

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

UNSTARRED QUESTION NO. 178
TO BE ANSWERED ON 18.07.2022

Fee Regulation and Harassment by Private Educational Institutions

178. SHRI PRATAP CHANDRA SARANGI:

SHRI MAHESH SAHOO:

DR. RAMAPATI RAM TRIPATHI:

SHRI BRIJBHUSHAN SHARAN SINGH:

SHRI SANGAM LAL GUPTA:

SHRI P.P. CHAUDHARY:

Will the Minister of Education be pleased to state:

- (a) whether the Government proposes a policy to regulate fees of public educational institutions/ schools in the country and if so, the details thereof and if not, the reasons therefor;
- (b) the details of the measures taken by the Government for the safeguard of economically weak students against the harassment to pay fees by the private school administration;
- (c) whether the Government introduced any policy against such harassment and if not, the reasons therefor; and
- (d) the number and details of such harassment cases registered in Odisha, Uttar Pradesh and Rajasthan States, if any?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF EDUCATION

(SMT. ANNPURNA DEVI)

(a) to (d): Education is a subject of Concurrent List of the Constitution and schools, other than those owned /funded by Central Government, are under the jurisdiction of the State Governments. Thus, the matter relating to fees and its components in schools are regulated in terms of Rules and Instructions of the State Government concerned.

Fee structure and fee revisions are regulated by the Acts and Regulations of the concerned State/ UT Governments.

The Central Board of Secondary Education (CBSE) has incorporated various provisions in Chapter 7 of Affiliation Bye-laws, 2018 related to school fee.

- 7.1 No Society/Trust/Company/School shall charge capitation fee or accept donations for the purpose of admission for pupils.
- 7.2 Admission Fee and Fee charged under any other head are to be charged only as per the regulations of the Appropriate Government.
- 7.3 Fees shall be charged under the heads prescribed by the Department of Education of the State/UTs.
- 7.5.1 Fee revision of schools shall be subject to laws, regulation and directions of the Appropriate Government.
- 7.5.2 Fee shall not be revised without the express approval of the School Management Committee or the process prescribed by the Appropriate Government under any circumstances.
- 7.6 The acts and regulations of the Central and State/UT Governments enacted/framed in connection with regulation of fee in respect of the various categories of the schools situated in the state will be applicable to the school affiliated with CBSE also.

As per section 12(1)(c) of the Right to Free and Compulsory Education (RTE) Act, 2009:

12 (1) For the purposes of this Act, a school,-

c) specified in sub-clauses (iii) and (iv) of clause (n) of section 2 shall admit in class 1 to the extent of at least twenty-five per cent of the strength of that class, children belonging to weaker section and disadvantaged group in the neighbourhood and provide free and compulsory elementary education till its completion:

whereas, as defined in section 2(e) of the RTE Act, 2009:

2 (e) "child belonging to weaker section" means a child belonging to such parent or guardian whose annual income is lower than the minimum limit specified by the appropriate Government, by notification;

and, as per section 2(n) of the Act:

2 (n) "school" means any recognised school imparting elementary education and includes-

- i. a school established, owned or controlled by the appropriate Government or a local authority;
- ii. an aided school receiving aid or grants to meet whole or part of its expenses from the appropriate Government or the local authority;
- iii. a school belonging to specified category; and
- iv. an unaided school not receiving any kind of aid or grants to meet its expenses from the appropriate Government or the local authority;
