

Regulatory Mechanism against Malpractices in admissions in Schools, Colleges and Universities in India & Abroad

SOP/Guidelines

Preamble

The objective of these guidelines is to have a just and transparent regulatory system in place to govern Institutions and centers involved in business of facilitation for admission of needy students in schools and colleges or universities, whether national or International. The regulatory mechanism is conceived as an evolving process based on transparency and awareness.

The objectives of regulatory mechanism are:

- Transparency in admission system,
- Awareness of the stakeholders.
- Mandatory Regulatory provisions.
- Penal clauses for violation.

Short Title

These guidelines may be called Standard Operating Procedures for establishment of a transparent regulatory system governing the institutes and centers facilitating admissions in educational institutes, national or International.

Definitions

“**School**” means an educational institution affiliated or not affiliated with a board for the purpose of education up to secondary level.

“**College**” means any institution as defined in UGC (Affiliation of Colleges by Universities) Regulations, 2009, and includes, ‘Private and Public Colleges/institutes/Centers and affiliated to Universities defined under Section 2(f) of UGC Act, 1956. Institutions situated outside India will be regulated as per respective Laws and Regulations of the host country.

‘Affiliation’ together with its grammatical variations, includes, in relation to a college, recognition of such college by, association of such college with, and admission of such college to the privileges of, a university.

“Course” means one of the units which comprise a program of study.

“Program”/ “program of study” means a higher education program pursued for a degree specified under Section 22 of UGC Act, 1956.

“Student” means a person admitted to a school, and/or pursuing a preparatory coaching/teaching program prior to admission or admitted to and pursuing a specified program of study.

“Shops and Establishment Act” means such act in force, in respective state.

“Protector of Emigrant” means as given in MEA web site.

Regulatory Mechanism

1. There should be a Central Nodal Agency at the center in / under the Ministry of Home Affairs and State Nodal Agencies to regulate the agency/ institutes / centers involved in facilitation of admissions to schools / colleges / universities in India and abroad by way of coaching & guidance or education & training.

The Central Nodal Agency will maintain a website to collect the data of the agencies /institutes / centers as mentioned above and coordinate with the State Nodal Agencies regarding the regulation of such agencies, centers/ institutes.

2. States to have ‘State Nodal Agency’ to regulate/monitor the agencies / Centers / Institutes involved in facilitation of admissions in schools / colleges / universities in India and abroad, by way of counseling, facilitation, coaching / teaching / training.
3. Monitoring Committee at the State level under the State Nodal Agency / State Home Department with designated office at district level should have, in addition to other officers, an officer on deputation from Education Department of Center/State, office staff, and Psychologist(s)/ (Career Counselor(s)) for counseling of students and their parents.

4. For monitoring, at District Level there should be a Committee constituted by State Nodal Agency, consisting of District Magistrate, SP, representative of Civil Society and One Officer from Education Department to deal with the cases / grievances of students and parents.
5. The functions of the Monitoring Committee shall be as follows:-
 - a. Monitoring Committee to register the complaint in case of a fraud detected/reported by the student / parent against any agency/ school / university / engineering / medical college, involved in the business of facilitating admissions in educational institutes.
 - b. On receipt of the complaint, the Monitoring Committee to carry out detailed enquiry and submit the factual report to the Police authorities for conducting further investigation and taking appropriate action against alleged fraud. Due information may be sent to *District Nodal Agency* and *Protector of emigrant*.
 - c. Committee to have mandate for inspecting the agency / institute /colleges on regular time interval to check compliance of government's directions for running a Coaching Centre / Institute/ School/ College. During the course of inspection credentials of the institute and its staff, both teaching and non-teaching like police verification, composition of the agency/institute, if managed by trust, society, and company or individually has to be checked. The inspecting authority to submit its report to 'State Nodal Agency'. The Nodal Agency to take cognizance of the report based on the merits of the case.
 - d. The Monitoring Committee will ensure the implementation of admission policies and financial audit as stipulated by respective statutory bodies. The monitoring committee will also ensure that counseling/ admissions are done in transparent manner.
 - e. For cases pertaining to admissions in foreign institutions the Protector of Emigrant having jurisdiction may be informed.
6. Guidelines may be prepared for all types of the Agencies/ Institutions / Centers involved in counseling, facilitation, coaching / teaching to facilitate admissions to schools / colleges / universities in India and abroad on the following points:-

- a. A coaching center having more than 100 students will have to be registered under Shops and establishment Act.
 - b. The class rooms should be spacious, airy and hygienic. The class size of maximum 40 students to be maintained.
 - c. There should be separate toilets for girls and boys and for the staff. Toilets for special students should be mandatory.
 - d. Provisions of first aid must be mandatory.
 - e. Provisions of basic safety and security to be made by the institute. For example fire safety equipment (as provided by committee on *Namit Kumar Judgment* and the CBSE norms).
 - f. Provision of Drinking water to be ensured.
 - g. A Display Board in front of the agency/ Coaching Institute with its registration number, validity period of the registration, details of classes, name of the proprietor, contact number of the proprietor etc.should be placed,prominently.
7. In case of a serious fraud the matter can be reported to the “Serious Fraud Investigation Office” of the Govt. of India.
 8. Every school should include, under extra curriculum/ counseling program, awareness sessions covering fraudulent acts generally reported in education domain. Concerned parents may be sensitized through the Parents Teachers Meeting (PTM).
 9. Punitive measures may be evolved by Ministry having effective deterrence to prevent fraudulent practices by the institutes.
 10. Awareness program through electronic and print media shall be run at the national level. Students and their parents to be made aware that instead of approaching any agent or tout, they should approach government registered schools and institutes for admission of students.

11. There should be a platform / website so that prospective students and parents could acquire necessary information / guidance as regards approaching the appropriate authorities at the time of admission.
12. Any management quota, if existing, needs to be regulated.
13. Respective universities, engineering colleges, medical colleges should maintain a database of admission through sports quota. The details to be maintained are - name of the sports, name of the student, year of participation, level of participation, position obtained. The information should be uploaded in the website.
14. All coaching center should register them under *Shops and Establishment Act*. A list of agencies so registered may be listed in public domain.
15. For Coaching Centers

The institutes having an enrollment of 100 students and more, to be registered under '*Shops and establishment Act*' and relevant '*Company Act*' and should comply with following:-

- a. Public display of Registration of the firm.
- b. Information like name of proprietor, renewal of registration, details of service provided / business involved in, etc.
- c. Telephone numbers.

For Educational Institutes

Institutional Information

- a. All educational institutes to mandatorily maintain a website, with, name and structure of organization and affiliations, if any.
- b. Registration system with Ministry of Human Resource & Development on the lines of National Institute Ranking Framework (MIRF) for accreditation.
- c. Who is who?
- d. Contact details of contact office and persons with mail & website addresses and telephone numbers.

- e. Prospectus for the current year and earlier educational year.
- f. Facilities available to students.

Course information and details

- g. The details of the courses, vacancies, related details given hereunder must be uploaded:
 - i. Admission process and regulations for filling of seats,
 - ii. The deadlines to be met,
 - iii. Eligibility for program/course,
 - iv. Documents to be submitted along with application,
 - v. Cost of education including Fee, scholarships, other financial details,
 - vi. Eligibility conditions for scholarships,
 - vii. Other instructions for course /program,
 - viii. The education session and leave policy should mandatorily be placed on web site.

Infrastructure

- h. Infrastructure available to students must be uploaded in website. The desirable details in the website are :
 - i. Hostel and living accommodation available.
 - ii. Library,
 - iii. Food and in-house facilities like laundry etc
- i. Details of teaching faculty along with their appointment, educational qualifications and profiles.
- j. The dispute regulation mechanism and appellate authority must be mentioned in the website.
- k. Guidelines on statutory regulations and disciplinary instructions like, prohibition on ragging must be properly placed on website.
