

AS INTRODUCED IN LOK SABHA

Bill No. 94 of 2019

**THE PRE-EXAMINATION COACHING CENTRES REGULATORY
AUTHORITY BILL, 2019**

By

SHRI JAGDAMBIKA PAL, M.P.

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BILL

*to provide for the constitution of a Regulatory Authority for regulation of
Pre-Examination Coaching Centres and for matters connected therewith.*

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Pre-Examination Coaching Centres Regulatory Authority Act, 2019.

Short title,
extent and
commencement.

5 (2) It extends to the whole of India.

(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) 'Authority' means Pre-Examination Coaching Centres Regulatory Authority constituted under section 3;

(b) 'pre-examination coaching centre' means and includes any institute or establishment where any coaching is imparted for admission into any professional course including medical or engineering education or for appearing in any examination conducted by any Government or private establishment for the purpose of securing employment; and

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

Pre-
Examination
Coaching
Centres
Regulatory
Authority.

3. (I) The Central Government shall, by notification in the Official Gazette, constitute a Pre-Examination Coaching Centres Regulatory Authority for the purpose of regulating and controlling pre-examination coaching centres, in such manner as may be prescribed.

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(2) The Central Government shall appoint such number of officers and staff as it considers necessary for the efficient functioning of the Authority.

(3) The headquarter of the Authority shall be situated at New Delhi.

(4) The Authority shall have its offices in every State/Union territory.

(5) The salary and allowances payable to, and other terms and conditions of services of Officers and Staff of the Authority shall be such as may be prescribed.

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Functions of
the Authority.

4. The Authority shall perform the following functions,—

(i) conferring recognition to pre-examination coaching centres imparting coaching for various competitive examinations;

(ii) prescribing fees to be charged from students for pre-examination coaching being imparted at the coaching centres;

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(iii) fixing minimum number of classroom lectures for various courses being offered at the coaching centres;

(iv) laying down minimum qualifications for the teachers to be employed in the coaching centres;

(v) prescribing penalties against such coaching centres which are not following the provisions of this Act; and

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(vi) any other work relating to regulation of coaching centres as may be assigned to it by the Central Government from time to time.

Power to
make rules.

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

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(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 that rule.

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STATEMENT OF OBJECTS AND REASONS

The number of private institutions conducting pre-examination coaching is increasing at an alarming rate throughout the country. These coaching centres claim to be shaping the future of the youth of this country. Some of these coaching centres make false claims in order to attract maximum number of students and get huge amount from them as fees without providing proper coaching to them, thereby endangering their future. Therefore, there is an urgent need for legislation to regulate the functioning of such coaching centres in the country.

Hence this Bill.

NEW DELHI;
June 6, 2019.

JAGDAMBIKA PAL

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the constitution of a Pre-examination Coaching Centres Regulatory Authority. The Bill, therefore, if enacted, is likely to involve expenditure from Consolidated Fund of India. It is estimated that a recurring expenditure of rupees one hundred crore is likely to 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 Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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