

University Grants Commission (Redress of Grievances of Students) Regulations, 2019

UNION OF INDIA

India

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Rule

UNIVERSITY-GRANTS-COMMISSION-REDRESS-OF-GRIEVANCES-OF- of 2019

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University Grants Commission (Redress of Grievances of Students) Regulations, 2019Published vide Notification F.No. 14-4/2012(CPP-2), dated 6.5.2019F.No. 14-4/2012(CPP-II). - In exercise of the powers conferred under clause (g) of sub-section (1) of Section 26 of the University Grants Commission Act, 1956 (3 of 1956), and in supersession of the University Grants Commission (Grievance Redressal) Regulations, 2012, the University Grants Commission hereby makes the following regulations, namely -

1. Short Title, Application And Commencement.

(a)These regulations shall be called as the University Grants Commission (Redress of Grievances of Students) Regulations, 2019.(b)They shall apply to all higher education institutions, whether established or incorporated by or under a Central Act or a State Act, and every institution recognized by the University Grants Commission under clause (f) of Section 2 of the University Grants Commission Act, 1956 and to all institutions deemed to be a University declared as such under Section 3 therein.(c)They shall come into force from the date of their publication in the Official Gazette.

2. Objective.

- To provide opportunities for redress of certain grievances of students already enrolled in any institution, as well as those seeking admission to such institutions, and a mechanism thereto.

3. Definition.

- In These Regulations, Unless The Context Otherwise Requires:(a)"Act" means the University Grants Commission Act, 1956 (3 of 1956);(b)"aggrieved student" means a student, who has any complaint in the matters relating to or connected with the grievances defined under these regulations.(c)"college" means any institution, so defined in clause (b) of sub-section (1) of section 12A of the Act.(d)"Collegiate Student Grievance Redressal Committee" (CSGRC) means a committee constituted under these regulations, at the level of an institution, being a college.(e)"Commission" means the University Grants Commission established under section 4 of the UGC Act, 1956.(f)"declared admission policy" means such policy, including the process there under, for admission to a course or program of study as may be offered by the institution by publication in the prospectus of the institution.(g)"Departmental Student Grievance Redressal Committee" (DSGRC) means a committee constituted under these regulations, at the level of a Department, School or Centre of a University.(h)"grievance" means, and includes, complaint(s) made by an aggrieved student in respect of the following, namely:i. admission contrary to merit determined in accordance with the declared admission policy of the institution;ii. irregularity in the process under the declared admission policy of the institution;iii. refusal to admit in accordance with the declared admission policy of the institution;iv. non-publication of prospectus by the institution, in accordance with the provisions of these regulations;v. publication by the institution of any information in the prospectus, which is false or misleading, and not based on facts;vi. withholding of, or refusal to return, any document in the form of certificates of degree, diploma or any other award or other document deposited by a student for the purpose of seeking admission in such institution, with a view to induce or compel such student to pay any fee or fees in respect of any course or program of study which such student does not intend to pursue;vii. demand of money in excess of that specified to be charged in the declared admission policy of the institution;viii. violation, by the institution, of any law for the time being in force in regard to reservation of seats in admission to different category of students;ix. nonpayment or delay in payment of scholarships or financial aid admissible to any student under the declared admission policy of such institution, or under the conditions, if any, prescribed by the Commission;x. delay by the institution in the conduct of examinations, or declaration of results, beyond the schedule specified in the academic calendar of the institution, or in such calendar prescribed by the Commission;xi. failure by the institution to provide student amenities as set out in the prospectus, or is required to be extended by the institution under any provisions of law for the time being in force;xii. non-transparent or unfair practices adopted by the institution for the evaluation of students;xiii. delay in, or denial of, the refund of fees due to a student who withdraws admission within the time mentioned in the prospectus, or as may be notified by the Commission;xiv. complaints of alleged discrimination of students from the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, Women, Minority or persons with disabilities categories;xv. denial of quality education as promised at the time of admission or required to be provided; andxvi. harassment or victimization of a student, other than cases of harassment, which are to be proceeded against under the penal provisions of any law for the time being in force.(i)"Institution" means, as the context may be, a University or a college, or an institution declared a deemed to be a University under the Act or an institution established within a University for a particular discipline or activity;(j)"Institutional Student Grievance Redressal Committee" (ISGRC) means a committee constituted under these regulations at the level of the

University, for dealing with grievances which do not belong to a department of the University e.g. hostels and common facilities.(k)"Ombudsperson" means the Ombudsperson appointed under these regulations;(l)"Prospectus" means and includes any publication, whether in print or otherwise, issued for providing fair and transparent information, relating to an institution, to the general public (including to those seeking admission in such institution) by such institution or any authority or person authorized by such institution to do so;(m)"Region" means a geographical territory, comprising of States, so determined, for the purpose of facilitating enforcement of these regulations; namely, South-Eastern Region comprising Andhra Pradesh, Telengana, Puducherry, Andaman and Nicobar, and Tamil Nadu; South-Western Region comprising Kerala, Karnataka, and Lakshadweep; Western Region comprising Maharashtra, Gujarat, Goa, Dadar and Nagar Haveli, Daman and Diu; Central Region comprising Chhattisgarh, Madhya Pradesh and Rajasthan; Northern Region comprising Jammu and Kashmir, Delhi, Himachal Pradesh, Punjab, Haryana, Uttar Pradesh, Uttarakhand and Chandigarh; North-Eastern Region comprising Assam, Meghalaya, Mizoram, Manipur, Tripura, Arunachal Pradesh, Sikkim and Nagaland; and Eastern Region comprising West Bengal, Bihar, Jharkhand and Odisha.(n)"State" means a State specified in the First Schedule to the Constitution and includes a Union territory;(o)"Student" means a person enrolled, or seeking admission to be enrolled, in any institution to which these regulations apply;(p)"University" means a University so defined in clause (f) of section 2 of the Act or, where the context may be, an institution deemed to be University declared as such under Section 3 thereof.(q)University Student Grievance Redressal Committee" (USGRC) means a committee constituted under these regulations, at the level of the university, for dealing with grievances arising out of decisions of the DSGRC, ISGRC or CSGRC.

4. Mandatory Publication Of Prospectus, Its Contents And Pricing.

(1)Every institution, shall publish and/or upload on its website, before expiry of at least sixty days prior to the date of the commencement of the admission to any of its courses or programs of study, a prospectus containing the following for the information of persons intending to seek admission to such institution and the general public, namely:(a)the list of programs of study and courses offered along with the broad outlines of the syllabus specified by the appropriate statutory authority or by the institution, as the case may be, for every course or program of study, including teaching hours, practical sessions and other assignments;(b)the number of seats approved by the appropriate statutory authority in respect of each course or program of study for the academic year for which admission is proposed to be made;(c)the conditions of educational qualifications and eligibility including the minimum and maximum age limit of persons for admission as a student in a particular course or program of study, specified by the institution;(d)the process of selection of eligible candidates applying for such admission, including all relevant information in regard to the details of test or examination for selecting such candidates for admission to each course or program of study and the amount of fee prescribed for the admission test;(e)each component of the fee, deposits and other charges payable by the students admitted to such institution for pursuing a course or program of study, and the other terms and conditions of such payment;(f)rules/regulations for imposition and collection of any fines in specified heads or categories, minimum and maximum fine may be imposed.(g)the percentage of tuition fee and other charges refundable to a student admitted in such institution in case such student withdraws from such institution before or after completion of course

or program of study and the time within and the manner in which such refund shall be made to that student;(h)details of the teaching faculty, including their educational qualifications, along with their type of appointment (Regular/visiting/guest) and teaching experience of every member thereof.(i)information with regard to physical and academic infrastructure and other facilities including hostel accommodation and its fee, library, hospital or industry wherein the practical training is to be imparted to the students and in particular the amenities accessible by students on being admitted to the institution;(j)all relevant instructions in regard to maintaining the discipline by students within or outside the campus of the institution, and, in particular such discipline relating to the prohibition of ragging of any student or students and the consequences thereof and for violating the provisions of any regulation in this behalf made by the relevant statutory regulatory authority; and(k)Any other information as may be specified by the Commission:Provided that an institution shall publish/upload information referred to in clauses (a) to (k) of this regulation, on its website, and the attention of prospective students and the general public shall be drawn to such publication being on the website through advertisements displayed prominently in different newspapers and through other media:(2)Every institution shall fix the price of each printed copy of the prospectus, being not more than the reasonable cost of its publication and distribution and no profit be made out of the publication, distribution or sale of prospectus.

5. Student Grievance Redressal Committees (SGRC).

- A. Collegiate Student Grievance Redressal Committee (CSGRC)(i)A complaint from an aggrieved student relating to a college shall be addressed to the Collegiate Student Grievance Redressal Committee (CSGRC), with the following composition, namely:(a)Principal of the college - Chairperson;(b)Three senior members of the teaching faculty to be nominated by the Principal - Members;(c)A representative from among students of the college to be nominated by the Principal based on academic merit/excellence in sports/performance in cocurricular activities - Special Invitee.(ii)The term of the members and the special invitee shall be two years.(iii)The quorum for the meeting including the Chairperson, but excluding the special invitee, shall be three.(iv)In considering the grievances before it, the CSGRC shall follow principles of natural justice.(v)The CSGRC shall send its report with recommendations, if any, to the Vice- Chancellor of the affiliating University and a copy thereof to the aggrieved student, within a period of 15 days from the date of receipt of the complaint.B. Departmental Student Grievance Redressal Committee (DSGRC)(i)A complaint by an aggrieved student relating to a Department, or School, or Centre of a University shall be addressed to the Departmental Student Grievance Redressal Committee (DSGRC) to be constituted at the level of the Department, School, or Centre, as the case may be, and with the following composition, namely:(a)Head of the Department, School, or the Centre, by whatever designation known - Chairperson;(b)Two Professors, from outside the Department/School/Centre to be nominated by the Vice Chancellor- Members;(c)A member of the faculty, well-versed with the mechanism of grievance redressal to be nominated by the Chairperson- Member;(d)A representative from among students of the college to be nominated by the Vice Chancellor based on academic merit/excellence in sports/performance in co-curricular activities - Special Invitee.(ii)The term of the Chairperson, members of the Committee, and the special invitee shall be of two years.(iii)The quorum for the meeting of DSGRC, including the Chairperson, but excluding the special invitee, shall be three.(iv)In considering the grievances before it, the DSGRC shall follow principles of

natural justice.(v)The DSGRC shall submit its report with recommendations, if any, to the Head of the Institution/ Vice Chancellor, with a copy thereof to the aggrieved student, within a period of 15 days from the date of receipt of the complaint.C. Institutional Student Grievance Redressal Committee (ISGRC)(i)Where a complaint does not relate to any academic Department, School or Centre of a University, as the case may be, the matter shall be referred to the Institutional Student Grievance Redressal Committee (ISGRC) to be constituted by the Vice Chancellor, with the following composition, namely:(a)Pro-Vice Chancellor/Dean/Senior Professor of institution - Chairperson;(b)Dean of students/Dean, Students Welfare - Member;(c)One senior academic, other than the Chairperson - Member;(d)Proctor/Senior academic - Member;(e)A representative from among students of the college to be nominated by the Vice Chancellor based on academic merit/excellence in sports/performance in co-curricular activities - Special Invitee.(ii)The term of the members of the committee shall be of two years.(iii)The quorum for the meetings of the ISGRC, including the Chairperson, but excluding the special invitee, shall be three.(iv)In considering the grievances before it, the ISGRC shall follow principles of natural justice.(v)The ISGRC shall send its report with recommendations, if any, to the Vice Chancellor, along with a copy thereof to the aggrieved student, within a period of 15 workings days from the date of receipt of the grievance.D. University Student Grievance Redressal Committee (USGRC)(i)The Vice Chancellor of an affiliating University shall constitute such number of University Student Grievance Redressal Committees (USGRC), as may be required to consider grievances unresolved by one or more CSGRC or DSGRC or ISGRC and each USGRC may take up grievances arising from colleges/departments/ Institutions, on the basis of the jurisdiction assigned to it by the Vice Chancellor.(a)A senior Professor of the University - Chairperson;(b)Dean, Student Welfare or equivalent - Member;(c)Two Principals drawn from the affiliating colleges, other than those connected with reports of CSGRC under review, to be nominated by the Vice-Chancellor - Members;(d)One Professor of the University - Member;(e)A representative from among students of the college to be nominated by the Vice Chancellor based on academic merit/excellence in sports/performance in co-curricular activities - Special Invitee.(ii)The Chairperson, members and the special invitee shall have a term of two years.(iii)The quorum for the meeting, including the Chairperson, but excluding the special invitee, shall be three.(iv)In considering the grievances before it, the USGRC shall follow principles of natural justice.(v)The USGRC shall send its report and recommendations, if any, to the Principal of the College relating to the grievance/Head of the department/School/Institution with a copy thereof to the aggrieved student, within 15 days of the receipt of the grievance.(vi)Any student aggrieved by the decision of the University Student Grievance Redressal Committee may prefer an appeal to the Ombudsperson, within in a period of fifteen days from the date of receipt of such decision.

6. Appointment, Tenure, Removal and Conditions of Services of Ombudsperson.

- (i) There shall be one or more part-time functionaries designated as Ombudspersons to hear, and decide on, appeals preferred against the decisions of the USGRCs.Provided that, there shall not be more than one ombudsperson for a State, in respect of all the State universities (Public as well as Private) in that State, who shall be appointed by the State Government;Provided further that, there shall not be more than one Ombudsperson for a region, in respect of the Central universities and institutions deemed to be universities in that region, who shall be appointed by the Central

Government.(ii)The Ombudsperson shall be a person of eminence in academics or research, who had been Vice- Chancellor of a University.(iii)The Ombudsperson for the State universities in a State, shall not be in any conflict of interest with any University in that State; and the Ombudsperson for the Central universities and institutions deemed to be universities in a region, shall not be in any conflict of interest with any University or institution deemed to be University in that region, either before or after such appointment.(iv)A State Government shall appoint the Ombudsperson from a panel of three names recommended by a search committee constituted for that purpose and consisting of the following, namely:(a)A nominee of the Governor or Lt. Governor, as the case may be, who is a person of eminence in the field of higher education- Chairperson;(b)A Vice Chancellor from a State Public University to be nominated by the Governor/LG of the State/UT - Member;(c)A Vice Chancellor from a State Private University to be nominated by the State Government - Member;(d)Chairperson of the State Council of Higher Education or his/her nominee from among the academic members of the Council- Member;(e)Principal Secretary/Secretary to the State Government responsible for Higher Education- Member Secretary.(v)The Central Government shall appoint the Ombudsperson for a region from a panel of three names recommended by a search committee to be constituted for that purpose, and consisting of the following, namely:(a)Chairperson, University Grants Commission or his/her nominee - Chairperson(b)A Vice Chancellor of a Central University to be nominated by the Central Government - Member(c)A Vice Chancellor of an institution deemed to be University to be nominated by the Central Government - Member(d)A nominee of the Central Government, not below the rank of the Joint Secretary - Member(e)Secretary, University Grants Commission - Member Secretary(vi)The Ombudsperson shall be appointed for a period of three years or until he attains the age of 70 years, whichever is earlier, from the date of assuming office, and shall be eligible for reappointment for another one term for the same State or region, as the case may be.(vii)For conducting the hearings, the Ombudsperson shall be paid a sitting fee, per diem, in accordance with the norms fixed by the University Grants Commission, and shall, in addition, be eligible for reimbursement of the expenditure incurred on conveyance.(viii)The State Government, in the case of an Ombudsperson of a State, and the Central Government, in the case of an Ombudsperson of a region, may remove the Ombudsperson from office, on charges of proven misconduct or misbehavior as defined under these regulations.(ix)No order of removal of Ombudsperson shall be made except after an inquiry made in this regard by a person not below the rank of judge of the High Court in which a reasonable opportunity of being heard is given to the Ombudsperson.

7. Functions of Ombudsperson.

- (i) The Ombudsperson shall hear appeals from an aggrieved student, only after the student has availed all other remedies provided under these regulations.(ii)While issues of malpractices in the conduct of examination or in the process of evaluation may be referred to the Ombudsperson, no appeal or application for revaluation or re-totaling of answer sheets from an examination, shall be entertained by the Ombudsperson unless specific irregularity materially affecting the outcome of specific instance of discrimination is indicated.(iii)The Ombudsperson may avail assistance of any person, as amicus curiae, for hearing complaints of alleged discrimination.(iv)The Ombudsperson shall make all efforts to resolve the grievances within a period of 30 days of receiving the appeal from the aggrieved student(s).

8. Procedure for Redressal of Grievances by Ombudspersons and Student Grievance Redressal Committees.

- (i) Each institution shall, within a period of three months from the date of issue of this notification, have an online portal where any aggrieved student may submit an application seeking redressal of grievance. (ii) On receipt of an online complaint, the institution shall refer the complaint to the appropriate Student Grievance Redressal Committee, along with its comments within 15 days of receipt of complaint on the online portal. (iii) The Student Grievance Redressal Committee, as the case may be, shall fix a date for hearing the complaint which shall be communicated to the institution and the aggrieved student. (iv) An aggrieved student may appear either in person or authorize a representative to present the case. (v) Grievances not resolved by the University Student Grievance Redressal Committee shall be referred to the Ombudsperson, within the time period provided in these regulations. (vi) Institutions shall extend co-operation to the Ombudsperson or the Student Grievance Redressal Committee(s), as the case may be, in early redressal of grievances; and failure to do so may be reported by the Ombudsperson to the Commission, which shall take action in accordance with the provisions of these regulations. (vii) The Ombudsperson shall, after giving reasonable opportunities of being heard to both parties, on the conclusion of proceedings, pass such order, with reasons there for, as may be deemed fit to redress the grievance and provide such relief as may be appropriate to the aggrieved student. (viii) The institution, as well as the aggrieved student, shall be provided with copies of the order under the signature of the Ombudsperson, and the institution shall place it for general information on its website. (ix) The institution shall comply with the recommendations of the Ombudsperson; and the Ombudsperson shall report to the Commission any failure on the part of the institution to comply with the recommendations. (x) The Ombudsperson may recommend appropriate action against the complainant, where a complaint is found to be false or frivolous.

9. Information Regarding Ombudspersons and Student Grievance Redressal Committees.

- An institution shall furnish, prominently, on its website and in its prospectus, all relevant information in respect of the Student Grievance Redressal Committee(s) coming in its purview, and the Ombudsperson for the purpose of appeals.

10. Consequences of Non-Compliance.

- The Commission shall in respect of any institution, which willfully contravenes these regulations or repeatedly fails to comply with the recommendation of the Ombudsperson or the Grievance Redressal Committee(s), as the case may be, 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 Act; (b) withholding any grant allocated to the Institution; (c) declaring the institution 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 suitable media and posted on the website of the Commission,

declaring that the institution does not possess the minimum standards for redressal of grievances;(e)recommend to the affiliating University for withdrawal of affiliation, in case of a college;(f)take such action as it may deem necessary, appropriate and fit, in case of an institution deemed to be University;(g)recommend to the Central Government, if required, for withdrawal of declaration as institution deemed to be a University, in case of an institution deemed to be University;(h)recommend to the State Government to take necessary and appropriate action, in case of a University established or incorporated under a State Act;(i)such other action as may be deemed necessary and appropriate against an institution for noncompliance.Provided that no action shall be taken by the Commission under this regulation, unless the institution has been given an opportunity to explain its position and an opportunity of being heard has been provided to it.

11.

Nothing mentioned hereinabove in these regulations shall affect the continuance in office, during the currency of the term, of an incumbent Ombudsperson appointed under the provisions of the UGC (Grievance Redressal) Regulations, 2012; where after, the appointment of Ombudsperson shall be made as per University Grants Commission (Redress of Grievances of Students) Regulations, 2019.