

**Before H. P. Private Educational Institutions Regulatory Commission,  
Shimla -171009.**

Case No: 11/2018  
Date of Institution: 20.07.2018  
Date of Decision: 07.09.2021

**In the matter of:**

Bhawna

.....Petitioner

*Versus*

Shimla College of Education

.....Respondent

**ORDERS**

A complaint regarding refund of fee was received on dated 14.03.2018 from the petitioner against the respondent where it was alleged by the complainant that sum of Rs. 25,000/- as admission fee was paid in favour of the respondent vide receipt dated 18.07.2016 and she applied to the Principal, Shimla College of Education on dated 18.08.2016 for refund of fees but there has been no response from the respondent after several visit to the Respondent College.

The Petitioner stated that she attended B.Ed. counselling at Himachal Pradesh University, Shimla on dated 18.07.2016 wherein Shimla College of Education was allotted to her. This was incorrect information provided by the Coordinator, B.Ed. Counselling Committee, H.P. University, Shimla related to no seats available at Modern Education College, Shimla. Her first preference was Modern Education College, Annandale, Shimla. Later, she came to know that seats were available at Modern Education College, Shimla and communication in this regard was also made by the Petitioner on dated 18.07.2016 with the Coordinator, B.Ed. Counselling Committee, HP University, Shimla for converting her seat from Respondent College to Modern Education College, Annandale, Shimla against one vacancy left in General category as she has only opted for the Modern Education College, Annandale, Shimla in the counselling form.

The matter was taken up with the Respondent College vide letter dated 15.03.2018 and its subsequent reminders, the Respondent College through its email dated 01.05.2018 contested the complaint stating that the Petitioner remained in the Respondent College upto

22.10.2016 and her name was sent to the University and amount cannot be refunded as per rules and regulations of University.

Further, the matter was fixed for the hearings and several notices were issued to the respondent for appearing before the Commission alongwith the relevant records. On 17.08.2021, the notice was again issued to the respondent for appearing before the Commission alongwith relevant record pertaining to the case on dated 02.09.2021 at 11 AM. Ms. Upasna Sharma, Assistant Professor of the college appeared before the Commission without any authority letter from the Respondent College.

**After hearings and scrutiny of all the relevant documents submitted, the Commission observes that:**

- The Petitioner deposited a sum of Rs. 25,000/- as admission fee in favour of the respondent vide receipt dated 18.07.2016 and communication w.r.t. converting her seat from Respondent College to Modern Education College, Shimla was also made on the same date with the Coordinator, B.Ed. Counselling Committee, HP University, Shimla.
- As per admission form No. 103 dated 08.08.2016 duly verified by the Principal of Modern Education College, Annadale Shimla reveals that the admission of Petitioner was also completed at Modern Education College, Annadale, Shimla on 08.08.2016.
- The Petitioner also applied to the Principal, Shimla College of Education on dated 18.08.2016 for refunding of admission fees.

**In view of the above observation, the Commission hereby pass the following orders:**

- That the request for change of Colleges by Petitioner was forwarded to the Coordinator, B.Ed. Counselling Committee, HP University, Shimla well before the last date of admission i.e. 31.07.2016. Her admission was also confirmed later, hence the Petitioner is entitled for the refund of entire fee.
- That the respondent shall refund / release the above mentioned amount to the Petitioner alongwith 12% interest per annum from the due date till the realisation of the amount immediately.
- The original records procured from the Respondent College, the same shall be returned in due course of time by the HP-PERC.

The above mentioned orders shall comply within 15 days from the date of issue of these orders. Matter stand adjudicated, representations / applications, pending if any, in this matter also stand disposed off.

Orders be uploaded on website of the Commission.

File after completion be consigned to record room.

Announced.

(Major General Atul Kaushik)  
**Chairman**

(Prof. Shashi Kant Sharma)  
**Member**

HP-PERC