

Government of Odisha
Higher Education Department

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No.: HE-PTC-OLA-0004-2024 5055 /HE, Bhubaneswar Dated: 30 /01/2025

PUBLIC NOTICE

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

A Draft Bill for regulation of Private Coaching Centres in the State has been prepared by the Department of higher Education Department, Government of Odisha with a view to control and regulate the Private Coaching centres 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/ view may be sent to the Joint Secretary to Government, Department of Higher Education, Government of Odisha by e-mail at ptc.section@gmail.com by 15th February, 2025.

Yours faithfully,


Joint Secretary to Government

Memo No.: 5056 /H.E., Dated: 30 /01/2025

Copy forwarded to IT Section/ Social Media Cell, Higher Education Department with a request to upload this Letter in Department Website as well as on the social media platform.


Joint Secretary to Government

Draft - BILL

Odisha Coaching Centers and Private Hostels (Regulation and Control) Act, 2025

Preamble:

WHEREAS, it is expedient and to provide for the control and regulation of private coaching centers and private hostels other infrastructure of the State including organizations/offices/bureaus 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 or for the preparation of students for higher studies or different competitive examinations or for academic support that are conducted after +2 level.

BE it enacted by the Legislature of the State of Odisha in the Seventy-fifth year of the Republic of India as follows:

CHAPTER – 1

PRELIMINARY

1. Short title, extent and commencement-

- i. This Act may be called the Odisha Coaching Centers and Private Hostels (Regulation and Control) Act, 2025.
- ii. It shall extend to the whole of the State of Odisha.
- iii. It shall come into force on such dates as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions – In this Act, unless there is anything repugnant in the subject or context-

- i. “Government” means – Government of Odisha;
- ii. “Coaching Center” means any private establishment providing academic instruction or guidance to such number of students annually, as defined by the government, for purposes such as preparation for competitive examinations or academic support etc. This includes study centers and any other institutions specified by the government, with an annual student enrollment threshold as may be prescribed.
- iii. “Hostel” refers to any private establishment providing residential accommodation to at least such number of students as prescribed by the Govt, including mess facilities and other related amenities, for those pursuing education.

- iv. "Registration" means - registration accorded under this Act;
- v. "Registered Coaching Center" means - the coaching Center registered under this Act;
- vi. "Registered Hostel" means a hostel registered under this Act;
- vii. "Rules" means, rules made under Section-9;
- viii. "Tuition Fees" means the amounts taken from the enrolled students for academic support by the registered coaching center, namely admission fees, teaching fees, teaching material fees etc.
- ix. "Authority" means the Regulatory Authority as prescribed under this Act;
- x. "Appellate Authority" means the Director, Higher Education or any other officer authorized by the Government.
- xi. "Curriculum" means the curriculum prescribed by the Colleges/Boards/Universities, as well as recruitment Boards/Commissions etc.
- xii. "Registration Fee" means requisite fee for the registration of a coaching institute.
- xiii. "Registration Certificate" means registration certificate issued under this Act.
- xiv. "Prescribed" means prescribed by Rules, Regulations and Notifications.
- xv. "Student" means students enrolled in a coaching center.
- xvi. "Violation" means Violation of provisions of the Act/Rules and concerned notifications for the running of a coaching center.

CHAPTER - 2

Registration of Coaching Center/ Syllabus prescribed by Coaching Center/ Competitive Examination/ Academic support/ Admission Fees/ Registration Fees

3. Establishment/Registration of coaching Center :-

1. The existing coaching centers and hostels shall apply to the competent authority in a prescribed format within six months from the enactment of this Act.

2. After the commencement of this Act, no coaching center shall be established or run without obtaining a valid registration certificate under this Act through the portal developed or any other manner as prescribed.
3. All registered coaching centers, hostels etc. have to fulfil academic standards, physical infrastructures, safety measures, psychological support etc. for the overall benefit of students as prescribed by the Government from time to time.
4. The validity of the registration shall be for 3 years, which can be renewed following same procedure of registration.

5. **Conditions for Registration**

1. No coaching center shall -
 - a. **make misleading promises or guarantee of rank or good marks to parents/students for enrolling them in the coaching center, or claim to be registered coaching center approved by govt or any other agency.**
 - b. publish or cause to be published or take part in the publication of any misleading advertisement relating to any claim, directly or indirectly, of quality of coaching or the facilities offered therein or the result procured by such coaching center or the student who attended such class.
 - c. be registered, if it has less than the minimum space requirement per student.
 - d. hire the services of any tutor or person who has been convicted for any offence involving moral turpitude.
 - e. be registered unless it has a counselling system as per the requirement of these guidelines.
2. coaching center shall have a website with updated details of the qualification of tutors, courses/curriculum, duration of completion, hostel facilities (if any), and the fees being charged, easy exit policy, fee refund policy, number of students undertaken coaching from the center and number of students finally succeeded in getting admission in Higher Education Institutions etc.
3. The coaching center shall adhere to the various laws, rules, regulations etc. including separate registration as applicable in the local jurisdiction.
4. Any agency which is desiring to set up a coaching center in the state shall have to give the undertaking to adhere to all the provisions provided in the Act before commencing operations.

6. After the commencement of this Act, any person or group of persons who desires to establish or run a coaching center shall have to apply before the District Collector in a format that may be prescribed, along with a registration fee of Rs. 5,000 (Five thousand), along with the following information -
- a. Academic Support Structure, like -
 - o Curriculum/Syllabus for different courses
 - o Intake for different courses
 - o Duration of Courses (instructional hours per week/courses)
 - o Faculty qualifications and experience
 - o Mode of curriculum transaction (face to face, discussion groups, use of ICT) • Facilities available- internet, Library, Braille, Sign Language, Interprets etc.
 - o Assessment of student's performance.
 - b. Teachers and their academic qualification – The teaching shall be performed by qualified teaching staff engaged by the coaching center by trained teacher/ non-government teachers or retired teachers having at least graduation qualification. The bio-data with an indication of required need-based knowledge on school /college curriculum and activities of the teachers with their academic qualifications and experience shall be mentioned. The coaching center shall furnish an affidavit before the Authority to the effect that **no serving teacher from any public University, Government college or aided college has been engaged.**
 - c. **Tuition fees –**
 - 1. The coaching center shall have to issue a prospectus, mentioning different curriculums/ duration of completion of curriculum and tuition fees.
 - 2. Under the curriculum, it shall be mandatory to mention in the prospectus the number of lectures, tutorials, group discussions etc.
 - d. **Refund Policy –**
 - 1. If a student decides to leave the coaching center or vacate the hostel, he has to give it in writing within 3 months of admission for refund of money deposited by him excepting the processing fees of Rs. 1000/- maximum. The center or hostel shall refund the fees for the remaining period on a pro-rata basis within 20 days of the student's departure.
 - 2. The refund policy shall also apply to hostel and mess fees if the student resides in the hostel.

e. Physical Infrastructure –

1. Within the basic structure of the coaching center, a **minimum of one sq. meter** area should be available on average for each student.
2. Other facilities – The following facilities shall be made available by every coaching center:
 - i. Sufficient furniture (bench/desk etc.); [2 students in one bench;]
 - ii. Sufficient lighting and fan arrangement (electrification);
 - iii. Facility of drinking water;
 - iv. Facility of toilets; [separate & adequate toilet for girls]
 - v. Facility of sanitation and cleanliness; adequate manpower for the purpose be engaged which should be noted while applying for permission;
 - vi. Arrangement for fire extinguisher; certified by the fire officer of the locality;
 - vii. Medical treatment facility; [first-aid boxes with adequate provisions in each room]
 - viii. Facility of parking of cycles/vehicles;
 - ix. First-Aid boxes with adequate provisions in each room;
 - x. Physical Infrastructure-Ramps for Physically Challenged Students, Students common room, canteen/restaurants; in separate buildings could be within the premises;
 - xi. ICC shall be constituted as per provision in the Act;

7. SAFETY, HYGIENE, AND FEE REGULATION

Safety and Security Standards:

1. Every registered coaching center and hostel shall adhere to the following safety standards:
 - a. Installation and maintenance of fire safety equipment, including fire extinguishers and smoke detectors. [duly certified and checked every year by local Fire Officer]

- b. Provision of clearly marked emergency exits and emergency lighting.
- c. Security arrangements including CCTV surveillance, security personnel, and a visitor management system.
- d. The coaching center and hostel shall obtain and maintain a valid Fire Safety Certificate from the Fire Department.

8. Operational Standards for Hostels:

- a. Hostels shall provide adequate infrastructure, including a **minimum of two square meter area per student in dormitories.**
- b. Hostels shall ensure the provision of beds, mattresses and reading tables with chairs, lighting, ventilation, and sanitation facilities.
- c. Separate hostel blocks or wings shall be provided for male and female students, and security measures shall be tailored accordingly. Appointments of wardens are mandatory.
- d. Hostels shall maintain a code of conduct for students, covering discipline, curfew timings, and use of common areas.
- e. Hostels should have proper gates with C.C.T.V installed in it.

4. **Authority –**

- 1. Registration certificate will be given within thirty (30) days of application, on the recommendation of the Registration Committee constituted under the chairmanship of the District Collector, after examination on the basis of conditions of registration under Section 3. The Registration shall be issued under the hand and seal of the District Collector (the Authority). In case of rejection of the application submitted for registration, a copy of the reasoned order to that effect shall be given to the applicant. The Registration Committee for each district shall be constituted consisting of the following –
 - a. District Collector – Chairman
 - b. Superintendent of Police/ Deputy Commissioner of Police – Member
 - c. Principal of a Government College/Non-Govt College of the District selected by the Chairman– Member Convenor
 - d. Regional Directors of Education - Member
 - e. The Principal of a Government Training college, if available may be included as a member

- f. District Education Officer – Member
 - g. Any other person as nominated by the Chairperson
2. Three months before the completion of 3 years of registration, the coaching center becomes eligible to apply for renewal in the prescribed form with Rs.2,000 (Two Thousand) renewal application fee.
 3. The Authority shall have the power to cancel the registration of any coaching center in case of violations under Sub-section 2(iii) of Section 6 of the Act.
 4. The Authority may engage any third party for evaluation, inspection, of coaching centre or hostels.

CHAPTER - 3

PENALTIES

5. (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 or hostel shall be liable to pay penalty as follows:-
 - (i) Rs.25,000/- in cases when the coaching institute or hostel is found guilty for first violation of any of the provisions of this Act.
 - (ii) Rs.1,00,000/- if the same coaching institute or hostel is found guilty for a second violation of any of the provisions of the Act.
 - (iii) If allegations against a coaching institute or hostel are found guilty for violation of the provisions of the Act for the third time, the Committee constituted for registration shall cancel its registration, following the issuance of a show-cause notice and providing a sufficient opportunity for a hearing. Upon cancellation, the coaching institute or hostel shall be closed and prohibited from further operations

CHAPTER-4

APPELLATE AUTHORITY AND DISPOSAL OF COMPLAINTS

6. Disposal of complaints —

Complaints against a coaching institute or a hostel may be submitted to the District Education Officer by students, inmates, employees of the institute or hostels, or any member of the public. Upon receiving a complaint, the District Education Officer, either directly, through a designated officer, or via a third-party agency, including NGOs, shall conduct a preliminary inquiry and present their findings to the Authority. If deemed necessary, the Authority may order further verification of the matter. Upon establishing a prima facie violation of any provisions of this Act, the inquiry committee shall submit a detailed report with recommendations, which may include imposing penalties or canceling the institute's or hostel's registration, as the case may be.

7. Monitoring and Evaluation.—

The Chairperson of the Authority may, at their discretion, suo-moto or on receipt of complain, direct an inquiry into the eligibility criteria for registration and the satisfactory functioning of a coaching institute or a hostel. Such an inquiry may be conducted by an officer not below the rank of Tehsildar, Block Education Officer (BEO), any government agency, or a third-party organization, including non-governmental organizations (NGOs). Additionally, the Chairperson may assign third-party organizations, NGOs, government agencies, or authorized officers to undertake the annual inspection of coaching institutes or hostels to ensure compliance with prescribed standards.

8. Appellate Authority -

Under Sections 4, 5, 6, and 7, an aggrieved coaching center or hostel may file an appeal against the action taken, before the Director of Higher Education or any other officer duly authorized by the Government for this purpose, within 30 days of the action. The Appellate Authority should adjudicate and dispose of the appeal within 120 (one hundred and twenty) days from the date of filing. The decision of the Appellate Authority shall be final and binding.

CHAPTER-5 MISCELLANEOUS

9. Power to Make Rules: 1. The Government may, for the purposes of enforcement of the provisions of this Act, shall make any rules or regulations and may issue notification. 2. Such rules may provide for the registration process, safety and hygiene standards, fee regulation, academic standards, or any other matter necessary for the effective implementation of this Act.

10. Power to Remove Difficulties:

1. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make such provisions or give such directions not inconsistent with the provisions of this Act as it may deem necessary for the removal of the difficulty.
2. Every such order made under this section shall be laid before the State Legislature.

Repeal and Savings:

3. (1) Any existing laws or regulations in force in the State of Odisha that are inconsistent with the provisions of this Act shall, to the extent of such inconsistency, be deemed to have been repealed.
4. (2) Notwithstanding such repeal, anything done, or any action taken under any law so repealed shall be deemed to have been done or taken under the corresponding provisions of this Act.
