

GOVERNMENT OF ODISHA  
DEPARTMENT OF HIGHER EDUCATION

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No. HE-FEIII-MISC-0075-2017 *26203* /HE: Bhubaneswar Date *7-10-17*

PUBLIC NOTICE

INVITING SUGGESTIONS FROM PUBLIC ON THE DRAFT BILL FOR REGULATION OF  
COACHING INSTITUTES

A Draft Bill for regulation of Coaching Institutes/ Centres has been prepared by the Department of Higher Education, Government of Odisha with concurrence of School & Mass Education Department and Skill Development & Technical Education Department with a view to control and regulate the Private Coaching Institutes of the State.

Valuable suggestions / opinions on the Draft Bill are hereby solicited from the General Public including Professionals, Academicians, NGOs/ Institutions prominent in the field of Education.

The suggestions/views may be sent to the **Joint Secretary to Government (HPC), Department of Higher Education, Government of Odisha** by e-mail at [suggestionshpc.he@gmail.com](mailto:suggestionshpc.he@gmail.com) by 6<sup>th</sup> November, 2017.

*Shapala*  
Joint Secretary to Government *07/10/2017*

Memo No. *26204* /HE., Dated *7-10-17*

Copy forwarded to OIC, P.T.C. with a request to host the same in the website of this Department for information to all concerned.

*Shapala*  
Joint Secretary to Government *07/10/2017*

Draft Bill

**ODISHA COACHING INSTITUTES (REGULATION) BILL, 2017**

**A  
BILL**

**TO REGULATE PRIVATE COACHING INSTITUTES IN THE STATE**

**Preamble:** WHEREAS, it is expedient and to provide for the control and regulation of private coaching institutes of the State including organization/offices/bureau functioning in the state of Odisha either working on their own or purporting to be acting on behalf of other Universities or coaching institutions located outside Odisha for better academic support in preparation of students for different competitive examinations that are conducted after +2 level for eventual admission to Professional/Technical Undergraduate courses and other ancillary activities like counseling for admission into technical/ professional institutions.

BE it enacted by the Legislature of the State of Odisha in the Sixty Eight year of the Republic of India as follows:

**CHAPTER – 1  
PRELIMINARY**

1. Short title, extent and commencement.–
  - (1) This Act may be called the Odisha Coaching Institutes (Control & Regulation), Act 2017.
  - (2) It shall extend to the whole of the State of Odisha.
  - (3) It shall come into force at once.
  
2. Definitions.–In this Act, unless there is anything repugnant in the subject or context-
  - (i) “Government” means – Government of Odisha;
  - (ii) “Registration” means - registration number given under this Act;
  - (iii) “Registered Coaching Institute” means - the coaching institute registered under this Act;
  - (iv) “Registration Number” means the registration number given under this Act;
  - (v) “Rules” means, rules made under Section-9;
  - (vi) “Tuition Fees” means the amount taken from the enrolled students for academic support by the registered coaching institute, namely admission fees, teaching fees etc;
  - (vii) “Authority” means Registration Committee constituted under the chairmanship of District Collector;
  - (viii) “Appellate Authority” means the Government of Odisha.
  - (ix) “Coaching Institute” means an institute, organization/office/bureau by whatever name it may be called which provides coaching to prepare students for competitive examinations that are conducted after +2 level for eventual admission to Professional/Technical Under- Graduate Courses functioning in the State of Odisha,

either working on their own or purporting to be acting on behalf of other Universities or coaching institutions located outside Odisha.

- (x) "Curriculum" means the curriculum prescribed by All India / State level competitive examinations/ different Boards.
- (xi) "Registration Fee" means requisite fee for the registration of coaching institute.
- (xii) "Registration Certificate" means registration certificate issued under this Act.
- (xiii) "Prescribed" means prescribed by Rules, Regulations and Notifications.
- (xiv) "Student" means students enrolled in a coaching institute.
- (xv) "Violation" means Violation of provisions of the Act / Rules and concerned notifications for the running of coaching institute.

## CHAPTER – 2

### **Registration of Coaching Institute / Syllabus prescribed by Coaching Institute /Competitive Examination / Academic support / Admission Fees / Registration Fees**

- 3. Establishment/Registration of coaching institute for the academic support for preparation of curriculum and different competitive examinations.–
  - (1) The existing coaching institutes shall apply to the Competent authority in prescribed format within one month from the enactment of this Act.
  - (2) After the commencement of this Act, no coaching institute shall be established or run without obtaining a valid registration certificate under this Act.
  - (3) The tenure of registration shall be for 3 years.
  - (4) After the commencement of this Act, any person who desires to establish or run coaching institute shall have to apply before District Collector in a format that may be prescribed, alongwith registration fee of Rs. 5,000 (Five thousand), along with the following information -
    - (a) Determination of curriculum –
      - (1) Curriculum for different kinds of academic support and duration for completion of curriculum shall be clarified.
      - (2) Number of maximum students shall be mentioned for every curriculum.
    - (b) Academic qualification of teachers – The teaching shall be performed by non-government teachers or retired teachers having at least graduation qualification, along with the bio-data of the teachers, their academic qualification and experience shall be mentioned.
    - (c) Tuition fees –
      - (1) The coaching institute shall have to issue a prospectus, mentioning different curriculum / duration of completion of curriculum and with tuition fees.
      - (2) Under the curriculum, it shall be mandatory to mention in the prospectus the number of lectures, tutorial, group discussions etc.
    - (d) Physical Infrastructure -

- (1) Within the basic structure of the coaching institute, minimum one sq. meter area should be available on an average for each student.
- (2) Other facilities – The following facilities shall be made available by every coaching institute: -
  - (i) Sufficient furniture (bench/desk etc.);
  - (ii) Sufficient lighting arrangement (electrification);
  - (iii) Facility of drinking water;
  - (iv) Facility of toilets;
  - (v) Facility of sanitation and cleanliness;
  - (vi) Arrangement for fire extinguisher;
  - (vii) Medical treatment facility;
  - (viii) Facility of parking of cycles/vehicles;

4. Authority –

- (1) Registration certificate will be given within thirty (30) days of application, by the committee constituted under the chairmanship of the, after examination on the basis of conditions of registration under Section-3. In case of rejection of application submitted for registration certificate, copy of the reasoned order to that effect shall be given to the applicant. A Registration Committee shall be constituted consisting of the following –

- (a) District Collector – Chairman
- (b) Superintendent of Police/ Deputy Commissioner of Police – Member
- (c) District Education Officer – Member Secretary
- (d) Principal (Government College/Lead College of the locality) – Member

Note: -- In case of more than one college, one of the colleges shall be nominated by the District Collector for one year by rotation.

- (2) Three months before completion of 3 years of registration, the coaching institute becomes eligible to apply for renewal in prescribed form with Rs.3,000 (Three thousand) renewal application fee.
- (3) The Authority shall have the power to cancel the registration of any coaching institute in case of violations under Sub-section 2(iii) of Section 6 of the Act.

5. Enquiry of activities of coaching institute.—

The District Collector, by an officer not below the rank of Sub-Collector, shall get enquired regarding the fulfillment of required eligibility of registration and the satisfactory activities of coaching institute.

### CHAPTER - 3

#### PENALTIES

6.

- (1) Under this Act, the authority shall have the power of civil courts. The authority shall have such power which is vested in the courts under civil procedure code 1908 (V of 1908) for consideration of any suit namely:-
  - (i) To accept evidence with proof through affidavit;
  - (ii) To summon and to enforce attendance of any person, and his examination on oath;

- (iii) To enforce production of records; and
  - (iv) To award costs
- (2) In case of violation of any provision of this Act or the rules and notification issued under this Act, the coaching institute shall be liable to pay penalty as follows:-
- (i) Rs.25, 000/- in cases when the Institute is served a notice for first violation of any of the provisions of this Act.
  - (ii) Rs.1, 00,000/- if the same Institute is served a notice for a second violation of any of the provisions of the Act.
  - (iii) In case of proof of allegations against the coaching institute after the second time, the registration shall be cancelled by the Committee constituted for registration, after show-cause and giving sufficient opportunity of hearing.

#### **CHAPTER - 4**

##### **APPELLATE AUTHORITY AND DISPOSAL OF COMPLAINTS**

7. Disposal of complaints.—

The complaints may be filed before the District Education Officer against the coaching institute by the students or employees of the institute or by any member of the public. Complaints shall be preliminarily enquired into by the District Education Officer. After the preliminary enquiry, the District Education Officer shall place his findings before the committee constituted with the following members under the chairmanship of the Sub-Collector:-

- (a) Sub-Collector – Chairman
- (b) Deputy Superintendent of Police – Member
- (c) Block Education Officer – Member Secretary

The Committee can take a decision to get any matter verified further if required. In case of any prima facie violation of any of the provisions of this Act, the committee shall submit its report to the registering authority recommending imposition of penalty or cancellation of registration as the case may be.

8. Appellate Authority –

Under Section 4, 5, 6 and 7, the aggrieved coaching institute shall file appeal before the State Government within 30 days against the action taken. The State Government shall dispose of the appeal within 45(forty-five) days of filing of appeal. The decision of the State Government shall be final.

#### **CHAPTER-5**

##### **MISCELLANEOUS**

9. Power of making Rules and to issue notifications—

The Government, subject to pre-publication, for the purposes of enforcement of the provisions of this Act, shall make rules and regulations and may issue notifications.

10. Power of rectification of doubts and difficulties –

If any doubt and difficulties occur in the enforcement of the provisions of this Act, the Government shall issue any such clarification which deemed necessary for removal of doubts and difficulties under this Act or the provisions of rules made under this and issued notifications.