



मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 362]

भोपाल, गुरुवार, दिनांक 26 दिसम्बर 2024-पौष 5, शक 1946

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 26 दिसम्बर 2024

क्र.-18734-229-इक्कीस-अ(प्रा.)- भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश निजी विद्यालय (फीस तथा संबंधित विषयों का विनियमन) विधेयक, 2024 (क्रमांक 26 सन् 2024) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार
आर. पी. गुप्ता, अवर सचिव.

MADHYA PRADESH BILL

No. 26 OF 2024

THE MADHYĀ PRADESH NIJI VIDYALAYĀ (FEES TATHA
SAMBANDHIT VISHAYON KA VINIYAMAN) SANSHODHAN VIDHEYAK, 2024

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MADHYA PRADESH BILL

NO. 26 OF 2024

THE MADHYA PRADESH NIJI VIDYALAYA (FEES TATHA SAMBANDHIT VISHAYON KA VINIYAMAN) SANSHODHAN VIDHEYAK, 2024

A Bill further to amend the Madhya Pradesh Niji Vidyalaya (Fees Tatha Sambandhit Vishayon Ka Viniyaman) Adhiniyam, 2017.

Be it enacted by the Madhya Pradesh Legislature in the seventy-fifth year of the Republic of India as follows:-

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|-------------------------|--|
| Short title | 1. This Act may be called the Madhya Pradesh Niji Vidyalaya (Fees Tatha Sambandhit Vishayon Ka Viniyaman) Sanshodhan Adhiniyam, 2024. |
| Amendment of Section 1. | 2. In Section 1 of the Madhya Pradesh Niji Vidyalaya (Fees Tatha Sambandhit Vishayon Ka Viniyaman) Adhiniyam, 2017 (No. 6 of 2018),
(hereinafter referred to as the principal Act),-
(i) for the existing marginal heading, following marginal heading shall be substituted, namely:-
“Short title, extent, commencement and application”.
(ii) after sub-section (3), the following sub-section shall be added, namely:-
“(4) The provisions of this Act shall apply to such private schools whose annual fee for any class is more than the amount as prescribed by the State Government, from time to time, but such prescribed amount shall not be less than Rs. 25,000 (Rupees Twenty Five Thousand).”. |
| Amendment of Section 2. | 3. In Section 2 of the principal Act,-
(i) after clause (b), the following clause shall be inserted, namely:-
“(ba) “Departmental Committee for Regulating Fee and Related Issues” means a Committee constituted under sub-section(1) of Section 11;”.
(ii) for clause (q), the following clause shall be substituted, namely:-
“(q) “State Committee for Regulating Fee and Related Issue” means the Committee constituted under sub-section (1) of Section 12A.”. |

4. In Section 3 of the principal Act, in sub-section (1), after clause (m), the following clause shall be added, namely:- Amendment of Section 3.

“(n) transportation fee.”.

5. In Section 5 of the principal Act, for the words “State Committee”, wherever they occur, the words “Departmental Committee” shall be substituted. Amendment of Section 5.

6. In Section 8 of the principal Act, for the words “State Committee”, wherever they occur, the words “Departmental. Committee” shall be substituted. Amendment of Section 8.

7. In Chapter VI of the principal Act,- Amendment of Chapter VI.
(i) for the existing heading of the Chapter the following heading shall be substituted, namely:-

“DEPARTMENTAL COMMITTEE AND STATE COMMITTEE FOR REGULATING FEE AND RELATED ISSUES,”.

- (ii) in Section 11, for the words “State Committee”, wherever they occur, the words “Department Committee” shall be substituted.

- (iii) in Section 12,-

(a) for the existing marginal heading, the following marginal heading shall be substituted, namely:-

“Provision of appeal to Departmental Committee.”.

(b) for the words “State Committee”, wherever they occur, the words “Departmental Committee” shall be substituted.

- (iv) after Section 12, the following new Section shall be added, namely:-

“12A.(1) There shall be constituted a State Committee for regulating fees and related issues to hear appeal against the orders passed by the Departmental Committee pertaining to the orders related to increment of fees of more than 15 percent by the private schools:

Provision of appeal to State Committee

Provided that, no second appeal shall lie before the State Committee against the orders passed by the Departmental Committee, pertaining to the matters decided in first appeal against the order of District Committee.

(2) The State Committee for regulating fees and related issues shall consist of the following members, namely:-

- | | | |
|---|---|------------------|
| (a) the Minister, Government of Madhya Pradesh, Department of School Education. | - | Chairperson |
| (b) the In-charge Secretary, Government of Madhya Pradesh, Department of School Education. | - | Member |
| (c) the Commissioner of Public Instruction. | - | Member |
| (d) the Director, Rajya Shiksha Kendra, Bhopal. | - | Member |
| (e) the Director of Public Instruction, Madhya Pradesh. | - | Member |
| (f) the Deputy Secretary, Government of Madhya Pradesh, Department of School Education. | - | Member Secretary |
| (j) the Joint Director or an officer from the Directorate of Public Instruction, as authorized by the Commissioner of Public Education for this task. | - | Member |

(3) The quorum of the State Committee for regulating fee and related issues shall be of five members.

(4) The State Committee for regulating fees and related issues shall decide the appeal within such time and in such manner, as may be prescribed.

(5) The State Committee for regulating fees and related issues may reduce or increase the penalty imposed by the Departmental Committee for the regulation of fees and related matters.”.

STATEMENT OF OBJECTS AND REASONS

At present there are 34,652 private schools (covering all educational boards) are in operation. in the State of Madhya Pradesh. These Private schools are functioning under the provisions of the Madhya Pradesh Niji Vidyalaya (Fees Tatha Sambandhit Vishayon Ka Viniyaman) Adhiniyam, 2017 (No. 6 of 2018) and the Madhya Pradesh Niji Vidyalaya (Fees Tatha Sambandhit Vishayon Ka Viniyaman) Rules, 2020.

2. In order to enforce regulatory compliance with the provisions of afore said Act and Rules, a dedicated portal has been developed and operationalised for registration and data management of these private schools.

3. Notwithstanding the above mechanisms, several private schools have reported substantial difficulties in uploading mandated information to the dedicated portal, including general data, financial accounts and miscellaneous proposals, as mandated under rule 3 of the Madhya Pradesh Niji Vidyalaya (Fees Tatha Sambandhit Vishayon Ka Viniyaman) Rules, 2020.

4. The specific issues encountered by these private schools are delineated as follows:

- (1) Numerous Private Schools with Annual Fee of Rs. 25,000/- or lesser.
- (2) Private Schools with Annual Fees of Rs 25,000/- or lesser face resource constraint.
- (3) No separate classification of Smaller Private Schools for Regulatory Compliance.
- (4) Absence of Provisions of Regulation of exponential/unreasonable increase in transportation fees by Private Schools.

5. **Establishment of a State Committee-** It is also stated that presently there were two committee existing in the State of Madhya Pradesh viz. District Committee for Regulating Fee and Related Issues and State Level Committee for Regulating Fee and Related Issues. By way of amendment now there shall be three Committees viz. District Committee, Departmental Committee and State Committee. Departmental Committee shall hear appeal against the decisions of Districts Committee. State Committee shall hear appeal against the decisions of Departmental Committee related to its original jurisdiction.-

6. To solve out the afore said issues it is proposed to suitably amend section 1, 2, 3, 5, 8 and Chapter VI of the Madhya Pradesh Niji Vidyalaya (Fees Tatha Sambandhit Vishayon Ka Viniyaman) Adhiniyam, 2017 on the objective of mitigating existing challenges and thereby enhancing the efficacy and operability of the said Act.

7. Hence this Bill.

BHOPAL :

DATED, THE 12th DECEMBER 2024

UDAY PRATAP SINGH

Member-in-Charge.