online status report.

### 7.19 Procedure for restoration against punitive action

- a. The Applicant shall make an application for restoration on AICTE Web-Portal along with the application for Extension of Approval of the next Academic Year.
- b. The restoration is subject to Expert Visit Committee verifying all the requirements as specified in the Approval Process Handbook.
- c. The Expert Visit Committee Report shall be placed before the Standing Hearing Committee.
- d. Recommendations of the Standing Hearing Committee shall be placed before the Executive Committee for necessary Approval.
- e. If the Institution is aggrieved by the decision of the Executive Committee, the Institution shall have the right to appeal as per Clause 1.15 of Approval Process Handbook. The Council shall give an opportunity for presenting its case before Standing Appellate Committee. The recommendations of the Standing Appellate Committee shall be considered by the Council.
- f. In case of restoration, Extension of Approval with restored Intake shall be uploaded in AICTE Web-Portal, or otherwise Speaking Order shall be also be uploaded in the Web-Portal.

- 7.20 Under extraordinary circumstances, if restoration/ Punitive action (except fine) is approved by the Council beyond 30<sup>th</sup> April of the Calendar Year in compliance to the order dated 13.12.2012 passed by the Hon'ble Supreme Court of India in CA No.9048/ 2012 and the same shall be implemented for the next Academic Year only.

