

AS INTRODUCED IN LOK SABHA

Bill No. 94 of 2016

THE PRIVATE COACHING CENTRES REGULATORY BOARD BILL, 2016

By

SHRI DEVJI M. PATEL, M.P.

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BILL

to provide for the constitution of a Board for regulation of private coaching centres and for matters connected therewith.

BE it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Private Coaching Centres Regulatory Board Act, 2016.

Short title,
extent and
commencement.

(2) It extends to the whole of India.

5 (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) “Board” means the Private Coaching Centres Regulatory Board constituted under section 3;

10 (b) “private coaching centre” means an institution imparting—

(i) pre-admission coaching to students for admission into any medical, engineering or any other professional course; or

(ii) pre-examination coaching for securing Government or private job through written or oral examination conducted by any agency of the Government or a private establishment; or

(iii) coaching of any subject taught at secondary or senior secondary school examination level; and

(c) "prescribed" means prescribed by rules made under this Act.

Constitution
of Private
Coaching
Centres
Regulatory
Board.

3. (1) The Central Government shall constitute a Board to be known as the Private Coaching Centres Regulatory Board for the purpose of regulating the functioning of private coaching centres.

(2) The Board shall consist of a Chairperson and such other members to be appointed by the Central Government in such manner as may be prescribed.

(3) The Board shall have its office in every State and Union territory.

(4) The Central Government shall appoint such number of officers and employees as it considers necessary for the efficient functioning of the Board.

(5) The salary and allowances payable to, and other terms and conditions of service of the Chairperson, members, officers and employees of the Board shall be such as may be prescribed.

Functions of
the Board.

4. The Board shall—

(a) give recognition to private coaching centres on such conditions, as may be prescribed;

(b) specify, from time to time, the fee to be charged by coaching centres from students;

(c) formulate a refund policy for the students who leave coaching midway or before completion;

(d) specify modes of payment of fee in lump sum and in installments by the students;

(e) specify the number of holidays to be observed by coaching centres per week;

(f) lay down the minimum qualifications for teachers to be appointed in coaching centres;

(g) determine, in respect of coaching centres, the minimum number of lecturers and student-teacher ratio in the classes;

(h) ensure the appointment of counselor, psychiatrist and physiologist in every coaching centres for counseling of students;

(i) suggest steps to be taken by every coaching centre for reducing psychological pressure on students; and

(j) specify the level of basic facilities to be provided in every coaching centre.

Power to make
rules.

5. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under the rule.

STATEMENT OF OBJECTS AND REASONS

Practice of pre-examination coaching institutions is flourishing very rapidly in the country. These coaching institutions make false claims for guaranteed success in I.I.T. and medical entrance examinations. Though the number of candidates is fourteen lakh, the number of seats available is only ten thousand. In such a situation, a hefty amount is charged as fee from students without any facility of adequate coaching. Due to this, the future of students gets jeopardized. Thousands of children become victims of depression once they come to know of their result. The struggle for achieving success in cut-throat competition is engulfing community sensitivity. It is a fact that the standard of teaching in coaching institutions promotes negative thoughts in a student. Also, the philosophy of Do or Die is also entrapping the children into mental torture. Roughly, sixteen students commit suicide under pressure of examination in the country every year. In the year 2014, forty-five students have committed suicide in the country. According to the National Crime Record Bureau, there is 63.3 *per cent.* rise in the number of suicides committed by youth in 2014 in comparison to the number of suicides committed in the year 2013. The series of suicides continued in the year 2015. According to the Bureau, 40.17 *per cent.* of the youth who committed suicide were below the age of 30 years out of which 17.2 *per cent.* were girls. Therefore, there is an urgent need to enact a law to regulate the functioning of such private coaching centres in the country.

Hence this Bill.

NEW DELHI;
March 10, 2016.

DEVJIM. PATEL

FINANCIAL MEMORANDUM

Clause 3 of the Bill seeks to provide for the constitution of Private Coaching Centre Regulatory Board for regulating the functioning of private coaching centres. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees one hundred crore will be involved per annum.

A non-recurring expenditure of rupees fifty crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Act. As the rules will relate to matters of detail only, the delegation of Legislative Power is of normal character.

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(Shri Devji M. Patel, M.P.)