The Karnataka Tutorial Institutions (Registration and Regulation) Rules, 2001

Arrangement of Sections

1. Short title and commencement
2. Definitions
3. Procedure for registration of Tutorial Institution
4. Registration of existing Tutoria Institutions
5. Coditions for registration of Tutorial Institutions
6. Inspection of Tutorial Institutions
7. Annual Reports
8. Duty of an Inspection Authority to send Inspection Report to the Registering Authority
9. Prohibition or appointment or Lecturer/ Teachers and non-teaching staff in the Tutorial Institutions
10. Maintenance of Registers
11. Power to cancel registration
12. General Instruction

Form-I
Form-II

THE KARNATAKA TUTORIAL INSTITUTIONS (REGISTRATION AND REGULATION) RULES, 2001

EDUCATION SECRETARIAT

NOTIFICATION

[1][No. ED 43 ViVida 2000, Bangalore, dated: 5th March, 2002][1]

Whereas the draft of the Karnataka Tutorial Institutions (Registration and Regulation) Rules, 2001 was published as required by in exercise of the powers conferred by section 35 read with section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No. ED 43 Vivida 2001 dated 2.11.2001 in part IV-A of the Karnataka Gazette Extraordinary dated 5.11.2001 inviting objections and suggestions from the persons likely to be affected thereby.

And no objections and suggestions received in this regard.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka makes the following Rules namely:-

1. Short title and commencement.- (1) These rules may be called "The Karnataka Tutorial Institutions (Registration and Regulation) Rules, 2001".

(2) They shall come into force at once.

2. **Definitions.-** (1) In these rules, unless the context otherwise requires,-

(a) 'Act' means a Karnataka Education Act, 1983;

(b) 'Form' means the form appended to these rules;

3. **Procedure for registration of Tutorial Institution.-** (1) Applications for registration of a Tutorial Institution under clause (a) of sub-section (1) of section 35 shall be made in Form-I to the registering authority by delivering it in person or sending it through registered post acknowledgement due.

(2) Every such application for registration by the Tutorial Institutions specified in column (2) of the table shall be accompanied by a registration fee as specified in the corresponding entries in column (3) thereof. The registration fee shall be paid in the form of an account payee cheque or demand draft drawn within one month from the date of application and in favour of the registering authority. The demand draft shall be made payable at the branch of the Bank located in the headquarters of the registering authority or in the surrounding locality.

TABLE

Sl. No.	Class of Tutorial Institutions	Registration fee to be paid
1	2	3
1	Upto Lower Primary Institutions (Standard I to VII)	5,000
2	Secondary School (Standard VII to X)	10,000
3	Pre-University	25,000
4	Degree Courses	25,000
5	Other Courses	25,000

(3) Registration fee once paid shall not be refunded where registration is granted and where registration is refused, the amount of the fee paid shall be refunded without interest to the applicant. The refund shall be made in the form of an account payee cheque drawn by the registering authority on the local treasury where the applicant resides.

(4) The registration fee received under sub-rule (2) shall be held in a personal deposit account opened in the name of the registering authority in the nearest District Treasury.

(5) (a) The registering authority after satisfying itself whether or not the applicant has complied with the provisions of Section 35 and these rules. It may register the institution in the register maintained for the purpose or refuse the registration.

Form-II.

I The refusal order shall indicate the reasons for refusal and shall be accompanied by the voucher of refund of registration fee.

(d) The Applicants in whose favour the registration certificate is issued shall start the institution and the standard during the academic year as per specifications laid down in the registration certificate and the date of starting shall be intimated to the registering authority. Failure on the part of the Applicant to start the institution and the standard during the specified academic year shall result in automatic cancellation of registration certificate and on no account it will be treated as valid for the subsequent academic years.

4. **Registration of existing Tutorial Institutions.-** (1) For registration of a Tutorial Institution specified in clause (b) of sub-section (1) of section 35 such Tutorial Institutions shall make an application in Form-I to the registering authority, within a period of ninety days from the date of commencement of these rules or from the date of appointment of the registering authority whichever is later.

(2) The Application under sub-rule (1) shall be accompanied by the fee specified in sub- rule (2) of rule 3 and it shall be delivered personally in the office of the registering authority and due acknowledgement obtained or shall be sent by speed post or registered post acknowledgement due.

(3) The provisions of rule 3 shall apply matatis-mutandis in respect of the applications received under this rule.

5. **Conditions for registration of Tutorial Institutions.-** Conditions for registration of the Tutorial Institutions shall be as follows:-

(a) It should have suitable building with one room for each class, course or section. Each student shall have five to seven square feet space. The number of students in each class, course or section shall not exceed thirty.

(b) Each class room shall have sufficient number of long benches of duel desks and one table and chair for the teacher. Each classroom shall have one black-board, either of wooden or roll up or walled one.

I The building shall have sufficient sanitary facilities with proper ventilation and safe drinking water facilities. There shall be separate lavatories for boys, girls and staff;

Note: A certificate shall be obtained from the appropriate authority of the Municipal Corporation, Municipal Council or other Local Authority regarding the sanitary conditions of the building and it shall be produced before the registering authority alongwith the application for registration.

(d) There shall be adequate number of teachers possessing qualification prescribed for the teachers teaching at the corresponding level of Institutions.

6. **Inspection of Tutorial Institutions.-** (1) The Officer arnataka in this behalf shall conduct inspection of tutorial institutions whenever there is a complaint and submit his inspection report to the Deputy Director of Public Instruction of the concerned district.

(2) The Deputy Director of Public Instruction of the concerned district may himself conduct inspection of the Tutorial Institution to find out the financial irregularities and other matters relating to account, records, buildings, libraries, laboratory equipments etc., or any other matter relating to the violation of the Act and rules.

(3) It shall be the duty of every Tutorial Institution to provide the required information to the officers and to produce all the documents required by them for inspection.

7. **Annual Reports.-** Every Tutorial Institutions registered under these rules shall submit the Annual Report under sub-section (3) of Section 35 to the Registering Authority within two months after the end of the academic year.

8. **Duty of an Inspection Authority to send Inspection Report to the Registering Authority.-** Every Inspection Report under sub-rule (1) of rule 6 shall be sent to the Registering Authority by the Inspecting Officer under intimation to the Head of the Department.

9. **Prohibition of appointment of Lecturer/Teachers and non-teaching staff in the Tutorial Institutions.-** No person in the employment of Government or an aided institution as a Lecturer, Teacher or non-teaching staff shall be appointed in the Tutorial Institutions.

10. **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 Registering authority may specify from time to time.

11. **Power to cancel registration.-** The Registering Authority may cancel the Certificate of Registration if the Tutorial Institution has violated any of the provisions of the Act, the rules, circulars, orders instructions etc issued under the Act. Provided that the cancellation of the Registration under this rules, not be made unless, the Institution is given a reasonable opportunity of being heard.

12. **General Instruction.- (1)** The Tutorial Institution shall indicate the registration number under which it is registered in all its correspondences with the department or otherwise.

(2) The Tutorial Institution shall co-operate with the inspecting officers whenever they visit the institutions for inspection, by providing accessibility to various records and registers, etc.

(3) The Tutorial Institutions shall communicate to the Registering authority whenever there is change in its address or whenever the institution is shifted to different locality or even out of place. However shifting of institution from a place under the jurisdiction of one Registering authority to a place under the jurisdiction of another Registering authority shall not be permitted.

(4) The Tutorial Institution shall obey all the instructions which may be issued by the departmental authorities from time to time.

M. MAHALAKSHMAMMA
Under Secretary to Government (Incharge)
Education Department (General).

FORM NO. I

(See Rules 3 & 4)

APPLICATION FOR THE REGISTRATION OF TUTORIAL INSTITUTIONS

1. Name and address of the institution.

2. Name and address of the individual owning the institution/proposing to establish a tutorial institution.

3. Aims and objects of the Tutorial Institution in establishing the institution.

4. Date on which the institute has been established or is proposed to be opened.

5. Particulars of the treasury challan under which the prescribed application fee has been paid.

6. Particulars of Registration Deposit amount, if already deposited in the joint account of other District Educational Officer and the individual/Educational agency (documentary evidence to be produced).

7. Whether the applicant is seeking registration of the tutorial institution afresh or of the already existing tutorial institution.

8. Particulars of the original registration, if any (true-copy of the original registration shall be enclosed).

9. Details of the assets and liabilities including the investments in the banks and other commercial concerns.

10. Details of the infra-structural facilities provided in the institution:

1) Accommodation (details of the number of class-rooms with dimensions –sketch plan of the building to be enclosed)

2) Details of furniture provided.

3) Details of the equipment and other material provided in the laboratory.

4) Details of the books provided in the library.

5) Details of the sanitary facilities provided (Sanitary certificate issued by Corporation or Municipal medical officer to be enclosed).

11. Details of the teachers appointed, if already appointed such as names, salary/wages paid, qualification and whether the qualification is adequate to teach the subjects to which they are asked to handle.

12. Clauses/courses in which students are given coaching/proposed to be given coaching. 13. Details of records and registers maintained by the institution, if already opened.

14. Details of other institutions run by the Education agency, if any.

15. Details of hostel facility provided, if any.

16. Any other information the applicant would like to furnish.

DECLARATION

I Sri/Smt./Kum…….....……..…. Son/wife/daughter of Sri… ..... do hereby declare that the particulars furnished above are correct to the best of my knowledge and belief. I am prepared to undergo any penal action that may be imposed on me if any of the particulars furnished in the application are found to be false and misleading at any time subsequently. I further declare that I am prepared to obey the instructions which may be issued by the competent authorities from time to time.

Place: SIGNATURE OF…….

DATE: (with office stamp)

FORM No.II
(See Rules 3 & 4)
PROFORMA FOR
THE
CERTIFICATE OF
REGISTRATION
GOVERNMENT OF
KARNATAKA

*here specify the Directorate & Department.

***……**

CERTIFICATE OF REGISTRATION

1. Registration No.
2. Name and address of the Tutorial Institution.
3. Address of the tutorial institution:

In exercise of the powers conferred under rules 4 and 5 of the Karnataka Tutorial Institutions (Registration and Regulation) Rules, 2001 and in view of arnataka of the prescribed conditions to the satisfaction of the authority, the Registering authority is pleased to accord registration, to the Tutorial Institution whose details are mentioned above.

PLACE: SIGNATURE OF REGISTERING AUTHORITY. DATE:
(with office stamp)