EDUCATION SECRETARIAT
NOTIFICATION-I
No. ED 317 PGC 2012, Bengaluru, Dated: 18.05.2018

Whereas the draft of the Karnataka Educational Institutions (Regulation of certain fees and Donations) (Amendment) Rules, 2016 was published as required by sub-section (1) of section 145 read with section 48 of the Karnataka Education Act, 1983 (Karnataka Act 01 of 1995), in Notification-I No. ED 317 PGC 2012 dated: 05.10.2016 in Part-IVA No. 1153 of the Karnataka Gazette Extraordinary dated:05.10.2016 inviting objections or suggestions from all persons likely to be affected within thirty days from the date of its publication in the Official Gazette.

And whereas the said Gazette was made available to public on 05.10.2016.

And whereas the objections and suggestions received in this behalf have been considered by the Government.

Now, therefore, in exercise of the powers conferred by the sub-section (1) of section 145 read with section 48 of the Karnataka Education Act, 1983 (Karnataka Act 01 of 1995), the Government of Karnataka hereby make the following rules further to amend the Karnataka Educational Institutions (Regulation of certain Fees and Donations) Rules, 1999, namely:-

RULES

1. Title and commencement:- (1) These rules may be called the Karnataka Educational Institutions (Regulation of certain Fees and Donations) (Amendment) Rules, 2018.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Substitution of rule 4:- In the Karnataka Educational Institutions (Regulation of certain fees and Donations) Rules, 1999 (hereinafter referred to as the said rules) for rule 4, the following shall be substituted, namely:-

"4. Fee in unaided private educational institutions:- (1) Every private unaided educational institutions shall disclose within 31st December of every calendar year its fee structure for the ensuing academic year starting in the next calendar year, the audit report of its finances in the previous financial year ended on 31st March, details of teaching resources, result in the public examination and a statement showing computation and compliance of the fee structure as per the rules on the website of Primary and Secondary Education Department in the manner specified through a notification.

(2) A private unaided educational institution shall be allowed to collect fees not exceeding the fee structure disclosed by the institution in the manner specified under sub-rule (1):"
Provided that, no fee shall be collected from the students admitted under clause (c) of sub-section (1) of section 12 of the Right of Children to Free and Compulsory Education Act, 2009 (Central Act 35 of 2009).

(3) Notwithstanding anything contained in any rules made in this behalf the tuition fee to be charged by a private unaided educational Institution under sub-clause (ii) of clause (b) of sub-rule (3) of rule 10 of the Karnataka Educational Institutions (Classification, Regulation and Prescription of curricula etc.,) Rules, 1995 in the ensuing academic year shall not exceed the value determined in the following manner, namely:

(i) The normative total expenditure for the ensuing academic year shall be computed based on the actual salary expenditure incurred on teaching and non-teaching staff, including outsourced staff, in the previous financial year ended on 31st March plus an additional amount towards contingency, operation and maintenance costs, rent, debt servicing, depreciation, etc. and the likely cost increase during the period between the previous financial year and the ensuing academic year.

Explanation: For the purpose of this sub-rule, the salary expenditure may include as applicable:

(a) Contribution towards Provident Fund, ESI made by the management;

(b) Encashment benefit, medical allowance, conveyance allowance and other such allowance, if any, given to the staff of the institution; and

(c) Concessions to weaker sections or any special activity related to academic or extra co-curriculum improvements.

(ii) The additional amount shall not be more than the value arrived on applying such percentage on the actual salary expenditure in the previous financial year ended on 31st March referred in clause (i) as specified in column (3) of the Table below, based on geographical location of the institution specified in column (2) thereof.

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Geographical Location of Institution and Areas</th>
<th>Percentage of additional amount on Actual Salary Expenditure</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
</tr>
<tr>
<td>1.</td>
<td>Grama Panchayat/Town Panchayat/ Town Municipal Council</td>
<td>Seventy Percent</td>
</tr>
<tr>
<td>2.</td>
<td>City Municipal Council</td>
<td>Eighty Percent</td>
</tr>
<tr>
<td>3.</td>
<td>Municipal Corporation other than BBMP</td>
<td>Ninety Percent</td>
</tr>
<tr>
<td>4.</td>
<td>Bengaluru Bruhat Mahanagara Palike</td>
<td>One hundred Percent</td>
</tr>
</tbody>
</table>

(iii) The normative net expenditure (NNE) for the ensuing academic year shall be computed based on the normative total expenditure (NTE) under clause (i) and (ii) of sub-rule (3) minus the total of:

(a) any money received under sub-rule (3) of rule 6 for the purpose of supporting recurring expenditure on teaching activities;

(b) the term fee collected under sub-clause (ii) of clause (a) of sub-rule (3) of rule 10 during the previous financial year ended on 31st March; and

(c) the special development fee collected under clause (c) of sub-rule (3) of rule 10 during the previous financial year ended on 31st March.
(iv) The total tuition fee proposed to be charged from all the students put together, other than the students admitted under item (c) of sub-section (1) of section 12 of the Right of Children to Free and Compulsory Education Act, 2009 (Central Act No 35 of 2009) as per the fee structure disclosed under sub-rule (1) shall not exceed the normative net expenditure (NNE), computed under item (iii) of sub-rule (3):

Provided that the total number of students for purpose of this sub-rule shall be the maximum number of students, other than the students admitted under clause (c) of sub-section (1) of section 12 of Right of Children to Free and Compulsory Education Act, 2009 (Central Act 35 of 2009), on the rolls of the educational institution during the previous academic year ended on 31st May.

(v) The total tuition fee proposed to be charged from all the students put together, other than the students admitted under clause (c) of sub-section (1) of section 12 of the Right of Children to Free and Compulsory Education Act, 2009 (Central Act 35 of 2009), in the ensuing academic year shall not be more than fifteen percent over and above the total tuition fee charged during the current academic year.

(vi) Subject to compliance with clause (iv) and (v) above, a private unaided educational institution shall have the flexibility to opt for varying tuition fee for different classes.

(4) In addition to the tuition fee, a private unaided educational institution may charge a term fee under sub-clause (ii) of clause (a) of sub-rule (3) of rule 10, not exceeding ten percent of the tuition fee. Such term fee will cover all co-curricular activities, examination fee, lab fee, sports fee, culture event fee, fee for activities complementary to regular teaching and any other activity specified by notification.

(5) Notwithstanding the disclosure made by a private unaided educational institution under sub-rule (1), Primary and Secondary Education Department may cause a special audit of the finances and fee computations of the institution in the manner specified through a notification."

3. Amendment of rule 6:- In rule 6 of the said rules, in sub-rule (1), in the table, for figure "25-00" wherever they occur, the figure "50-00" shall be substituted.

4. Insertion of new rule 7:- After rule 6 of the said rules, the following shall be inserted, namely:-

"7. Fine for violation:- For violation of any of the provisions of these rules or the Karnataka Educational Institutions (Classification, Regulation and Prescription of curricula etc.,) Rules, 1995, the Private Unaided Educational Institutions are liable for penalties as specified in section 7 of the Karnataka Educational Institutions (Prohibition of Capitation Fee) Act, 1984 and the fine as specified under clause (a) of sub-section (2) of section 13 of the Right of Children to Free and Compulsory Education Act, 2009 (Central Act 35 of 2009) in addition to the action under section 39 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) for withdrawal of recognition."

By order and in the name of the Governor of Karnataka

V. NAGESHA RAO
Under Secretary to Government
Education Department(Primary)
EDUCATION SECRETARIAT
NOTIFICATION-II

No. ED 317 PGC 2012, Bengaluru, Dated: 18.05.2018

Whereas the draft of the the Karnataka Education Institutions (Classification, Regulation and Prescription of curricula etc.,) (Amendment) Rules, 2016 was published as required by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 01 of 1995), in Notification-II No. ED 317 PGC 2012, dated: 05.10.2016 in PartIVA No. 1153 of the Karnataka Gazette Extraordinary dated:05.10.2016 inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of its publication in the Official Gazette.

And whereas the said Gazette was made available to public on 05.10.2016.

And whereas the objections and suggestions received from the public have been considered by the Government.

Now, therefore, in exercise of the powers conferred by the sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 01 of 1995), the Government of Karnataka hereby make the following rules further to amend the Karnataka Educational Institutions (Classification, Regulation and Prescription of curricula etc.,) Rules, 1995, namely:-

RULES

1. Title and commencement:- (1) These rules may be called the Karnataka Educational Institutions (Classification, Regulation and Prescription of curricula etc.,) (Amendment) Rules, 2018.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of rule 10:- In the Karnataka Educational Institutions (Classification, Regulation and Prescription of curricula etc.,) Rules, 1995 in rule 10, in sub-rule (3), in clause (c):-

(i) in item (ii), for the letters, figures and words “Rs. 600/- per year” the words “rupees two thousand five hundred per year” shall be substituted.

(ii) after clause (c), the following proviso shall be inserted namely:-

“Provided that no special development fee shall be collected from the students admitted in any educational institution under clause (c) of sub-section (1) of section 12 of the Right of Children to Free and Compulsory Education Act, 2009 (Central Act 35 of 2009).”

By order and in the name of the Governor of Karnataka

V. NAGESHA RAO
Under Secretary to Government
Education Department(Primary)