

THE HARYANA REGISTRATION AND REGULATION OF PRIVATE
COACHING INSTITUTES BILL, 2024

A

BILL

to register and regulate private coaching institutes providing coaching for competitive examinations for higher studies, jobs and professional courses and for matters connected therewith and incidental thereto.

Be it enacted by the Legislature of the State of Haryana in the Seventy-fifth Year of the Republic of India as follows:-

Short title, extent
and
commencement.

1. (1) This Act may be called the Haryana Registration and Regulation of Private Coaching Institutes Act, 2024.

(2) It shall extend to the whole of the State of Haryana.

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

Definitions.

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

(i) “Appellate Authority” means the Authority constituted under section 8;

(ii) “Authority” means District Authority constituted under section 3;

(iii) “educational institution” includes primary, secondary, technical and vocational institution, graduate and postgraduate college, professional college and university;

(iv) “private coaching institute” means a private coaching institute in a single premises which includes tuition centre established, run or administered by any person or body of persons, society or trust or company providing study programme for competitive examinations, but does not include individual home tuitions upto fifty students per day and the regular courses conducted by the educational institutions recognized by the Central Government, State Government or by any other regulatory body;

(v) “State Government” means the Government of the State of Haryana in the administrative department;

(vi) “student” means a student enrolled in private coaching institute;

(vii) “tuition fee” means tuition fee and includes all types of fees charged from a student by a private coaching institute;

(viii) “university” means an university established by any Central or State law.

Authority.

3. There shall be an Authority in each district to register and regulate the

private coaching institutes consisting of the following members, namely:-

- (a) Deputy Commissioner - Chairperson;
- (b) Superintendent of Police - Member;
- (c) District Municipal Commissioner - Member;
- (d) District Higher Education Officer - Member;
- (e) District Education Officer - Member;
- (f) Accounts Officer, to be nominated by the Chairperson - Member;
- (g) Principal of one Government College of the district, to be nominated by the Chairperson - Member; and
- (h) Two representatives of private coaching institutes in the district, to be chosen by a draw of lots amongst the private coaching institutes – Member.

Powers and functions of Authority.

4. The Authority shall exercise the following powers and perform the following functions, namely:-

- (i) to ensure strict compliance of the provisions of this Act and the rules made and guidelines issued under this Act;
- (ii) to constitute a Grievance Redressal Cell at the district level;
- (iii) to curb malpractices of misleading advertisement and false claims including number of students selected in a particular exam by a private coaching institute; and
- (iv) to inspect either suo moto or upon a complaint, any relevant record of a private coaching institute.

Registration.

5. (1) Every private coaching institute established before the commencement of this Act shall get itself registered within a period of three months from the date of commencement of this Act in such manner, as may be prescribed.

(2) Any person or group of persons or society or trust or company intending to establish a private coaching institute shall apply before the concerned District Authority in such form and manner alongwith such fee, as may be prescribed.

(3) A private coaching institute having its branch within the State of Haryana shall obtain a separate registration certificate for such branch.

(4) The following information shall be supplied by the applicant while applying for registration of a private coaching institute, namely: -

- (a) copy of prospectus mentioning different curriculum or part thereof duration of completion of curriculum with details of all types of fees including tuition fee, fee refund, easy exit and the number of lectures, tutorial, group discussions, test schedules etc.;
- (b) number of maximum students for each batch;
- (c) academic qualifications and bio-data of the teachers;

- (d) bio-data and experience of counselor;
- (e) detail of the coaching area with ratio to the number of students;
- (f) details of the following facilities, namely:-
 - (i) furniture, bench/desk etc.;
 - (ii) lighting arrangement;
 - (iii) potable drinking water;
 - (iv) separate toilets for male and female;
 - (v) fire safety measures;
 - (vi) first aid;
 - (vii) parking space;
 - (viii) reading room or library; and
- (g) any other information, as may be prescribed.

(5) The Authority or an officer authorised by the Chairperson in this behalf, shall scrutinize the documents submitted along with the application for registration within a period of thirty days from the date of application and subject to the conditions under sub-section (4) shall issue a registration certificate within a further period of fifteen days.

(6) The Authority may reject an application by stating a reason thereof in the order after giving the applicant a reasonable opportunity of being heard in case the applicant does not fulfill any of the conditions under sub-section (4):

Provided that the Authority may give reasonable time to fulfill the conditions to the applicant.

(7) The tenure of registration certificate shall be for a period of three years which may be renewed on an application made in this behalf, in such manner along with such fee, as may be prescribed.

Grievance
Redressal Cell.

6. The Authority shall constitute a Grievance Redressal Cell at the district level consisting of such members and in such manner, as may be prescribed.

Counsellor.

7. Every private coaching institute shall engage atleast one full time counselor to address the mental health and stress related issues among the students.

Appellate
Authority.

8. (1) There shall be an Appellate Authority consisting of the following members, namely:-

- (i) Director/Director General, as the case may be, Higher Education Department - Chairperson;
- (ii) Chief Accounts Officer, Higher Education Department - Member;
- (iii) District Attorney, Higher Education Department - Member; and
- (iv) Additional Director or Joint Director, as the case may be, Higher Education Department - Member-Secretary.

(2) Any person aggrieved by an order passed under sub-section (6) of

section 5 may file an appeal within a period of thirty days of the passing of such order before the Appellate Authority:

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(3) The Appellate Authority shall dispose of the appeal within forty-five days of filing of appeal after giving an opportunity of hearing to the parties.

(4) The decision of the Appellate Authority shall be final.

Prohibition of misleading advertisement.

9. No private coaching institute shall publish or cause to be published any misleading advertisement or give false information relating to coaching.

Penalty.

10. In case of violation of any of the provisions of this Act or the rules made or guidelines issued under this Act, a private coaching institute shall be liable for each such violation with a fine of twenty-five thousand rupees for the first violation; one lakh rupees for the subsequent violation and in case the violation still continues then the registration of private coaching institute shall be cancelled.

Act not to be in derogation of any other law.

11. The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.

Power to give directions.

12. The State Government may, from time to time, give such general or specific directions, in writing, as may be necessary, to the Authority for the effective implementation of the provisions of this Act.

Bar of jurisdiction.

13. No civil court shall have jurisdiction in respect of any matter which the State Government or any person or authority is empowered by or under this Act or the rules made thereunder.

Protection of action taken in good faith.

14. No suit, prosecution or other legal proceedings shall lie against the State Government or against any officer or employee acting on his behalf in respect of anything which is in good faith done or intended to be done under the provisions of this Act.

Power to issue guidelines.

15. The State Government may, from time to time, issue necessary guidelines for carrying out the purposes of this Act.

Power to make rules.

16. (1) The State 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, as soon as possible, after it is made, be laid before the State Legislature.

Power to remove difficulties.

17. (1) If any difficulty arises in giving effect to the provisions of this Act, the

State Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for the purpose of removing the difficulty:

Provided that no order under this section shall be made after expiry of a period of three years from the date of the commencement of this Act.

(2) Every order made under sub-section (1) shall, as soon as may be after it is made, be laid before the State Legislature.

STATEMENT OF OBJECTS AND REASONS