

BEFORE DR K. K. KATOCH, CHAIRMAN, H.P. PRIVATE EDUCATIONAL  
INSTITUTIONS REGULATORY COMMISSION, SHIMLA-171009.

Case No.: 20 of 2019  
Instituted on: 24.06.2019  
Decided on: 23.08.2019

**In the matter of:**

Anshul Chamotra S/o Shri Vijay Chamotra, R/o Chhoti Halder, Jogipur Road,  
PO and Tehsil Kangra HP-176001.

Versus

Shoolini University, Post Box No. 9, Head Post Office, Solan, Himachal  
Pradesh 173212 through its Registrar.

**Present:** None appeared.

**ORDERS**

On 24.06.2019 this case has been registered vide case No. 20 of 2019 on the complaint received from Anshul Chamotra S/o Shri Vijay Chamotra, R/o Chhoti Halder, Jogipur Road, PO and Tehsil Kangra HP-176001 against Shoolini University regarding request for refund of academic fees amounting to Rs. 55,500/- only from Shoolini University Solan. Notice was issued to the respondent University and petitioner vide this office letter No.HPPER/ Case No. 20 of 2019 -2310-2311 dated 25.06.2019 with direction to appear before the Commission on 11.07.2019 and University was also directed to submit reply on following points:-

1. Why the University has not refunded the academic fees to the applicant as per direction of the Commission.
2. Number of total seats sanctioned in the stream for the particular year in which the said applicant took admission.
3. Number of total seats filled in the said stream and number of seats remained vacant including and excluding the seat vacated by the applicant.

4. All the relevant documents upon which the University wishes to adhere to its stand taken for not refunded the Academic Fee to the candidate.

On 11.07.2019 Sh. Vijay Chamotra f/o Anshul Chamotra and Registrar of Respondent University appeared before the Commission and Registrar of respondent University submitted point wise reply as under:-

1. The University has refunded the security as per UGC Public Notice dated 23.04.2007.
2. 18 (Eighteen) seats in M.Tech. Food Technology for Academic year 2016-17 were sanctioned by HPPEREC.
3. Seats filled: 11  
Seats vacant: 7 excluding the seat vacated by the applicant  
8 including the seat vacated by the applicant.
4. The chronological order of the case briefly is as follows:-
  - a. Date of Admission 21.07.2019  
Date of start of first semester 10.08.2016  
Date of Payment of Balance fee 10.08.2019
  - b. Application received from Mr. Anshul Chamotra for his withdrawal on through post 26.08.2016. However, he has signed his application for withdrawal on 18.08.2016

Further University is directed to submit serial wise list of students admitted in M.Tech (2016-2018), reply of which received from the University on 07.08.2019 through email.

Keeping in view the facts heard and present, it is hereby ordered that:-

In the present case, the refund of fee UGC rules of 23.07.2007 were applicable till 05.12.2016 as the case pertains to August 2016. According to which:-

***“In the event of a student/ candidate withdrawing before the starting of the course, the waitlisted candidates should be given admission against the vacant seat. The entire fee collected from the student, after deduction of the processing fee not more than Rs. 1,000- (one thousand only) shall be refunded and returned by the Institution/ University to the student/ candidate withdrawing from the programme. Should a student leave after joining the course and if the seat consequently falling vacant has been filled by another candidate by the last date of admission, the institution must return the fee collected with proportionate deduction of monthly fee and proportionate hostel rent, where applicable.”***

Mr. Anshul Chamotra joined the Course on 27.07.2016 and intimated his withdrawal on 18.08.2016. The seat vacated by Mr. Anushl Chamotra remained vacant. In the light of above rule refund of academic fee cannot be allowed. University plea is accepted. This order supersedes all previous orders and the petition is also disposed off.

Order be uploaded on the website of the Commission.

Copy of order be supplied to the applicant and respondent University.

**Announced.**

**Date: August 23, 2019.**

*Sd/-*  
**(Dr. K.K. Katoch)**  
Chairman

