

GOVERNMENT OF INDIA
MINISTRY OF EDUCATION
DEPARTMENT OF SCHOOL EDUCATION AND LITERACY

RAJYA SABHA
STARRED QUESTION NO. 169

ANSWERED ON 07/08/2024

Facilities provided by Private Schools and Colleges

***169 Shri Vikramjit Singh Sahney:**

Will the Minister of *Education* be pleased to state:

- (a) whether Government is aware that the fees of some private educational institutions especially in cities, right from Nursery to Post Graduation is very expensive;
- (b) whether Government is planning to bring some fee regulation law on the private schools and colleges and rationalize it for institutions and citizens both;
- (c) if so, the details thereof and if not, the reasons therefor;
- (d) whether the Ministry has conducted any study to assess the education and other facilities provided by the schools and colleges, and the fees charged by those institutions; and
- (e) if so, the details thereof and if not, the reasons therefor?

ANSWER

MINISTER OF EDUCATION
(SHRI DHARMENDRA PRADHAN)

(a) to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO THE PARTS (a) TO (e) OF RAJYA SABHA STARRED QUESTION NO. 169 FOR ANSWER ON 07.08.2024 ASKED BY HON'BLE M.P. SHRI VIKRAMJIT SINGH SAHNEY REGARDING "FACILITIES PROVIDED BY PRIVATE SCHOOLS AND COLLEGES"

(a) to (c): Education is a subject in the Concurrent List of the Constitution. Schools, other than those owned/funded by the Central Government, are under the jurisdiction of the respective State Governments. Therefore, matters relating to fees charged by private schools and related issues are regulated in terms of Rules and Instructions of the respective State Government concerned. Various States have enacted distinct legislation, regulations, and laws to regulate fee structures in private educational institutions within their respective jurisdictions (Annexure).

Institutions deemed to be Universities are regulated by UGC (Institutions deemed to be Universities) Regulations, 2023. Regulation 24.B.(2) mandates that these institutions follow rules on fee structure and seat numbers set by relevant statutory bodies. If an institution offers courses under different regulatory bodies like University Grants Commission (UGC), the All India Council of Technical Education (AICTE), National Medical Council (NMC) etc UGC, AICTE, NMC), then the rules and regulations regarding fee structure, number of seats, etc., issued by such statutory body concerned shall be applicable for each course. So far as Private Universities are concerned, Private Universities are established by an Act of concerned State Legislature and are governed by the provisions of their respective Act and norms/rules/regulations made by the respective State Govt., for the purpose including fee related matters.

(d) & (e): As the regulation relating to fees charged by private schools falls under State jurisdiction, the rules/regulations for safeguarding the interests of students and their parents;and taking necessary action against the violating schools comes under the jurisdiction of the respective State Governments. However, under the Right of Children to Free and Compulsory Education (RTE) Act, 2009, every child, of the age of six to fourteen years, has a right to free and compulsory elementary education in a neighbourhood school. Section 12(1) (c) of the RTE Act, 2009 mandates reservation in private unaided schools for children belonging to weaker sections and disadvantaged groups to the extent of at least 25% seats at entry level and provision of free and compulsory elementary education to such children till its completion. Also, Section 13 of the RTE Act, 2009 clearly prohibits the collection of any capitation fee.

ANNEXURE

ANNEXURE REFERED TO PART (A) TO (C) OF THE REPLY OF RAJYA SABHA STARRED QUESTION NO. 169 ANSWERED ON 07.08.2024 ASKED BY SHRI VIKRAMJIT SINGH SAHNEY, HON'BLE M.P. REGARDING 'FACILITIES PROVIDED BY PRIVATE SCHOOLS AND COLLEGES'

Legislation/regulations of various States/UTs to regulate fee structures in private educational institutions etc.

1. Andhra Pradesh: The Andhra Pradesh School Education Regulatory and Monitoring Commission Act, 2019
2. Arunachal Pradesh: The Arunachal Pradesh Private Educational Institutions (Regulatory Commission) Act, 2017.
3. Assam: The Assam Non-Government Educational Institutions (Regulation of Fees) Act, 2018.
4. Bihar: The Bihar Private Schools (Fee Regulation) Act, 2019.
5. Chhattisgarh: The Chhattisgarh Non-Government Schools Fee Regulation Act, 2020
6. Delhi: Delhi School Education (Amendment) Act, 2015
7. Goa: The Goa, Daman and Diu School Education (Amendment) Rules, 2010.
8. Gujarat: The Gujarat Self Financed Schools (Regulation of Fees) Act, 2017.
9. Himachal Pradesh: The Himachal Pradesh Private Educational Institutions (Regulatory Commission) Act, 2010
10. Jammu and Kashmir: J&K School Education Act, 2002(Amended)
11. Jharkhand: The Jharkhand Right of Children to Free and Compulsory Education Rules, 2011.
12. Haryana: The Haryana School Education Rules, 2003; the Haryana School Education (Amendment) Rules, 2022
13. Karnataka: The Karnataka Educational Institutions (Regulation of certain Fees and Donations) (Amendment) Rules, 2018
14. Kerala: The Kerala Education Act, 1958 and The Kerala Education Rules, 1959.
15. Madhya Pradesh: Madhya Pradesh Niji Vyavsayik Shikshan Sanstha (Fees and Related Matters Regulatory) Act, 2007
16. Maharashtra: The Maharashtra Educational Institutions (Regulation of Fee) Act, 2011
17. Manipur: Right of Children To Fee and Compulsory Education Rules, 2010

18. Meghalaya: The Meghalaya School Education Act, 1981.
19. Mizoram: Mizoram Recognised Private Schools (Regulation) Rules, 2006.
20. Punjab: Punjab Regulation of fee of Un-aided Educational Institutions Act, 2016.
21. Odisha: The Odisha Professional Educational Institutions (Regulations of Admission and Fixation of Fee) Amendment Act, 2021
22. Puducherry: The Puducherry School Education (Amendment) Rules, 2014
23. Rajasthan: Rajasthan Schools (Regulation of Fee) Act, 2016
24. Tamil Nadu: The Tamil Nadu Private Schools (Regulation) Act, 2018
25. Telangana: The Telangana Educational Institutions (Regulation of Admission and Prohibition of Capitation Fee) Act, 1983
26. Uttar Pradesh: Uttar Pradesh Self-Financed Independent Schools (Fee Regulation) Act, 2018
27. Uttarakhand: The Uttarakhand Unaided Private Professional Educational Institutions (Regulation of Admission and Fixation of Fee) (Amendment) Act, 2018.
28. West Bengal: The West Bengal Right of Children To Free and Compulsory Education Rules, 2012.
