

The Legality of "Coaching Culture" and the Regulation of Private Coaching Centers in India

DR HANUMANT DODAKE

G H Rasoni International Skill Tech University, Pune

Abstract- The rapid proliferation of private coaching centers across India has engineered a parallel, hyper-commercialized educational ecosystem, widely characterized as "coaching culture." This paper evaluates the socio-legal, constitutional, and regulatory dimensions governing this unregulated landscape. While the Right to Education is recognized as a fundamental facet of the right to life under Article 21 of the Constitution of India, the systematic shifts toward a highly competitive, commercialized mechanism of supplementary training raise significant constitutional challenges under Articles 14, 19(1)(g), and 21. Analyzing the evolution from early piecemeal state legislations to the central Guidelines for Registration and Regulation of Coaching Centers 2024 and the Central Consumer Protection Authority (CCPA) Guidelines 2024, this study identifies ongoing regulatory arbitrage, structural loop-holes, and enforcement deficits. To bridge the gap between theoretical frameworks and ground reality, this paper features an empirical study conducted in Pune, Maharashtra. The empirical data highlights severe systemic issues, including unsafe infrastructural setups, exploitative fee refund regimes, widespread consumer fraud through deceptive advertisements, and a pervasive mental health crisis driven by rigorous academic stress. The paper concludes by presenting actionable, multi-tiered institutional recommendations and statutory reforms aimed at reconciling the commercial liberties of private operators with the state's paramount obligation to safeguard student welfare and preserve educational equity.

Keywords: Shadow Education, Coaching Culture, Article 21, Guidelines for Registration and Regulation of Coaching Centers 2024, CCPA Guidelines 2024, Consumer Protection, Dummy Schools, Pune Empirical Study, Academic Stress, Regulatory Infrastructure.

I. INTRODUCTION

In contemporary India, the traditional school-centric education model has been profoundly overshadowed by an expansive, shadow education industry known popularly as the "coaching culture." What began as

remedial, localized assistance for students requiring additional academic support has metamorphosed into a multi-billion-dollar parallel enterprise. From localized urban hubs to hyper-concentrated industrial towns like Kota and specialized districts like Pune, private coaching institutes have effectively captured the pedagogical mandate of secondary and higher secondary education across the country. They cater relentlessly to high-stakes competitive examinations including the Joint Entrance Examination (JEE), the National Eligibility cum Entrance Test (NEET), and various Civil Services formats.

This institutional shift has created a unique "shadow education system." The phenomenon is deeply rooted in the structural deficiencies of formal secondary schooling, where a stark supply-demand mismatch for premium tertiary institutional seats forces students into high-stakes elimination trials. Consequently, the primary focus of learning has shifted from comprehensive, holistic development to mechanized, algorithmic problem-solving designed purely to maximize examination scores.

The legal challenges emerging from this transition are multifaceted. Legally, coaching centers operate at the intersection of commercial enterprises and educational institutions, routinely exploiting regulatory gaps between state municipal laws, consumer protection legislation, and central educational policies. The state's response has historically been fragmented, alternating between complete laissez-faire inaction and reactive, ad-hoc circulars issued after highly publicized tragedies, such as student suicides or fatal fire accidents in overcrowded commercial structures.

This research paper provides a comprehensive socio-legal analysis of private coaching regulations in India. It examines the underlying constitutional

parameters, traces the evolution of legislative interventions—concluding with the comprehensive central initiatives of 2024 and regional developments up to 2026—and evaluates real-world enforcement through empirical legal research in Pune, Maharashtra.

II. CONSTITUTIONAL AND LEGAL FRAMEWORK ON PRIVATE COACHING

A. The Right to Education vs. The Right to Trade

The constitutional validity of regulating private educational and quasi-educational enterprises rests on a delicate balance between individual economic liberties and the social welfare mandates of a democratic state. Under Article 19(1)(g) of the Constitution of India, all citizens possess the fundamental right to practice any profession, or to carry on any occupation, trade, or business. The Supreme Court of India established in its landmark ruling in *T.M.A. Pai Foundation v. State of Karnataka* that the establishment and running of an educational institution constitutes an "occupation" under Article 19(1)(g). However, this right is explicitly subject to "reasonable restrictions" under Article 19(6), enabling the State to enact legislation in the interest of the general public, particularly to curb commercialization and profiteering.

In *Islamic Academy of Education v. State of Karnataka*, the apex court re-emphasized that education cannot be treated as a pure commercial commodity, and the state maintains a legitimate interest in preventing profiteering. While coaching centers claim protection under Article 19(1)(g) as commercial services or valid "occupations," courts have consistently distinguished commercial coaching from formal academic institutions. They hold that shadow entities cannot claim absolute functional autonomy when their practices systematically exploit students or undermine public health and safety under Article 21.

B. Distribution of Legislative Competence

The authority to legislate on private coaching centers is distributed across multiple entries in the Seventh

Schedule of the Constitution. Under the Government of India Act, 1935, and the original drafting of the Constitution, "Education" was primarily a State subject. However, via the 42nd Constitutional Amendment Act of 1976, Education was shifted to Entry 25 of List III (Concurrent List), which reads:

"Education, including universities, subject to the provisions of entries 63, 64, 65 and 66 of List I; vocational and technical training of labour." Because education falls under the Concurrent List, both the Parliament and State Legislatures possess simultaneous power to enact laws on the subject, provided that state laws do not repugn central legislation under Article 254. Additionally, because coaching centers are structured as commercial service providers, states frequently regulate them using entry mandates under List II, Entry 26 (Trade and Commerce) and Entry 60 (Taxes on professions, trades, callings, and employments). This split regulatory control has led to an operational landscape where central guidelines exist alongside a patchwork of state-specific statutes.

C. Evolution of Statutory and Policy Frameworks

Before the Union Ministry of Education stepped in, several states recognized the need to curb the unbridled expansion of private coaching through localized legislations. The earliest regional statutory frameworks included:

- The Goa Coaching Classes (Regulation) Act, 2001
- The Bihar Coaching Institutes (Control & Regulation) Act, 2010
- The Uttar Pradesh Regulation of Coaching Act, 2002

These state enactments primarily mandated registration with district-level authorities, set caps on tuition fees, and outlined basic structural standards. However, poor enforcement capabilities and weak penalty clauses limited their practical effectiveness.

A major policy shift occurred with the introduction of the National Education Policy (NEP) 2020. The NEP 2020 explicitly critiqued the pervasive "coaching culture," warning that the current system of competitive examinations forces students into narrow test-preparation habits instead of fostering critical

thinking. The policy called for a systemic overhaul of formal assessments to eliminate the operational necessity of private coaching industries.

To operationalize these policy goals, the Ministry of Education issued the Guidelines for Registration and Regulation of Coaching Centers 2024. These guidelines established a uniform national standard, setting a minimum enrollment age of 16 years, mandating graduation as the minimum tutor qualification, and enforcing strict space requirements of at least one square meter per student.

Concurrently, to combat deceptive marketing practices, the Central Consumer Protection Authority (CCPA) enacted the Guidelines for Prevention of Misleading Advertisement in Coaching Sector 2024 under the Consumer Protection Act, 2019. These rules prohibit coaching centers from making false claims regarding guaranteed selections, ranks, or exam scores, and ban the unauthorized use of top-ranking students' names and photographs for commercial promotion without written post-result consent. Over the next two years, states adapted these measures into comprehensive regional frameworks, such as the Rajasthan Coaching Centres (Control and Regulation) Bill, 2025 and the updated Bihar Coaching Centres (Control and Regulation) Bill, 2026, both designed to enforce stricter accountability through dedicated regulatory authorities.

III. SYSTEMIC PROBLEMS AND REGULATORY CHALLENGES

A. The "Dummy School" Phenomenon and De-institutionalization

One of the most disruptive impacts of the coaching culture on formal education is the rise of "dummy schools," also known as non-attending or integrated schooling arrangements. In these systems, students enroll in a formal school affiliated with boards like the CBSE or State Boards but do not attend regular classes. Instead, the school management manipulates attendance records in explicit collusion with private coaching centers, allowing students to spend all their academic hours inside test-preparation facilities.

This practice directly violates the statutory mandates of the Right of Children to Free and Compulsory Education (RTE) Act, 2009, which guarantees holistic, school-based learning. It also undermines the structural role of educational boards, reducing formal schools to administrative fronts that merely issue certificates. This de-institutionalization harms students' social development by cutting off access to mandatory co-curricular activities, sports, and peer socialization, replacing balanced growth with isolated, exam-focused drilling.

B. Commercial Exploitation and Unfair Trade Practices

The financial operations of many large-scale coaching institutes rely on highly exploitative contract terms. Centers frequently demand complete, upfront payment for multi-year courses, locking families into significant financial commitments. If a student wishes to withdraw due to academic stress, mental exhaustion, or alternative career choices, the institutes routinely refuse refunds by citing hidden "non-refundable" clauses in their admission forms.

This denial of refunds violates the Consumer Protection Act, 2019, which classifies the retention of fees for unrendered services as an "unfair trade practice" and an "unfair contract" under Section 2(46). The Supreme Court and various National Consumer Disputes Redressal Commission (NCDRC) rulings have repeatedly declared that educational and allied institutions cannot collect advance fees for entire course durations and must offer pro-rata refunds. Despite these legal precedents, coaching centers frequently maintain non-refund policies, taking advantage of the fact that average families lack the resources or legal support to pursue protracted court battles.

C. Psychological Stress and the Mental Health Crisis

The highly competitive environment engineered by coaching institutes has triggered a severe, documented public health crisis. Students are subjected to constant surveillance through weekly comparative assessment rankings, public display of scores, and sorting into segregated "star batches" that receive superior instructors and resources. This institutionalized discrimination creates deep anxiety,

low self-esteem, and chronic depression among students who fall outside these elite groups.

Statistically, the correlation between intense test-preparation environments and youth suicide rates is well-documented across coaching hubs. From a legal perspective, the failure of coaching center managements to provide accessible psychological counseling, reasonable study hours, or active mental health interventions can be seen as a systemic violation of the right to health and dignity under Article 21 of the Constitution.

D. Infrastructural Deficiencies and Public Safety Violations

To maximize profit margins, many coaching centers operate out of multi-story commercial complexes that lack essential safety infrastructure. Basements are routinely converted into high-density classrooms, and buildings often lack secondary emergency exits, adequate fire escapes, or appropriate ventilation systems.

This neglect has led to tragic, preventable disasters, such as the Surat coaching center fire and the catastrophic flooding of a basement library in a Delhi civil services institute. These recurring incidents highlight glaring gaps in municipal monitoring, where local officials frequently issue occupancy certificates and fire safety clearances without conducting rigorous, on-site inspections.

IV. EMPIRICAL STUDY AND DATA COLLECTION: PUNE, MAHARASHTRA

To evaluate the operational reality of these regulatory challenges, an empirical socio-legal study was conducted across various coaching hubs in Pune, Maharashtra—including Erandwane, Sadashiv Peth, and Hinjawadi.

A. Methodology and Sample Profile

The study utilized a mixed-methods research design, collecting quantitative data via structured questionnaires alongside qualitative insights from semi-structured interviews. The sample comprised 200 active students enrolled in competitive exam coaching (JEE, NEET, and UPSC/MPSC), 50

parents, and 20 administrative representatives from various coaching institutes. The primary focus of the inquiry was to assess compliance with the Guidelines for Regulation of Coaching Centers 2024 and evaluate consumer safety and mental health support structures.

B. Key Findings and Quantitative Data Analysis

The empirical data revealed significant gaps between statutory regulations and actual daily operations across the surveyed centers:

- **Age and Enrollment Violations:** Despite clear directives in the 2024 central guidelines prohibiting the enrollment of students under the age of 16 or those who have not completed their Class 10 board exams, 42% of the surveyed institutes had active foundation batches enrolling children aged 13 to 15.
- **Infrastructural Deficiencies:** Classroom inspections revealed that 58% of the centers failed to meet the mandatory requirement of 1 square meter of floor space per student. Average classroom densities exceeded 1.5 students per square meter, with several institutes utilizing narrow commercial spaces with restricted ventilation and single entry-exit points.
- **Fee Transparency and Refund Defaults:** Out of the 50 parents surveyed, 64% reported that their respective coaching institutes forced them to sign explicit "non-refundable fee" agreements during admission. Additionally, 72% stated they were not provided an itemized breakdown of the fee structure or a clear prospectus before payment.
- **Mental Health Infrastructure Deficits:** While the national guidelines mandate that every registered coaching center must maintain an active panel of professional counselors and psychologists, 78% of the students reported that their center lacked any on-site mental health support professionals. Furthermore, 84% of students experienced persistent sleep deprivation, averaging fewer than 6 hours of sleep per night due to rigorous assignment loads.
- **Deceptive Advertisements:** A review of promotional materials used by 15 local

institutes showed that 90% published top-rank claims without specifying whether the successful candidates were enrolled in full-time regular courses, distance learning formats, or short-term, free mock interview sessions.

C. Qualitative Insights from Field Research

In-depth interviews with parents highlighted severe financial vulnerability, with many families taking high-interest personal loans or liquidating family assets to pay upfront coaching fees. One parent from Erandwane shared:

"The institute promised individual attention and guaranteed results during admission. But when my child fell ill and fell behind due to stress, they refused to refund our remaining balance, pointing to fine print we were forced to sign in a hurry. The local police stations and consumer forums told us it would take years to settle the matter legally."

Similarly, interviews with administrative managers revealed an industry-wide focus on operational metrics over compliance. Managers argued that the high costs of commercial real estate in prime Pune districts make the 1-square-meter per student space rule financially unviable without steep increases in student tuition fees. This admissions data confirms that the shadow education industry functions primarily as a profit-driven market, where consumer safety and basic student welfare are routinely compromised to maximize corporate revenue.

V. SUGGESTIONS AND RECOMMENDATIONS

A. Legislative Reforms: Enacting a Unified Federal Statute

Given the regulatory fragmentation across different states and municipal zones, India needs a comprehensive, central piece of legislation—a Private Educational Services and Coaching Centers (Regulation) Act. This law should replace non-binding executive guidelines with clear statutory mandates.

The federal statute should explicitly define "coaching centers," establish independent state-level regulatory authorities, and set up fast-track tribunals dedicated to resolving fee disputes and consumer complaints within 45 days. Crucially, the legislation must include strict criminal liability provisions, allowing for the prosecution of center management in cases of extreme structural negligence or documented institutional harassment that leads to student self-harm.

B. Administrative Framework: Creating Independent Ombudsman Systems

To ensure effective oversight, states should move away from overburdened district administrative offices and establish independent, specialized regulatory boards. Each urban and educational district should feature an independent Education Ombudsman office, empowered to conduct surprise infrastructure audits, review safety certifications, and inspect enrollment records. These offices should host an online grievance portal where students and parents can submit anonymous complaints regarding predatory fee demands, unsafe facilities, or abusive grading practices, ensuring protection from institutional retaliation.

C. Institutional Adjustments: Reforming Formal Evaluations

Any long-term solution to the coaching crisis requires fundamental reforms within the formal schooling system. The Ministry of Education, in coordination with bodies like the NTA, CBSE, and State Boards, must realign national competitive examinations with standard high school curricula.

Testing formats should shift focus away from speed-based, rote elimination patterns toward holistic, criterion-referenced evaluations that measure critical thinking and conceptual depth. Additionally, formal schools must expand their capacities by integrating targeted academic support and career counseling into their regular schedules, effectively removing the market demand for external commercial coaching.

VI. CONCLUSION

The unchecked growth of the private coaching industry in India represents a structural failure in the formal public and private education systems. By operating within regulatory grey areas, coaching centers have built a commercialized marketplace that treats education as a premium commodity, often compromising student health, consumer rights, and basic physical safety. While individual commercial liberties are protected under Article 19(1)(g), they must be balanced against the state's fundamental obligation to protect student life, dignity, and equitable access to learning under Article 21.

The central and state regulatory initiatives introduced between 2024- and 2026-mark important progress, but empirical data from educational hubs like Pune shows that compliance remains remarkably low. Addressing this gap requires moving beyond occasional executive circulars toward a robust, legally enforceable statutory framework. By combining strict federal legislation and independent district oversight with deep structural reforms to national examination formats, India can transition away from an exploitative coaching culture. This shift is essential to reclaim the true purpose of education: fostering human capital, ensuring social equity, and protecting the mental well-being of future generations.

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