



**OFFICE OF THE
ASSAM INFORMATION COMMISSION
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : KP(M).1272/2017
Complainant/ appellant : Shri Dulal Bora
Respondent : SPIOs of Higher Education Department and Secondary
Education Department, Govt. of Assam
Date of hearing : 27.11.2018
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
27.11.2018

1. The petitioner Shri Dulal Bora is present. The public authority is represented by :-
(1) Md. F. Ahmed, SPIO of Higher Education Department, (2) Shri Padma Kanta Sarma, SPIO of Secondary Education Department and (3) Shri Debojyoti Bhattacharjee, Jr. AA of Secondary Education Department. The second appeal petition dated 27.6.2017 is taken up for further consideration in pursuance of this Commission's earlier orders dated 01.06.2018, 20.07.2018 and 21.08.2018.

2. The case in brief is that the petitioner Shri Dulal Bora submitted a complaint petition dated 14.9.2015 before the Addl. Chief secretary to the Chief Minister of Assam against:- (a) Concept Education, (b) Career Point (Kota) and (c) Akash Institute. His complaint was that these private coaching centres `operating in Assam charge exorbitant fees and that they enroll large number of students/trainees to coach them for admissions into medical, engineering, five years law and various other professional colleges. His specific complaint was that he admitted his daughter Kumari Puja Bora in Concept Education on 8.6.2015 by paying Rs. 43,680.00 as fees for the first three months, which was the first installment. But being dissatisfied with their behaviour and quality of coaching, he withdrew his daughter from Concept Education after 14 days and sought refund of the balance amount, but they did not give him any refund. The petitioner therefore, alleged that Concept Education has been tricking the guardians and parents of students by making them pay large sums of money in the name of coaching. He further alleged that they have turned such coaching lucrative business by opening several centres in Guwahati city. He followed up his complaint petition with an RTI petition dated 20.8.2016 and subsequent first and second appeal petitions.

3. This Commission heard the second appeal petition dated 27.6.2017. SPIOs and representatives of:- (1) Home and Political Department, (2) Higher Education Department, (3) Secondary Education Department, (4) Assam Police Headquarters, (5) Deputy Commissioner, Kamrup (M) and (6) Guwahati Municipal Corporation were heard. Written submissions made by them were also perused. After hearing them and after perusing the WSs, it transpired that at present there is no regulatory mechanism or any legal architecture to exercise any kind of supervision or regulation over such

professional training and coaching centres. In course of hearing, this Commission noted that in addition to coaching centres for admission into various professional colleges, large number of coaching centres are operating in the State for preparing aspirants for UPSC and the APSC civil services, bank jobs and for other professional careers. It also transpired in course of hearing that although the fee structure in all such coaching centres are quite high, being around Rs, 1 lakh or more per year, the quality of the coaching and inputs given by many of them are sub-standard. **As a result many students, job aspirants and their parents feel cheated. The legal basis of their operation is a trading license granted by Guwahati Municipal Corporation and by the local bodies in other places of the State.** There seem to have been mushroom growth of such coaching centres in Guwahati and other towns of the State. In the absence of any mechanism to regulate the quality of coaching, infrastructure and fee structure of the coaching centres, such coaching and educational activities seem to have undergone substantial commercialization without commensurate benefits to the trainees.

4. The SPIO of Secondary Education Department deposed before this Commission on 21.8.2018 that the Department has initiated steps to introduce a legislation to bring such professional coaching centres and institutes within a reasonable regulatory framework of the Government. Today he further mentioned that views of SEBA and the Director of Secondary Education have been called for on this issue.

5. This Commission is perhaps not the appropriate authority to give any direction for recovery of the fees paid by the petitioner for his daughter's coaching to Concept Education. However, taking into account the larger public interest involved, this Commission is of the view that there seems to be a necessity to put in place an appropriate mechanism for regulating the infrastructure, fee structure and the quality of coaching imparted by such private coaching centres with a view to protecting the interest of students, job aspirants and their parents. The Departments of Higher Education, Secondary Education, Technical Education, Health & F.W. (B) and Guwahati Municipal Corporation and other concerned public authorities may put together their views on this issue.

6. On behalf of the concerned public authorities mentioned in the preceding paragraph, the SPIO of Secondary Education is directed to bring the observations of this Commission to the notice of the Chief Secretary to the Government of Assam with reference to the petitioner Shri Dulal Bora's RTI petition dated 20.8.2016 read with his complaint petition dated 14.9.2015 for giving appropriate instructions as he may deem fit, to the concerned line departments.

7. With the above order, the second appeal petition dated 27.6.2017 is disposed of.

Sd/-

(H. S. Das)
Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Joint Registrar
Assam Information Commission

Memo No. SIC/ KP(M).1272/2017/

Dtd. 27.11.2018

Copy to: 1. The Chief Secretary to the Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
2. The SPIO of Higher Education Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
3. The SPIO of Secondary Education Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
4. The SPIO of Chief Minister's Office, Assam, Dispur, Guwahati-6 for information.
5. Shri Dulal Bora, Kainadhara, House No. 118, Khanapara, Guwahati-22 for information.
6. Computer Section for uploading in the Website.
7 Office File.
8. Order Book

Joint Registrar
Assam Information Commission