

Short Term Training Penalty Grid

S.No	Compliance Standards	Penalty
1	Non Existence of PMKVY Center	High
	- While batches as per SDMS are in progress 'Non existence may also include such centres where instead of PMKVY training, some other classes (coaching classes etc. is going on)	Issuing of a Show-Cause Notice to the TP and the TC with immediate stopping of fund disbursement and future batch creation untill the finalization of decision on TC non-compliance.
		a) TC to be suspended, if proven guilty b) Members/Partners/Directors managing such TC, to be barred using from registering any center over SMART.
		Any disbursement(s) made earlier to the TP for the non-compliant TC under consideration, to be recoverable and be adjusted in future payments.
		TP to be responsible for completing training of the ongoing batches for TC(s) without any future payments. In case TP doesn't complete ongoing batches, he will be charged a penalty of 100% of the amount which shall be given to TC, had the training completed on time honestly. In case penal amount is not recoverable from future payments, TC shall be blacklisted

2	Unethical Practices- Subletting	High
	-PMKVY scheme doesn't allow any franchise centres -All centres must be TP owned	Issuing of a Show-Cause Notice to the TP and the TC with immediate stopping of fund disbursement and future batch creation until the finalization of decision on TC non-compliance.
		a) TC to be Suspended for six months, if proven guilty b) TP shall not be allowed to create new TCs over SDMS c) For any subsequent offence, TP shall be penalized with 30% of total future disbursements for each subsequent offence c) Members/Partners/Directors managing such TC, to be barred for six months from registering any center over SMART
		Amount disbursed earlier to the TC under consideration of penalty action be recovered from the TP for TC non-compliance.
3	Fake Enrollments / Ghost candidates	High
		a) TC to be Blacklisted, if proven guilty b) Members/Partners/Directors managing such TC, to be barred using from registering any center over SMART.
		Amount payable for the said TC to be forfeited
		TP to be responsible for completing training of the ongoing batches for TC(s) without any future payments. In case TP doesn't complete ongoing batches, he will be charged a penalty of 100% of the amount which shall be given to TC, had the training completed on time honestly. In case penal amount is not recoverable from future payments, TC shall be blacklisted

4	Non Availability of required infrastructure/tools and equipment for each job role post inspection	High
	-While batches as per SDMS are in progress - There are absence of mandatory equipments	Issuing of a Show-Cause Notice to TP and TC with immediate stopping of fund disbursement and future batch creation untill the finalization of decision on TC non-compliance.
		a) TC to be Suspended for six months, if proven guilty of not complying with PMKVY 2016-20 norms by not fulfilling the mandatory equipment requirements, with no further disbursement for ongoing batches b) Members/Partners/Directors managing such TC, to be barred for six months from registering any center over SMART
		Amount payable for the said TC to be forfeited
		TP to be responsible for completing training of the ongoing batches for TC(s) without any future payments. In case TP doesn't complete ongoing batches, he will be charged a penalty of 100% of the amount which shall be given to TC, had the training completed on time honestly. In case penal amount is not recoverable from future payments, TC shall be blacklisted
5	Mass enrollments	High
		Issuing of a Show-Cause Notice to TP and TC with immediate stopping of fund disbursement and future batch creation untill the finalization of decision on TC non-compliance.

		<p>a) TC shall be Suspended for six months, with no further disbursement for ongoing batches, if proven guilty</p> <p>b) Members/Partners/Directors managing such TC, to be barred for six months from registering any center over SMART</p>
		Amount payable for the said TC to be forfeited
		TP to be responsible for completing training of the ongoing batches for TC(s) without any future payments. In case TP doesn't complete ongoing batches, he will be charged a penalty of 100% of the amount which shall be given to TC, had the training completed on time honestly. In case penal amount is not recoverable from future payments, TC shall be blacklisted
6	<p>a) Center was closed at the time of visit</p> <p>b) Training not being conducted at the time of visit as per PMKVY guidelines</p>	High
	<p>- While batches as per SDMS are in progress</p> <p>- TP fails to justify the reason for not conducting training as per PMKVY guidelines</p>	Issuing of a Show-Cause Notice to TP and TC with immediate stopping of fund disbursement and future batch creation until the finalization of decision on TC non-compliance.
		<p>a) TC to be Suspended for six months, with no further disbursement for ongoing batches, If proven guilty and they are not able to submit proof of conduction of any training at the center</p> <p>b) Members/Partners/Directors managing such TC, to be barred for six months from registering any center over SMART</p>

		Amount payable for the said TC to be forfeited
		TP to be responsible for completing training of the ongoing batches for TC(s) without any future payments. In case TP doesn't complete ongoing batches, he will be charged a penalty of 100% of the amount which shall be given to TC, had the training completed on time honestly. In case penal amount is not recoverable from future payments, TC shall be blacklisted
8	<u>Unethical Practices</u> If the Training Center is found indulging in unethical practices such as offering/demanding undue favors in cash or in kind to a stakeholder like Assessor , in order to influence the outcome of assessment OR with any other malafide intention affecting the outcome of the training	High
		Issuing of a Show-Cause Notice to TP and TC with immediate stopping of fund disbursement and future batch creation untill the finalization of decision on TC non-compliance.
		a) If proven guilty, TC shall be suspended for six months, with no further disbursement for ongoing batches b) Members/Partners/Directors managing such TC, to be barred for six months from registering any center over SMART
		Amount payable for the said TC to be forfeited

		TP to be responsible for completing training of the ongoing batches for TC(s) without any future payments. In case TP doesn't complete ongoing batches, he will be charged a penalty of 100% of the amount which shall be given to TC, had the training completed on time honestly. In case penal amount is not recoverable from future payments, TC shall be blacklisted
9	Intimidating assessor to conduct assessment at a place other than authorized by SMART	High
		Issuing of a Show-Cause Notice to TP and TC with immediate stopping of fund disbursement and future batch creation until the finalization of decision on TC non-compliance.
		a) TC to be Suspended for six months, with no further disbursement for ongoing batches, if proven guilty b) Members/Partners/Directors managing such TC, to be barred for six months from registering any center over SMART
		Amount payable for the said TC to be forfeited
		TP to be responsible for completing training of the ongoing batches for TC(s) without any future payments. In case TP doesn't complete ongoing batches, he will be charged a penalty of 100% of the amount which shall be given to TC, had the training completed on time honestly. In case penal amount is not recoverable from future payments, TC shall be blacklisted

10	Training not being conducted at the time of visit	Medium
	- While batches as per SDMS are in progress - TP justifies the reason for not conducting training as per PMKVY guidelines	Issuing of a Show-Cause Notice to TP and TC with immediate stopping of fund disbursement and future batch creation until the finalization of decision on TC non-compliance.
		TC to be issued warning mail, if they are able to submit proof of conduction of any training at the center
11	Non Availability of required infrastructure /tools and equipment for each job role post inspection	Medium
	- While batches as per SDMS are in progress	Issuing of a Show-Cause Notice to TP and TC
	However, mandatory equipment is present at the center	Grading to be reduced by 1 star. Warning mail shall be issued for mending its ways.
12	Non Availability of SSC Certified Trainers at the Center.	Medium
	Exemption to be provided if the trainer has been formally nominated for the ToT and the ToT is pending from SSC's end	Issuing of a Show-Cause Notice to TP and TC
		Warning Mail to be issued to TP for complying with PMKVY 2016-20 Guidelines with fund disbursements and further batch creation to be stalled unless TC submits TOT certification

13	Non-Distribution of Induction Kits to the trainees	Medium
		Issuing of a Show-Cause Notice to TP and TC
		Warning Mail to be issued to the TP to comply with the PMKVY 2016-20 Guidelines.
14	Non-Distribution of Handbook to the trainees	Medium
		Issuing of a Show-Cause Notice to TP and TC
		Warning Mail to be issued to the TP to comply with the PMKVY 2016-20 Guidelines.
15	Non-Usage of AEBAS for recording Trainees and Trainers attendance	Medium
		Issuing of a Show-Cause Notice to TP and TC
		Warning Mail to be issued to the TP to comply with the PMKVY 2016-20 Guidelines with fund disbursements and further batch creation to be stalled unless TC use AEBAS for recording attendance
16	Regular candidates are admitted at the Training Centre	Not available in previous penalty grid
	<ul style="list-style-type: none"> - TC will be held responsible, if he fails to check whether regular candidates are admitted at the TC - This offence needs to be verified by Call validation - If more than 30% of verified candidates confirms being part of regular course than penalty under this offence shall be applicable 	Issuing of a Show-Cause Notice to TP and TC
		<ul style="list-style-type: none"> 1) Warning mail 2) TC to be penalised equivalent to 10% deduction in future disbursements

17	Non-Adherence to PMKVY Marketing and Branding Guidelines	Low
		Issuing of a Show-Cause Notice to TP and TC
		Warning Mail to be issued to the TP to comply with the PMKVY 2016-20 Guidelines.
18	a) Any offence not listed above or any action to be taken against TP not listed b) Any action taken by IMC	High/Medium/Low
		<p>a) PMC will be competent to increase/decrease any penalty for the discrepancy mentioned above, based on some special conditions like rural areas, special category candidates etc.</p> <p>b) PMC will be competent to call suo-moto for any case that has been decided by IMC, for further deliberation and may overturn IMC decision</p> <p>c) Any other offence which is not listed above to be categorized as High/Medium/Low offence by the IMC. IMC is competent to take decision on such cases with intimation to PMC about the decision.</p>
Note:-	All Suspension and blacklisting shall be linked to Aadhar number of the person linked with suspended/blacklisted entity	

Actions on Training Provider – Score Card

Total Points Scored by a TP	1* Total number of TCs under that TP
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Points deduction for each non-compliance as follows :		
High	Medium	Low
1	0.5	0.2

Number of TCs under a TP	Points of TPs After Accommodating Non-Compliant TCs		
	1st Level of Non-Compliance	2nd Level of Non-Compliance	3rd level of Non-Compliance
Less than 10	Less than 80% and greater than 60%	Greater than 40% and less than or equal to 60%	Less than or equal to 40%
10 to 20	Less than 85% and greater than 75%	Greater than 65% and less than or equal to 75%	Less than or equal to 65%
Greater than 20	Less than 90% and greater than 80%	Greater than 70% and less than or equal to 80%	Less than or equal to 70%
Penalty on TP	TP is barred from creating new TCs under him with PMC having power to overturn the decision	TP to be penalised equivalent to 20% of total amount to be disbursed to him in future	TP to be penalised equivalent to 50% of total amount to be disbursed to him in future

***Assuming each center has been given 1 point falling under a TP**

For eg:- A TP having 8 TCs under it (either self owned or franchise). 1 TC caught for high level, 2 for medium level and 2 for low level of offence under this TP.

1) TP's Total Score = 8

2) TP's negative score as per grid = $1*1 + 2*0.5 + 2*0.2 = 2.4$

3) Points of TP after non compliance = 5.6

4) TP score as % of total = $5.6/8.0 * 100 = 70\%$

5) **Action on TP** :- Since TP has less than 10 TCs under it, with score between 80%-60%, hence, it falls under 1st level of non compliance and attracts a low level of penalty, where TP shall be issued a strong warning mail and the same shall be published over NSDC and other affiliated website

Action on Subsequent Offences

Nature of offence	2nd Offence	3rd Offence	4th Offence	5th Offence
High	a) TC to be Blacklisted b) Members/Partners/Directors managing such TC, to be barred from registering any center over SMART			
Medium	30% of the disbursement amount to be deducted for the TC.	a) Suspension of the TC for six months b) Members/Partners/Directors managing such TC, to be barred for six months from registering any center over SMART	a) TC to be Blacklisted b) Members/Partners/Directors managing such TC, to be barred from registering any center over SMART	
Low	10% of the disbursement amount to be deducted for the TC.	30% of the disbursement amount to be deducted for the TC.	a) Suspension of the TC for six months b) Members/Partners/Directors managing such TC, to be barred for six months from registering any center over SMART	a) TC to be Blacklisted b) Members/Partners/Directors managing such TC, to be barred from registering any center over SMART