

Education Act, 1983

Section 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.

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