

**Minutes of the Meeting held at 1100 Hours on 15 September 2005 to review
Draft UGC (Returns of Information by Higher Education Institution) Rules**

Present: As per list

1. Initiating the discussion, Prof. Arun Nigavekar, Chairman UGC briefed the members about the initiative of the UGC to ensure that different kind of information on functioning of the higher education institutions is generally available to various stakeholders. He stated that more information would mean greater transparency in functioning of the higher education institutions.
2. Shri Pawan Agarwal, FA (UGC) in his presentation on the theme pointed that 'The Right to Information Act, 2005' provides that information about private bodies can be accessed under the law by a public authority and pro-active disclosure on part of all the HE institutions would be norm. He referred to UGC Rules of 1979 on returns of information and noted that these were very sketchy and were no longer applicable in the Internet era and the number of private/ deemed institutes had also enormously grown. He added that the new rules would cover the following aspects – pro-active disclosure requirements, code for advertisements and promotion. He then described the various provisions of the draft UGC (Returns of Information by Higher Education Institution) Rules, 2005. Under the rules, schedule I relates to information about the universities, colleges, distance education courses, off- campus centers, course details etc. Schedule II of the rules relate to specifying the deceptive practices.
3. During the discussion that followed, following points came up – basic purpose of these rules is to safe guard the interests of the students; there is a need for grievance redressal system both for the students and the faculty; more detailed and specific information on faculty (including faculty recruitment policy) should be made available; UGC website should be linked to the website where all this information about institutions will be disclosed; placement history is very important part of the information disclosure by the institution; HR policy of the institute should also be stated;
4. It was pointed out that the idea behind such rules is not compliance of regulations but the need to move into the direction of better governance through information sharing. Information needs should be looked from the eyes of the stakeholders i.e. students, faculty, support staff, guardians, employers, funding agency. All information should be submitted on line. Cross-checking the information furnished is neither feasible nor desirable. Penalty provisions of the existing acts should be made use of.
5. There was unanimity on need for such rules. It was felt that this was opportune time to bring out such rules. Though there were concerns about enforcement, however All present lauded the initiative of the UGC. It was felt that with a view to create awareness and further improve upon the schedule of information, nation-wide consultation could be done through UGC Website and UGC writing to the Vice Chancellors.

The meeting ended with a vote of thanks to the Chair.

Draft for Consultation

UGC (Returns of Information by Higher Education Institutions) Rules, 2005

In exercise of the powers conferred by sub-section (i) of Section 12 read with sub sections (f) and (k) of sub section (2) of Section 25 of the University Grants Commission Act, 1956, the Central Government hereby makes the following rules with the intent of securing for citizens information under control of public authorities with a view to promote transparency and accountability in the working of the higher education institutions, namely-

1. *Short title, application and commencement:-*

- (1) These rules may be called the UGC (Returns of Information by Higher Education Institutions) Rules, 2005.
- (2) They shall apply to all Higher Education Institutions as defined in these rules.
- (3) They shall come into force on the date of their publication in the *Official Gazette*.

2. *Definitions:-*

In these rules, unless the context otherwise requires:-

- (a) "Commission" means the University Grants Commission established under section 4 of the UGC Act, 1956.
- (b) "information" means any material in any form (handwritten, print or electronic), including records, documents, memo, emails, opinions, advices, press releases, circulars, orders, log books, contracts, reports, papers, samples, models, images data, etc. and information relating to any private body which can be assessed by a public authority under any law for the time being in force.
- (c) "higher education institution" means all the institutions imparting higher education and includes all universities as defined in clause (f) of Section 2 of the UGC Act, 1956, institutions deemed to be a University under Section 3 of the said Act, institutions specially empowered by an Act of Parliament to confer or grant degrees, as also the off campus centres of such universities/ institutions as well as the colleges/ institutes which are affiliated to or recognized by such universities/ institutions.
- (d) "Model Publication Scheme" means the format prescribed by the Commission to facilitate furnishing of information by each higher education institution and shall include information on the following - profile of the institution, its governance structure, faculty, staff and students, infrastructure and facilities, finance and fee related information, information on academic matters and student support system.

3. *Returns and information to be furnished:-*

- (1) Every higher education institution shall, on or before the date specified by the Commission every year in this behalf, publish information, as per the Model Publication Scheme given in Schedule I appended to these rules, on their respective websites and inform the UGC of the URL of the page on their website where such information has been published, as also provide a pdf version of the same to the UGC by email or on a CD-ROM or through a web-based interface.

(2) Each higher education institution and each of its off campus centres is required to furnish this information in Part A of Schedule I separately. In addition, affiliating universities, universities offering distance education programmes and universities having off-campus centres are required to furnish consolidated information in Part A1, Part A2 and Part A3 respectively.

(3) Each higher education institution is required to furnish detailed information in respect of each course offered by it in Part B of Schedule I.

(4) In addition to the above, various Professional Councils may also require the higher education institutions offering courses falling within their jurisdiction to provide additional information related to the institution and / or course in the form prescribed by them.

(5) The format and type of information required may change from time to time. All higher education institutions shall be required to provide updated information in keeping with these changes.

4. Compulsory disclosure in all advertisements or promotional materials:-

Every higher education institution shall necessarily disclose the following information in all its advertisements and promotional materials either in print form or electronic form -

- a) The name, address, URL, and type of its parent body (trust, society, etc.) that runs and manages the higher education institution;
- b) The name address, telephone number, fax number and email of the Head of the Institution and its Public Information Officer;
- c) The accreditation, recognition and approval status of the institution and / or courses (as applicable) advertised by it.

5. Deceptive Practices:-

Every higher education institution shall ensure that it does not furnish information (in its advertisements, promotional / information materials either in print or electronic form), that may amount to a deceptive practice as specified in Schedule II of these rules.

6. Violation and Penalty

(1) Failure to furnish necessary information under these rules shall amount to violation of the relevant provisions of the UGC Act, 1956 and the Right to Information Act, 2005 and appropriate action could be initiated against the defaulting higher education institution.

(2) Indulgence in deceptive practices as detailed in Schedule II by a higher education institution shall be considered a violation of the relevant provision of the Indian Penal Code, the Consumer Protection Act, 1986 and the Competition Act, 2002.

7. Removal of difficulty

If any difficulty arises in implementation of these rules, the Commission may take necessary action by issuing appropriate clarifications.

8. Super cession

This supersedes the UGC (Returns of information by universities) rules, 1979.

Schedule I

Model Publication Scheme

Part A: Information on Higher Education Institutions

(Each university, college or off campus centre to furnish this information separately)

Profile

Name of the Institution

Address

Web-site

Year of establishment

Jurisdiction

Type of Institution – [University/Deemed university/College/ ...]

Institution set up by – [Central Government / State Government / Local Body/ Society /Trust/....]

If university, type of university – [Unitary/Affiliating]

If college, type of college – [Affiliated/Constituent/Autonomous/Single faculty/Multi faculty/...]

Act / Byelaws of the Institution – Salient features (desirable full text)

Type by funding - [Central Government / State Government / Private aided / private unaided]

Recognition under Section 12B / 2f of the UGC Act [Please quote number and date of recognition]

Accreditation by NAAC [year, validity and grade]

Approval by other agencies, if applicable [Please quote number and date of approval]

Name, designation and contact information of trustees, governing body members as applicable

Co-education / For Girls Only

Governance

Statutes, Ordinances, Byelaws – Salient features (desirable full text)

Composition, power and functions of various Statutory Bodies

Organization structure chart

Name and contact information of head and other senior academic administrators

Innovative methods/ experimentation used in governance

Report(s) of inspection(s), if any

Grievance redressal mechanism

Academic matters

Academic calendar

Vacation period

Number of working days

Admission policy

Schedule of admissions

Schedule for examinations and announcement of results

Medium of Instruction

Discipline-wise list of teaching departments and centres with name and contact information of the Head

Discipline-wise list of courses offered

Academic System: Semester system/ annual system/ choice-based credit system/any other (specify)

Results of examinations (data for the latest three years)

Innovative methods/ experimentation used in teaching

Faculty and Staff

Number of permanent, temporary and part-time teachers (with break up as professor, reader and lecturer)

Number of permanent, temporary and part-time teachers (with break up on the basis of qualifications - Ph.D. /M. Phil. and PG qualifications, NET qualified)

Faculty profile with their qualifications, remuneration and brief bio data

Number of non-teaching administrative staff at different levels

Number of non-teaching technical and scientific staff at different levels

Selection processes (both for faculty and staff)

Conformity with norms prescribed by regulatory bodies (In case of non-conformity, deviations and the reasons thereof)

Students (data for the latest three years may be provided)

Number of students enrolled at various levels – UG/ PG/ M. Phil./Ph. D./ Diploma/ certificate/Self-financing/ Distance education

Number of foreign students at various levels

Drop out rate at various levels

Number of Degrees awarded (Graduate / Post-Graduate / Research) Number of Diplomas/Certificates awarded

Student – teacher ratio

Infrastructure and Facilities

Land Area (in acre)

Total Built up Area (in Sqm.)

Number of Lecture Halls

Computer centre – Number of computers and their configuration

Laboratory – Number and names of major equipment, cost of each equipment, total cost of all the equipments in the laboratory

Workshop – Number and nature

Library facilities [Number of books and journals, Library timings, etc.]

Hostel facilities (capacity, single / share, fee charged, allotment criteria)

Health and hygiene certification for hostels

Residences for staff

Sports facilities (Number and nature of courts, stadiums, gymnasium and swimming pool, etc)

Halls for cultural facilities

Medical facilities

Cafeteria / Canteen facilities – management and supervision

Guest House facilities / charges

Conformity with norms prescribed by regulatory bodies (In case of non-conformity, deviations and reasons thereof)

Finances (audited annual accounts for the previous year be provided)

Operating Budget

Income

Government grants

Fee Income from regular courses

Fee Income from self-financing courses
Fee income from distance education courses
Research and consultancy
Donations
Other sources (specify)

Expenditure [for the previous year - amount in Rs.lac]

Pay and Allowances
Retirement Benefits
Academic expenses (including lab & workshop)
Library & Computer services
Administrative expenses (stationery, water, electricity, telephone & service charges, etc.)
Students Scholarships
Other Expenditure (specify)

Investments

Source of investment
Investment in land
Investment in building
Investment in equipment
Investment in computers
Investment in library

Fees

Fees for regular, international and out of state students – [Tuition fee, other fees (specify)]. In case of variation of fees from course to course, fee related information be furnished along with course details
Scholarships and free-ships [Number, criteria and amount]

Research and consultancy [figures to pertain to previous financial year]

Amount of Research funding received
Number and value of sponsored projects completed
Number and value of sponsored projects in progress
Number of patents filed and number of patents owned as on date
Number of papers published in international journals.
Number of papers published in international conferences / seminars
Number of papers published in national conferences / Seminars
No. of national conferences / seminars conducted

Student Support

Recreational facilities in Hostels
Career Counseling
Stress related counseling
Cultural and extra-curricular activities
NCC, NSS and other community outreach activities
Constitution / byelaws of the Students Union
Activities of the Students Union
Activities related to Alumni

Information Officer

Name and contact information with email id

Part A1: For Universities having Affiliating / Constituent / Self-financing / Autonomous Colleges

List of affiliated colleges with postal address / website address, name and contact information of Head of institution, status of affiliation (permanent/ temporary) and courses offered to be furnished by the university.

Part A2: For Universities offering Distance Education programs

List of study centres with postal address, name and contact information of the In-charge, courses offered and student support services available to be furnished by the university.

Part A3: For Universities having off Campus Centres

Location and address of all Off Campus Centres with courses offered and name and contact information of the Head of the centre

Part B: Course Details (separately for each course of study including distance education courses and self-financing courses)

Name of the course

Duration

Number of contact hours

Sanctioned intake

Minimum eligibility for admission

Method of admission - admission test, interview, performance in qualifying examination, any other (specify)

If admission test - last date for filling up form, date of test (in case not finalized for the year, these dates for previous year could be furnished)

If admission test, a brief note on what the test seeks to evaluate: quantitative / language / data interpretation / general knowledge or subject knowledge (previous years' question papers or at least sample papers could be made available)

Cut off for admissions during the last three years

Reservation Policy for admission – for General / SC / ST / Differently challenged / International/... Students)

Fees [Tuition fees, other types of fees]

Refund Policy

Accreditation by appropriate Accrediting Agency (year, validity and grade)

Performance of students in various competitive exams

Placement – exact figures (fresh, lateral), list of companies that actually recruited students (not just for summer jobs), range and average salary offered

Deceptive Practices in the Context of Higher Education Institutions

It is deceptive for a higher education institution, in promoting any of its interests in its advertisements, promotional materials or in any other manner, to misrepresent, directly or indirectly by implication, whether through the use of text, images, audio, video, endorsements, or by other means, the facts about the institution by the following means:-

1. Deceptive use of nomenclature, viz.,

- 1.1. using of name, label, insignia, or designation which misleads or deceives prospective students, their parents and the general public as to the nature of the institution by depicting itself
 - a) as a part of or connected with a branch or agency of the Government of India, or any of State Governments in India, or any foreign institution;
 - b) as an institution established/run by a non-profit organisation or misrepresenting its affiliation or connection with any public institution or private religious or charitable organisation;
 - c) as an employment agency or an employment agent or authorized training facility for any industry or business;

2. Misinformation on general characteristics, viz.,

- 2.1. wrongly depicting the size, location, services, facilities, or equipment of the institution;
- 2.2. if the institution is not an accredited or recognized or an approved one, concealing that fact;
- 2.3. failing to clearly and conspicuously disclose the extent (course-wise, program-wise) or nature or purpose of any approval by a regulatory body or State agency or accreditation by an accrediting agency or association;
- 2.4. if it conducts its instruction by correspondence, or other form of distance education, failing to clearly and conspicuously disclose that fact;
- 2.5. wrongly depicting the number or the educational qualifications, credentials, experience of its teachers, instructors or other employees;
- 2.6. misrepresenting the availability or nature of any financial assistance to students by not informing them about the conditions under which loans are provided, if the cost of training is financed in whole or in part by loans;

3. Misinformation on admissions and courses, viz.,

- 3.1. wrongly depicting the nature or extent of any prerequisites or qualifications for enrolment in a course or program of instruction;
- 3.2. misrepresenting that the lack of high school education or prior training or experience is not an impediment to successful completion of a course or obtaining employment in the field for which the course provides training;
- 3.3. failing to disclose to a prospective student, prior to enrolment, the total cost of the program and the institution's refund policy if the student does not complete the program;

- 3.4. failing to disclose to a prospective student, prior to enrolment, all requirements for successfully completing the course or program and the circumstances that would constitute grounds for terminating the student's enrolment prior to completion of the program;
 - 3.5. misrepresenting that students successfully completing a course or program of instruction can transfer the credit to an accredited institution of higher education;
 - 3.6. misrepresenting that a course of instruction has been approved by a particular industry, company or firm;
 - 3.7. misrepresenting the nature or efficacy of its courses, training devices, methods, or showing that its courses are recommended by counsellors, individuals, high schools, colleges, educational organisations, employment agencies, companies or industrial bodies;
 - 3.8. wrongly depicting that a course has been recently revised or instructional equipment is up-to-date, or misrepresenting its ability to keep a program current and up-to-date;
- 4. Misinformation on Degrees, Diplomas, viz.,**
- 4.1. issuing a degree, diploma, certificate of completion, or any similar document, that misrepresents the subject matter, substance, or content of the course of study or any other material fact concerning the course for which it was awarded or the accomplishments of the student to whom it was awarded;
 - 4.2. offering or conferring an academic, professional, or occupational degree, if the award of such degree has not been authorised by the appropriate Government or regulatory body or approved by a nationally recognised accrediting agency;
- 5. Misinformation on placement, employment opportunities, viz.,**
- 5.1. misrepresenting that successful completion of the course qualifies the student for admission to any other institution or organisation or for receiving a license from the appropriate Government or regulatory body to perform certain functions;
 - 5.2. misrepresenting that it has been the subject of testimonials or endorsements from former students, or using testimonials or endorsements that do not accurately reflect current practices of the institution or current conditions or employment opportunities in the industry or occupation for which students are being trained;
 - 5.3. misrepresenting the nature and extent of any personal instruction, guidance, assistance, or other service, including placement assistance the institution will provide to the students either during or after completion of a course;
 - 5.4. wrongly depicting the availability of employment after graduation from a course of training, or the success that the institution's graduates have realised in obtaining such employment, or the salary that the institution's graduates will receive in such employment;
 - 5.5. wrongly depicting that employment is being offered or that a talent hunt or contest is being conducted;
 - 5.6. misrepresenting the nature of any relationship between the institution or its personnel and any government agency or that students of the institution will receive preferred consideration for employment with any government agency.
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