

## **ANDHRA PRADESH TUTORIAL INSTITUTIONS (REGISTRATION AND REGULATION) RULES, 1997**

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## **ANDHRA PRADESH TUTORIAL INSTITUTIONS (REGISTRATION AND REGULATION) RULES, 1997**

In exercise of the powers conferred by Section 32 read with Section 99 of the Andhra Pradesh Education Act, 1982, (Act No.1 of 1982) and in supersession of all rules in force, the Governor of Andhra Pradesh hereby makes the following rules relating to registration and regulation of the tutorial institutions functioning in the State of Andhra Pradesh.

### **1. Short title, extent and commencement :-**

(1) These rules may be called "the Andhra Pradesh Tutorial Institutions (Registration and Regulation) Rules, 1997".

(2) They shall come into force at once.

(3) These rules shall apply to the following categories of tutorial institutions; namely :-

(a) un-recognised schools and colleges imparting coaching to students in various classes or courses and send them to appear for the relevant public examinations to be conducted by recognised bodies or Universities as private external candidates;

(b) institutions imparting coaching to prepare students to appear for entrance examinations for admission to the various courses of study or to prepare them for competitive examinations to be held for recruitment to various categories of posts in public services; and

(c) institutions imparting education, and or training in any branch (technical or non-technical) of study, such as arts, commerce and science adopting their own system of coaching and syllabus or as prescribed by any recognised University or authority and awarding diplomas or certificates of proficiency to the students on the completion of the training or course of study either by subjecting them to an examination or without such examination or any other as defined by the Government.

## **2. Definitions :-**

(1) In these rules unless the context otherwise requires :

(a) 'Act' means the Andhra Pradesh Education Act, 1982.

(b) 'Educational agency' means a tutorial institution whether registered as a society, trust or as an association under any law for the time being in force, or not registered as such, and managed by an individual or group of individuals and running as tutorial institutions.

(c) 'Form' means the form appended to these rules.

(d) 'Registration Authority' means the authority competent to make registration or to renew the registration of the tutorial institution and issue a certificate of registration including renewal of registration, after making necessary entries in the 'registration register' maintained for the purpose.

(e) 'Registration register' means the register maintained for making entries of the registration particulars of the tutorial institutions referred to in these rules.

(f) 'Tutorial Institutions' means any institution whether residential or not, imparting coaching of the type of education mentioned under Rule 1(3).

(g) 'Tutorial School' means tutorial institution imparting coaching to students upto the level of Secondary Education.

(h) 'Tutorial College' means tutorial institution imparting coaching

to students upto the level of degree course which may also impart coaching for classes of secondary education.

(i) 'Inspecting Officer' :-

(i) Inspecting Officer means any officer of Education Department not below the rank of an Extension Officer of Education Department or any officer of the Revenue Department not below the rank of Mandal Revenue Officer and any officer of Police Department not below the rank of Inspector of Police.

(ii) Words and expressions used in these rules but not defined herein, shall carry the same meaning as assigned to them in the Act.

### **3. Competent Authority for registration :-**

The District Educational Officer shall be the Registration Authority, who is competent to make registration or renew the registration of the tutorial institutions irrespective of the coaching courses offered, within the local limits of his jurisdiction. Government may notify any other officer as competent authority in place of District Educational Officer depending on the exigencies.

### **4. Procedure for registration of tutorial institution :-**

(1) Any person or body of persons constituting an educational agency proposing to establish a tutorial institution, may make an application in the prescribed form (Form-I) to the Registration Authority alongwith application fee of Rs.1000/-. The application shall be accompanied with the following particulars with documentary evidence :-

(a) Counter foil of treasury challan for Rs.1000/- only in support of payment of application fee to meet the expenditure for inspection. The amount shall be credited to the following head of account : "077 - Education - G+General - M.H. 010 - Other Receipts - S.H. (05) - Miscellaneous Receipts."

(b) Details of accommodation provided;

(c) Details of infrastructural facilities provided;

(d) Details of the courses for which coaching offered/proposed to be offered;

(e) Details of the sanitary facilities provided (a sanitary certificate signed by the Municipal Health Officer or District Health Officer

shall be enclosed).

(2) On receipt of the application from the educational agency the Registration Authority shall depute one of his subordinate officers not below the rank of the Deputy Inspector of Schools or may cause inspection by himself so as to satisfy himself whether the conditions prescribed for registration of the tutorial institutions under Rule 5 have been fulfilled.

(3) After personal inspection or on the basis of the inspection report submitted by his subordinate officers, if the Registration Authority is of the opinion that the educational agency has fulfilled all the conditions prescribed for registration of the tutorial institution, he shall--

(a) direct the educational agency to deposit the prescribed registration deposit amount in the joint account of the District Educational Officer and the educational agency;

(b) on production of the documentary evidence in support of having deposited the registration deposit in the joint account by the educational agency, shall register the tutorial institution by entering the relevant particulars in the 'registration register' maintained for the purpose and allot a registration number, and

(c) issue a 'Certificate of Registration' in Form-I prescribed under Annexure-I containing relevant details of the registration.

(4) As a consequence of inspection, if the Registration Authority is of the opinion that the educational agency has not fulfilled the conditions prescribed for registration of various categories of tutorial institution under Rule 6 or 7, as the case may be.

(a) the Registration Authority may give one month notice to the educational agency to make up the deficiencies pointed out and if the educational agency fulfils the deficiencies accordingly, the Registration Authority may register the tutorial institutions as provided under sub-rule (3); and

(b) if the educational agency fails to fulfil the conditions prescribed under Rule 6 or 7 as the case may be, within the given time, the Registration Authority may reject the application for registration of the tutorial institution in which case the educational agency concerned shall be informed of the reasons for such rejection, within three months from the date of receipt of the application from

the educational agency, as far as possible.

**5. Registration of the existing tutorial institutions :-**

No tutorial institution, on or after coming into force of these rules shall start functioning without prior registration with the competent authority, i.e., the Registration Authority.

(2) Every tutorial institution, which is in existence at the commencement of these rules, shall register with the Registration Authority within ninety days from the date of commencement of these rules.

(3) Educational agencies of all the existing tutorial institutions shall make an application, in duplicate, in Form-I prescribed alongwith various documents and by following the procedure laid down in sub-rule (1) of Rule 4 within ninety days from the date of commencement of these rules.

(4) The rest of the procedure prescribed for registration of the new tutorial institutions, under Rule 4, shall also be applicable for registration of the existing tutorial institutions.

(5) As and when the Registration Authority directs, the educational agency is required to deposit the prescribed registration deposit amount in the joint account of the District Educational Officer and the educational agency concerned, before registration of the institution.

(6) After production of the documentary evidence in support of depositing the registration deposit amount, the Registration Authority shall register the tutorial institution by entering the relevant particulars in the registration register maintained for this purpose and allot a registration number, and issue a certificate of registration in the form prescribed under Annexure-I to the educational agency by following the procedure prescribed under Rule 4(4).

(7) The Registration Authority is empowered to order for the closure of the tutorial institution for non-fulfilment of the conditions prescribed under Rule 6 or 7, as the case may be after following the procedure laid down under Rule 4(4).

(8) The educational agency which runs a tutorial institution and which has not been registered within ninety days from the date of commencement of these rules or whose registration has been

cancelled, is liable for penal action under the provisions of the Act.

## **6. Conditions for registration :-**

Conditions for the registration of the tutorial institutions of the categories mentioned under clauses (b) and (c) of sub-rule(3) of Rule 1 shall be as mentioned below :

(1) Registration deposit The educational agency shall deposit an amount of Rs.10,000/- only as registration deposit amount in the joint account of the educational agency and District Educational Officer concerned, before the institution is registered.

(2) Infrastructural facilities The various requirements of infrastructural facilities chiefly depend upon the nature of the coaching classes and the courses offered in the institution. In general the educational agency shall provide the following infrastructural facilities :

(a) Accommodation The educational agency shall provide suitable building for accommodating the tutorial institution. There shall be one room for each class, course, or section. Each student shall have 5 to 7 square feet space. The educational agency shall admit only such number of students as to suit the room accommodation available in any case the number of students should not exceed 30, in a batch.

(b) Furniture Sufficient number of long benches of dual desks for the use of the students and one table and a chair for the use of the teacher shall be provided. Each class-room shall be provided with a black-board either of wooden or roll up or walled one.

(c) Sanitary facilities The building should be located in a hygienic surrounding, and should have proper ventilation. There should be safe drinking water facility. Sufficient number of urinals and lavatories shall be provided. There shall be separate lavatories for boys and girls and staff. A certificate issued from the Municipal Health/Medical Officer indicating the sanitary conditions of the institution, shall be produced at the time of registration of the institution.

(3) Registration deposit amount Every educational agency desirous of registering its tutorial institution will have to invariably deposit the prescribed registration deposit amount. The registration deposit amount shall be deposited in the joint account of the District Educational Officer and the educational agency concerned. The

registration deposit amount to be deposited for registration of various categories of tutorial institutions shall be as specified in the table below

:

**7. Inspection of tutorial institutions :-**

The inspecting officers notified under clause (i) of sub-section (1) of Section 2 shall conduct inspection of tutorial institutions whenever there is a complaint and submit their inspection report to the competent authority for taking penal action. The inspection of tutorial institutions involve academic inspection, inspection for determining adequacy of infrastructural facilities and inspection to find out the financial irregularities.

(1) The inspecting authority for verifying academic standard and adequacy of infrastructural facilities provided in the institution in terms of Rules 5 and 6.

(2) The District Educational Officer is the competent authority for inspection of the tutorial institutions to find out the financial irregularities committed, and other details relating to accounts, records, buildings, libraries, laboratory equipments etc., or make an enquiry in respect of any other matter connected with the institution or its management.

(3) It shall be the duty of every person or body of persons managing a tutorial institution to afford such assistance and facility as and may be necessary or required in connection with any such inspection and to remedy the defect or irregularities if any pointed out in the inspection report, and to comply with the orders of the Registration Authority in regard to accommodation, equipment, sanitary conditions and qualifications of teaching staff etc.

(4) Every tutorial institution registered under the rules shall submit the annual administration report under sub-section (3) of Section 32 of the Act to the Registration Authority.

**8. Officers empowered to inspect tutorial institutions shall send their inspection report to Registration Authority for taking necessary action :-**

(i) Inspection Officers All Inspecting Officers of Education Department upto the rank of Extension Officer of Education Department. All officers of Revenue Department upto the rank of Mandal Revenue Officer, and all officers upto the rank of Inspector

of Police.

(ii) the Inspecting Officer shall conduct inspection of educational agency as envisaged in Rule 7 and submit detailed inspection reported to Registration Authority under intimation to Commissioner of Collegiate Education, Commissioner of Intermediate Education and Commissioner and Director of School Education.

(iii) Prohibition of appointment of Lecturers/Teachers/non-teaching staff who are already serving in Government or in aided colleges/schools, junior colleges.

**9. Maintenance of registers :-**

Every tutorial institution shall maintain the following registers and shall keep regular accounts of all receipts and expenditure :

- (1) Register of admissions and withdrawal of pupils;
- (2) Attendance register for pupils;
- (3) Attendance register for teachers;
- (4) Register showing receipts and expenditure;
- (5) Inspection book; and
- (6) Such other registers as the Registration Authority may specify.

**10. Powers to cancel registration :-**

The Registration Authority is empowered to withdraw the registration and cancel the certificate of registration issued to a tutorial institution under the following circumstances, and after following the prescribed procedure :

- (1) Conditions for cancellation of registration--
  - (a) If the educational agency is found to violate any condition or instructions contained in these rules, the Registration Authority shall cancel the registration and take penal action as detailed in general condition 2 in rule.
  - (b) If the educational agency found to be indulging in administrative and other financial irregularities etc.
  - (c) If the educational agency found to indulge in various malpractices while sending the students to various public examinations for which they have undergone the coaching.



(d) If the educational agency failed to provide necessary infrastructural facilities for effective coaching of the courses/classes offered in the institution.

(e) If the educational agency is found not following the instructions which may be given by the departmental authorities from time to time.

(2) Procedure for the cancellation of registration--The Registration Authority shall follow the following procedure before cancellation of the registration of any tutorial institution of the educational agency which has been found to indulge in the lapses mentioned under sub-rule (1).

(a) The Registration Authority shall issue a show-cause notice giving thirty days time to the educational agency concerned to give explanation for various lapses which were noticed in the institution, giving details of the lapses noticed.

(b)

(i) If the educational agency gives a reply within the given time giving the reasons for the various lapses to the satisfaction of the Registration Authority and seeks time for rectification of the deficiencies if any, the authority may give reasonable time to the educational agency to rectify the deficiencies.

(ii) If the educational agency rectifies the deficiencies to the satisfaction of the Registration Authority and within the given time, the latter may drop further action against the educational agency giving any instructions which he feels deem fit to be implemented by the educational agency.

(c) If the educational agency fails to give reply within the given time or the reply given is not to the satisfaction of the Registration Authority or the educational agency fails to rectify the deficiencies within the given time, the tutorial agency concerned deserves cancellation of its registration.

(d) In the circumstances under clause (c) above, the Registration Authority shall cancel the relevant registration particulars contained in the "registration register" and issue order to the educational agency indicating the cancellation of registration of the tutorial institution. A notification to this effect may also be issued in the local newspapers for information of public.

(e) If an inspecting officer sends inspection report detailing the conditions and instructions violated by the Educational Institutions recommending the cancellation, the Registration Authority shall cancel the registration of Educational Institutions forthwith.

(f) If an Educational Institution is found to engage the services of Government/Private aided Lecturers and Junior Lecturers for purpose of teaching and conducting laboratory experiments, the Registration Authority shall cancel registration of the Educational Institution forthwith.

(g) The educational agency aggrieved may make appeal against the orders of the Registration Authority to the Regional Joint Director of School Educational whose decision shall be final.

**11. Refund of registration deposit amount :-**

(1) The application fee and other fees deposited/paid by the educational agency shall not be refunded under any circumstances.

(2) The Tutorial Institutions shall renew their registration, every 5 years following the procedure given under Rule 6.

**12. General instructions :-**

(1) No tutorial institution which has not been registered with the Registration Authority as provided under Section 32 of the Act shall function after ninety days from the date of commencement of these rules. All the tutorial institutions, (including the tutorial schools and tutorial colleges imparting coaching for various classes or courses and sending the students to appear for public or University examinations as private or external candidates) which are already functioning shall be registered with the Registration Authority within ninety days from the date of commencement of these rules.

(2) The educational agencies running tutorial institutions without registration and running classes/courses for which no permission has been sought/obtained or for which permission has been refused, are liable for penal action under the provisions of the Act.

(3) The educational agency shall indicate the registration number of their institution under which it is registered in all its correspondences with the department or otherwise.

(4) The educational agency shall co-operate with the inspecting officers whenever they visit the institutions for causing the

inspection, by providing accessibility to various records and registers etc.

(5) The educational agency shall communicate to the Registration Authority whenever there is change in its address or whenever the institutions is shifted to different locality or even out of place. However, shifting of institution from a place under the jurisdiction of one Registration Authority to a place under the jurisdiction of another Registration Authority shall not be permitted.

(6) The educational agency shall obey all the instructions which may be issued by the departmental authorities from time to time.