


ಕರ್ನಾಟಕ ವಿಧಾನ ಪರಿಷತ್ತು

ಚುಕ್ಕೆ ಗುರುತಿಲ್ಲದ ಪ್ರಶ್ನೆ ಸಂಖ್ಯೆ		78(71)
ಸದಸ್ಯರು ಹೆಸರು		ಶ್ರೀ ಶಶೀಲ್ ಜಿ. ನಮೋಶಿ (ಶಿಕ್ಷಕ ಕ್ಷೇತ್ರ)
ಉತ್ತರಿಸಬೇಕಾದ ದಿನಾಂಕ		13.02.2023
ಉತ್ತರಿಸಬೇಕಾದ ಸಚಿವರು		ಉನ್ನತ ಶಿಕ್ಷಣ ಸಚಿವರು
ಪ್ರಶ್ನೆ		ಉತ್ತರ
ಅ)	ರಾಜ್ಯದಲ್ಲಿ ಸ್ಪರ್ಧಾತ್ಮಕ ಪರೀಕ್ಷಾ ತರಬೇತಿಗಾಗಿ ಪ್ರಸ್ತುತ ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿರುವ ಖಾಸಗಿ ಕೋಚಿಂಗ್ ಸೆಂಟರ್‌ಗಳ ಸಂಖ್ಯೆ ಎಷ್ಟು (IAS, KAS, PSI, PDO): ಇತರೆ ಕೋಚಿಂಗ್ ಸೆಂಟರ್ ಮಾಲೀಕರ ಜಿಲ್ಲಾವಾರು ವಿವರಗಳನ್ನು ನೀಡುವುದು.	ಸ್ಪರ್ಧಾತ್ಮಕ ಪರೀಕ್ಷಾ ತರಬೇತಿಗಾಗಿ ಖಾಸಗಿ ಕೋಚಿಂಗ್ ಸೆಂಟರ್ ನಿರ್ವಹಿಸುವ ಸಂಬಂಧ (IAS, KAS, PSI, PDO) ಅನುಮತಿ ಕೋರಿ ಯಾವುದೇ ಪ್ರಸ್ತಾವನೆಗಳು ಸ್ವೀಕೃತವಾಗಿರುವುದಿಲ್ಲ. ಯಾವುದೇ ಖಾಸಗಿ ಕೋಚಿಂಗ್ ಸೆಂಟರ್‌ಗೆ ಅನುಮತಿ ನೀಡಿರುವುದಿಲ್ಲ.
ಆ)	ಹೊಸದಾಗಿ ಇಂತಹ ಕೋಚಿಂಗ್ ಸೆಂಟರ್‌ಗಳನ್ನು ತೆರೆಯಲು ಇರುವ ನಿಯಮ ಹಾಗೂ ಮಾನದಂಡಗಳೇನು:	ಕೋಚಿಂಗ್ ಸೆಂಟರ್‌ಗಳನ್ನು ತೆರೆಯಲು ಇರುವ ನಿಯಮ ಹಾಗೂ ಮಾನದಂಡಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕರ್ನಾಟಕ ಶಿಕ್ಷಣ ಕಾಯ್ದೆ 1983ರ ಸೆಕ್ಷನ್ 35 ಹಾಗೂ "The Karnataka Tutorial Institutions (Registration and Regulation) Rules 2001 ರಲ್ಲಿ ನಿಗದಿಪಡಿಸಿದೆ. (ಪ್ರತಿಯನ್ನು ಅನುಬಂಧದಲ್ಲಿ ಒದಗಿಸಿದೆ)
ಇ)	ಈ ಕೋಚಿಂಗ್ ಸೆಂಟರ್‌ಗಳು ವಿಧಿಸುತ್ತಿರುವ ಶುಲ್ಕ ಮತ್ತು ಸರ್ಕಾರಕ್ಕೆ ಆದಾಯ ತೆರಿಗೆ ಬಗ್ಗೆ ಮಾಹಿತಿ ನೀಡುವುದು;	ಉದ್ಘೋಷವಿಲ್ಲ
ಈ)	ಪ್ರಸ್ತುತ ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿರುವ ಕೋಚಿಂಗ್ ಸೆಂಟರ್‌ಗಳು ಯಾವ ನಿಯಮಗಳಡಿ ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿವೆ;	
ಉ)	ಕೆಲವು ಕೋಚಿಂಗ್ ಸೆಂಟರ್‌ಗಳು ವಿವಿಧ ಹುದ್ದೆಗಳ ನೇಮಕಾತಿಗಾಗಿ ಸರ್ಕಾರವು ಅಧಿಸೂಚನೆ ಹೊರಡಿಸದಿದ್ದರೂ ಸಹ ಸತ್ಯಕ್ಕೆ ದೂರವಾದ ಜಾಹೀರಾತು ನೀಡಿ ಪ್ರವೇಶಾತಿ ಪಡೆದುಕೊಳ್ಳುತ್ತಿರುವುದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ; ಬಂದಿದ್ದಲ್ಲಿ ಈ ಬಗ್ಗೆ ಸರ್ಕಾರ ಕೈಗೊಳ್ಳಬಹುದಾದ ಕ್ರಮಗಳೇನು;	

ಇಡಿ 52 ಡಿಸಿಇ 2022


 (ಡಾ: ಅಶ್ವಥ್ ನಾರಾಯಣ ಸಿ.ಎನ್)
 ಉನ್ನತ ಶಿಕ್ಷಣ, ಐ.ಟಿ.ಬಿ.ಟಿ. ವಿಜ್ಞಾನ ಮತ್ತು
 ತಂತ್ರಜ್ಞಾನ, ವಿದ್ಯುನ್ಮಾನ ಹಾಗೂ ಕೌಶಲ್ಯಾಭಿವೃದ್ಧಿ,
 ಉದ್ಯಮಶೀಲತೆ ಮತ್ತು ಜೀವನೋಪಾಯ ಸಚಿವರು

THE KARNATAKA EDUCATION ACT, 1983

ARRANGEMENT OF SECTIONS

Statement of Objects and Reasons:

Sections:

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GENERAL

1. Short title, extent, application and commencement.
2. Definitions.
3. Regulation of education.
4. Prohibition of private tuition.
5. Promotion of education of the weaker sections and the handicapped.
- 5A. Safety and security of students.
6. Educational institutions to be in accordance with this Act.
7. Government to prescribe curricula, etc.

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EDUCATIONAL AUTHORITIES

8. Appointment of officers.
9. District educational officers and other sub-ordinate officers and staff at the district level.
10. Constitution of Boards.

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12. Schemes for primary education.
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14. Responsibility of parent to cause his child to attend school.
15. Reasonable excuse for non attendance.
16. Special schools for physically or mentally deficient children.
17. Attendance orders.
18. Children not to be employed so as to prevent them from attending school.
19. Primary education to be free.
20. Age of child how to be computed. Education [1995: KAR. ACT 1 2

KARNATAKA ACT No. 1 OF 1995

(First published in the Karnataka Gazette Extraordinary on the Twentieth day of January, 1995)

THE KARNATAKA EDUCATION ACT, 1983

(Received the assent of the President on the Twenty-Seventh day of October 1993)

(As amended by Act 8 of 1998, 13 of 2003, 04 of 2015, 18 of 2017 and 25 of 2017)

An Act to provide for better organisation, development, discipline and control of the educational institutions in the State.

WHEREAS it is considered necessary to provide for the planned development of educational institutions inculcation of healthy educational practice, maintenance and improvement in the standards of education and better organisation, discipline and control over educational institutions in the State with a view to fostering the harmonious development of the mental and physical faculties of students and cultivating a scientific and secular outlook through education;

BE it enacted by the Karnataka State Legislature in the Thirty-fourth Year of the Republic of India as follows:-

CHAPTER I

GENERAL

1. Short title, extent, application and commencement.- (1) This Act may be called the Karnataka Education Act, 1983.

(2) It extends to the whole of the State of Karnataka.

(3) It applies to all educational institutions and tutorial institutions in the State except,-

(i) institutions for scientific or technical education financed by the Central Government, and declared by Parliament by law to be institutions of national importance;

(ii) institutions of higher education which shall be deemed to be University as declared by the Central Government by a notification, under section 3 of the University Grants Commission Act, 1956 (Central Act III of 1956);

(iii) institutions established or maintained and administered by or affiliated to or recognised by the University of Agricultural Sciences in so far as the matter pertaining to them are dealt within the University of Agricultural Sciences Act, 1963 (Karnataka Act 22 of 1963);

³[(iiiia) Educational Institutions affiliated to or recognized by the Council of Indian School Certificate Examination or Central Board of Secondary Education respectively but subject to condition that the provisions of section 5A, 48, 112A and 124A of this Act shall continue to apply to these institutions.]²³

(iv) in so far as the matters pertaining to colleges and institutions are

(29) "ragging" means causing, inducing, compelling or forcing a student, whether by way of a practical joke or otherwise, to do any act which detracts from human dignity or violates his person or exposes him to ridicule or to forbear from doing any lawful act, by intimidating, wrongfully restraining, wrongfully confining, or injuring him or by using criminal force to him or by holding out to him any threat of such intimidation, wrongful restraint, wrongful confinement, injury or the use of criminal force;

(30) "recognised educational institution" means an educational institution recognised under this Act and includes one deemed to be recognised thereunder;

(31) "registering authority" means any person, officer or authority authorised by the State Government by notification, to perform the functions and discharge the duties of the registering authority under all or any of the provisions of this Act for such area or for such purposes or for such classes of institutions as may be specified in the notification;

(32) "secondary education" means education in and upto such class or standard as may be prescribed;

(33) "secretary" in relation to a private educational institution means the person, by whatever name called, who under the rules or regulations of the private educational institution is a chief executive entrusted with the management of the affairs of the institution;

(34) "society" includes a society registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act 17 of 1960), or Karnataka Co-operative Societies Act, 1959 or a trust registered under the Bombay Public Trust Act, 1950, or any association of individuals registered under any other law for the time being in force;

(35) "special education" means education for the handicapped, education in music, dance, drama, fine arts, physical education including sports and games and such other types of education as the State Government may by notification, in that behalf specify;

(36) "specified area" means any area in which primary education is notified by the State Government to be compulsory under section 11;

(37) "technical education" means any course of study in Engineering, Technology, Architecture, Ceramics, Industrial Training, Mining, or in any other subject, as the State Government may, by notification, specify;

(38) "tribunal" means the Educational Appellate Tribunal constituted under section 96;

(39) "tutorial institution" means an unrecognised institution established or run by not less than two persons for systematically imparting education or instruction to twenty or more persons in any subject with a view to prepare them to appear for an examination in any branch of education conducted or recognised by the State Government or the Universities in the State or any body or authority under this Act or any other law for the time being in force.

1. Inserted by Act 8 of 1998 w.e.f. 11.4.1998.

2. Inserted by Act 25 of 2017, w.e.f. 22.04.2017.

3. Regulation of education.- (1) The State Government may, subject to sub-section (3) of section 1, regulate general education, professional

image through any communication device or computer network as defined in the Information Technology Act, 2000 (Central Act 21 of 2000).]¹

1. Inserted by Act 18 of 2017 w.e.f.06.04.2017.

25. Prohibition of impersonating at examinations.- No person shall appear or write at any examination for or on behalf of any other candidate.

26. Prohibition of loitering near examination's centre, etc.- No person, save in the discharge of his duties or orders of his superiors, shall during the hours when an examination is conducted or any evaluation or tabulation work relating to any examination is done and one hour preceding the commencement of such examination, evaluation or tabulation work, loiter within the premises wherein the examination is held or evaluation or tabulation work is done or at any public or private place within a distance of one hundred meters from such premises:

Provided that nothing contained in this section shall apply in respect of *bonafide* activities of any such person.

27. Alteration of the answers written at an examination, etc.- No person shall,-

- (a) save in accordance with the rules or orders governing the conduct of an examination,-
 - (i) change, modify, vary or alter the answers written by an examinee at such examination; or
 - (ii) introduce additional answer books or sheets into an answer script or remove or substitute the answer scripts or any part thereof;
- (b) intentionally or knowingly,-
 - (i) make incorrect entries in an answer script or marks register or marks card; or
 - (ii) total or retotal wrongly the marks obtained by any candidate; or
 - (iii) feed wrong data to the computer,

intending thereby to wrongfully increase or decrease the marks awarded or to be awarded to the examinee at an examination.

28. Duty of employees of educational institutions to do examination work.- Notwithstanding anything contained in any law for the time being in force or in any contract or any judgment, decree or order of any court or tribunal, it shall be the duty of every officer, teacher or other employee of every educational institution and every person in the service or pay of or remunerated by any educational institution to do any work assigned to him, in connection with any examination.

CHAPTER V

CLASSIFICATION AND REGISTRATION OF EDUCATIONAL INSTITUTIONS

29. Classification of educational institutions.- The educational

institutions shall be classified as follows:-

(a) state institutions, that is to say, educational institutions established or maintained and administered by State Government;

(b) local authority institutions, that is to say, educational institutions established or maintained and administered by a local authority, and

(c) private educational institutions, that is to say, educational institutions established or maintained and administered by any person or body of persons registered in the manner prescribed.

30. Educational institutions to be registered.- (1) Save as otherwise provided in this Act, every local authority institution and every private educational institution established on or before the date of commencement of this Act or intended to be established thereafter, shall notwithstanding anything contained in any other law for the time being in force, be registered in accordance with this Act and the rules made thereunder.

(2) No person or local authority shall establish or as the case may be, run or maintain an educational institution requiring registration under this section, unless such institution is so registered.

31. Procedure for registration of educational institutions.- (1) Any local authority or any person or registered body of persons intending to,-

(a) establish an institution imparting education, or

(b) maintain an institution imparting education established on or before the date of commencement of this Act and in existence on such date, shall make an application for registration of such institution to the registering authority within such period and in such manner along with such fee as may be prescribed.

(2) While registering an institution under sub-section (1), the registering authority shall have due regard to the following matters, namely:-

(a) that there is need for providing educational facilities to the people in the locality or for the type of education intended to be provided by the institution;

(b) that there is adequate financial provision for continued and efficient maintenance of the institution as prescribed by the competent authority;

(c) that the institution is proposed to be located in sanitary and healthy surroundings;

(d) that the site for the building, playground and garden proposed to be provided and the building in which the institution is proposed to be housed conform to the rules prescribed therefor;

(e) that the teaching staff qualified according to rules made by the State Government in this behalf, is or shall be appointed; and

(f) that the application satisfies the requirements laid down by this Act and the rules and orders made thereunder.

(3) The registering authority shall within a period of three months from the date of receipt of the application,-

(a) register the institution and issue a certificate in the prescribed form, if the conditions specified or prescribed for registration have been

complied with; or

(b) specify or extend from time to time, the period for compliance with such conditions:

Provided that the registering authority, may if it deems necessary, obtain and consider a report on the need for such institution from the expert body constituted under section 37 before granting or refusing the registration.

(4) Where any period is specified or extended under clause (b) of sub-section (3), the registering authority may register the institution if the conditions prescribed or specified for registration have been fulfilled within such period and issue a certificate in the prescribed form but shall refuse registration where there has been no such compliance. Every order of refusal shall disclose the grounds for such refusal and shall be in writing and shall be communicated to the concerned applicant.

(5) The Governing Council of an educational institution registered under this section shall give intimation to the registering authority of any change in any of the particulars furnished under sub-section (1) or of closure of the institution, in such form, in such manner and within such time as may be prescribed and the registering authority shall, on receipt of such intimation, amend the register and the registration certificate wherever necessary or, as the case may be, cancel the certificate.

32. Upgradation of educational institutions etc.- (1) Any local authority or any person or registered body of persons intending to,-

- (a) open higher classes in an institution registered under this Act imparting education; or
- (b) upgrade any such institution,

may make an application to the registering authority for grant of permission therefor within such period and in such form accompanied by such fee as may be prescribed.

(2) Subject to such rules as may be prescribed, the provisions of sub-sections (2) and (3) of section 31 shall, *mutatis mutandis*, apply to the granting of permission on such application.

(3) Where permission is granted under this section the certificate of registration issued to the institution shall be altered or modified accordingly.

33. Registration of a recognised educational institution.- (1) Notwithstanding anything contained in section 30, the registering authority shall register a local authority institution or a private educational institution if such institution has been recognised by the State Government or the authority competent to grant such recognition, as the case may be, before the date of commencement of this Act, in accordance with the rules or orders applicable to such recognition and the local authority or the Governing Council, as the case may be, files a statement in the prescribed form before the registering authority within a period of six months from such date.

(2) No fee shall be payable for the registration of an educational institution under sub-section (1).

(3) Notwithstanding anything in sub-section (1), where the registering authority is of opinion that a local authority institution or a private

educational institution does not conform to the provisions made by or under this Act, it may direct the local authority concerned or as the case may be, the Governing Council of the private educational institution to bring it in conformity with the same within such period or extended period as it may allow.

34. Cancellation of registration.- (1) Where it appears to the registering authority that in respect of any private educational institution or a local authority institution,-

- (a) any condition for registration prescribed or specified under sub-section (2) of section 31 or the provisions of this Act or the rules made thereunder relating to registration are violated; or
- (b) the local authority or the Governing Council to which a direction was given under sub-section (3) of section 33 has contravened the direction,

it may, after holding such enquiry as it deems fit, send report to the competent authority recommending the cancellation of registration of such institution.

(2) The competent authority may upon the receipt of the report under sub-section (1), after giving the local authority or the Governing Council an opportunity of being heard, order the cancellation of the certificate of registration of the institution and the removal of its name from the register. Every such order shall be communicated to the local authority or the Governing Council and to the registering authority.

35. Registration of Tutorial Institutions.- (1) (a) On or after the commencement of this Act, no tutorial institution shall be started without prior registration and an application for such registration shall be made to the registering authority in the prescribed manner along with such fee as may be prescribed;

(b) In the case of a tutorial institution in existence at the commencement of this Act, any person or body of persons managing such institution shall within ninety days from such commencement make an application for registering to the registering authority and if no such application is so made or if the registering authority communicates to him an order refusing the registration of institution under sub-section (2), the person or body of persons managing such institution shall not run the institution from the date of expiration of ninety days aforesaid or the date of communication of such order of refusal as the case may be.

(2) On receipt of an application under sub-section (1), the registering authority may, after satisfying itself whether or not the application contains all the prescribed particulars and that the tutorial institution complies with the minimum requirements prescribed in regard to the sanitary condition of the premises and the qualifications of the teaching staff, either register the tutorial institution in a separate register to be maintained for the purpose or refuse the registration, and shall, where it so registers the institution, issue in the prescribed form a registration certificate in the name of the tutorial institution.

(3) The person or body of persons managing every tutorial institution so

registered, shall submit to the registering authority within two months after the end of every academic year, an annual report regarding the coaching facilities provided by it during the academic year.

(4) The persons or body of persons managing every tutorial institutions so registered shall give intimation to the registering authority of any change in any of the particulars furnished under sub-section (2), or of closure of the institution, in such form, in such manner and within such time as may be prescribed, and the registering authority shall, on receipt of such intimation, amend the register referred to in sub-section (2) and the registration certificate wherever necessary, or as the case may be, cancel the certificate and notify the same.

(5) Where the person or body of persons managing any tutorial institution has, in the opinion of the registering authority, contravened any of the conditions subject to which the registration certificate is issued, the registering authority may, after giving the person or body of persons an opportunity of making a representation, cancel the registration certificate and remove the name of the institution from the register referred to in sub-section (2) and notify the same.

CHAPTER VI

RECOGNITION OF EDUCATIONAL INSTITUTIONS, ETC.

36. Recognition.- (1) Recognition may be accorded to any educational institution registered under this Act in accordance with the provisions of this Act and the rules made thereunder.

(2) The granting of recognition shall be subject to fulfillment of the following conditions, namely:-

- (a) security deposit of the prescribed amount shall be made within the time specified;
- (b) the Governing Council shall possess or be assured of adequate funds to run the institution on a stable footing; and
- (c) such other general or special conditions as may be prescribed in regard to accommodation, appointment of teaching and other staff, the code of conduct to be accepted and observed by the Governing Council, furniture and equipment, syllabi, text-books and such other matters relating thereto.

(3) Any local authority or Governing Council seeking recognition, as the case may be, for a local authority institution or a private educational institution shall make an application to the competent authority furnishing such particulars and in such manner and accompanied by such fee as may be prescribed.

(4) The competent authority after satisfying itself that the application is in accordance with the rules, may dispose the application in accordance with sub-sections (6) to (8), or if deemed necessary forward the application to the expert body for obtaining its report under clause (b) of sub-section (1) of section 37.

(5) The expert body receiving the application forwarded under sub-section (4) shall return it to the competent authority along with its report