

In pursuance of the provisions of Clause (3) of Article 348 of the "Constitution of India, the Governor is pleased to order the publication of the following English translation of notification no. /XXIV(1)/2010-45/2008 Dated October, 2011 for general information.

**Govt. Of Uttarakhand**

**Education section-1(Basic)**

**No. /XXIV(1)/2010-45/2008**

**Dehradun, Dated October, 2011**

**Notification**

In exercise of the powers conferred by section 38 of the Right of Children to Free and Compulsory Education Act, 2009(Central Act No. 35 of 2009), the Governor of Uttarakhand hereby makes the following rules, namely:-

**UTTARAKHAND RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION**

**RULES-2011**

**1. Short Title, Extent and Commencement:**

- (1) These Rules may be called the **Uttarakhand Right of Children to Free and Compulsory Education Rules, 2011.**
- (2) They shall come into force on the date of their publication in the Official Gazette.
- (3) They shall extend to the whole of the State of Uttarakhand.

**PART - I**

**PRELIMINARY**

**2. Definitions:**

- (1) In these rules, unless the context otherwise requires-

- (a) **"Act"** means The Right of Children to Free and Compulsory Education Act, 2009 (Central Act No. 35 of 2009);
- (b) **"Academic Authority"** means the authority notified by the State Government under sub-section (1) of section 29 of the Act i.e. The State Council of Educational Research and Training, Uttarakhand;
- (c) **"Academic Session"** means an Academic Session from the month of April to March;
- (d) **"Anganwadi"** means an Anganwadi Centre established under the Integrated Child Development Scheme of the Ministry of Women and Child Development of the Government of India;
- (e) **"Appointed date"** means 1<sup>st</sup> April 2010;
- (f) **"Child"** means a male or female child of the age of 6 to 14 years, provided that for the purpose of Children With Special Needs the "Child" means a male or female child of the age of 6 to 18 years;
- (g) **"Child belonging to disadvantaged group"** means a child belonging to the Schedule Caste, the Schedule Tribe, Other Backward Classes as notified by the State Government(except creamy layer), an Orphan child, Child suffering from disability as defined in Persons with Disabilities (Equal Opportunities, Protection and Full Participation Act, 1995) (Act 1 of 1996), a child depending on widow or divorcee mother, whose annual income is less than R 80000/-, HIV<sup>+</sup> child or child of HIV<sup>+</sup> parents and a child belonging to parents with disabilities (including leprosy effected persons) defined in Persons with Disabilities (Equal Opportunities, Protection and Full Participation Act, 1995) (Act. 1 of 1996) whose annual income is less than R 4.5 Lakh and includes such disadvantaged children as defined by the State Government from time to time;

Provided that 50% of the children belonging to disadvantaged group to be admitted under provisions of Section 12 of the Act shall be girls.

- (h) **"Child belonging to weaker section"** means a child belonging to such parent or guardian whose annual income is equal to or less than ₹ 55000/- , and includes such children as defined by the State Government from time to time;
- (i) **"Free Entitlement"** means the free facilities to be provided to the child, as notified by the State Government from time to time;
- (j) **"Government"** means the Government of Uttarakhand;
- (k) **"Governor"** means the Governor of Uttarakhand;
- (l) **"Local Authority"** means Municipal Corporation or Municipal Council or Zila Panchayat or Nagar Panchayat or Gram panchayat, the School Management Committee and also Deputy Block Education Officer, Block Education Officer, Additional District Education Officer (basic), District Education Officer; and includes such authorities as notified by the State Government from time to time;
- (m) **"Neighbourhood School"** for the purpose of Government schools under these rules means a school which is within a walking distance of 01 KM in case of primary classes (I to V) and 03 Km in the case of Upper Primary classes (VI to VIII). The neighbourhood for the schools defined under sub-clauses (ii) (iii) and (iv) of clause (n) of section 2 for the purposes of clause (c) of sub-section (1) of section 12 of the RTE Act shall be determined from time to time by the State Government or the local authority notified by the State Government for this purpose;
- (n) **"Pupil Cumulative Record"** means record of the progress of the child based on Continuous and Comprehensive Evaluation;
- (o) **"Schedule"** means the schedule annexed in the Act;

- (p) **"School Mapping"** means planning school location for the purpose of section 6 of the RTE Act to overcome social barriers and geographical distance and includes assessing availability of schooling facilities for elementary education based on certain fixed norms and standards in terms of location;
- (q) **"Specified Category"** in relation to a school, means a school such as Kendriya Vidyalaya, Jawahar Navodaya Vidyalaya, Rajiv Gandhi Navodaya Vidyalaya, Shyama Prasad Mukherji Vidyalaya or any other school having a distinct character which may be specified by the State Government by notification;
- (r) **"State"** means the State of Uttarakhand;
- (2) All references to "Forms" in these rules shall be construed as references to forms set out in **Appendix I-VI** hereto.
- (3) All other words and expressions used herein and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.

## **PART – II**

### **Right of Children to free and Compulsory Education**

#### **3. Special Training For Children:**

- (1) The Block Education Officer (or an authorized officer) with the cooperation of School Management Committees shall identify the 6-14 years out of school children (both never enrolled and drop out)/children requiring special training and will ensure their age specific class enrolment in the neighborhood School. The School Management Committee of the school and teachers with the help of Cluster Resource Coordinator shall assess the learning level of the child and accordingly organize such training in the following manner namely:-

- (a) The Special Training shall be based on specially designed, age appropriate learning material approved by the Academic Authority specified in sub-section (1) of section 29 of the Act;
  - (b) The said training shall be provided in classes held on the premises of the school or in classes organized in safe residential facilities owned or approved by the State Government for this purpose or in whichever manner the State Government decides;
  - (c) The said training shall be provided by teachers working in the school, retired teachers, Mahila Samakhya, Voluntary organisation, any category of recognised school or by such way as determined by the State Government from time to time or by teachers specially arranged by the Authorised Agency nominated by the State Government for this purpose from time to time;
  - (d) The duration of the said training shall be for a minimum period of three months which may be extended, based on periodical assessment of learning progress;
  - (e) The School Management Committee will prepare the strategy to ensure the regular attendance and retention of the children mainstreamed through special training. It will be an essential part of their School Development Plan. It shall be the responsibility of the Block Education Officer to make provisions for the regular attendance and retention of such children till the completion of their elementary Education.
- (2) The child shall, upon induction into the age appropriate class, after special training continue to receive special attention by the teachers to enable him to successfully integrate with the rest of the class, academically and emotionally.

### Part-III

## Duties and responsibilities of State Government and Local Authority

### **(A) General Responsibilities:**

#### **4. Area or limits of neighbourhood:-**

- (1) The area or limits of neighborhood within which a school has to be established by the State Government or the local authority shall be,
  - (a) In respect of children in classes from I to V a Primary School shall be established within a walking distance of one K.M. of the served area having a minimum population of 200. For the rural areas there should be a minimum of 25 children and for the urban areas there should be a minimum of 40 children in the age group of 6-11 years available and willing for enrollment in that school;
  - (b) In respect of children in classes from VI to VIII, an Upper Primary school shall be established within a walking distance of three K.M. of the served area having a minimum population of 400. For the rural areas there should be a minimum of 25 children and for the urban areas there should be a minimum of 40 children in class V of the feeding Primary School, taken together, available and willing for enrollment in that school.
  - (c) In every three years the State shall review the situational status of every Primary and Upper Primary schools and may consider to relocate the schools not fulfilling the norms mentioned in sub rule 1(a)&(b) of rule 4.
- (2) In places with difficult terrain, risk of landslides, floods, lack of roads and in general, danger for young children in the approach from their homes to the school, the State Government or the local authority may consider to

locate the school in such a manner as to avoid such dangers, by reducing the areas or limits specified under sub rule (1).

- (3) As far as possible the State Government or the Local Authority shall consider to co-locate the New Upper Primary School with the existing Primary School.
- (4) In places with high population density, the Government/Local Authority may consider to establish more than one neighbourhood school having regard to the number of children in the age group of 6-14 years in such places.
- (5) For children from small hamlets, as identified by the Block Education Officer, where no school exists within the area or limits of neighbourhood specified under sub rule (1) the government or the local authority may make adequate arrangements, such as free transportation or residential facilities.
- (6) The Block Education Officer, in accordance with the instructions issued by the State Government from time to time shall identify the neighbourhood schools where children can be admitted and shall make such information accessible for people of such habitation.
- (7) The state Government or the local authority shall ensure that access of children to the school is not hindered on account of physical, social and cultural factors.
- (8) Under the provisions of clause (c) of section 8 and clause (c) of Section 9, of the Act the State Government and the local authority shall ensure that a child belonging to a weaker section and a child belonging to disadvantaged group is not segregated or discriminated against in the classroom, during mid day meals, in the use of common drinking water and toilet facilities or any grounds.

- (9) The State Government/Local Authority shall ensure that no child is subjected to caste, class, religious or gender abuse or abuse of any other form in the school.
- (10) For the purpose of clause (g) of section 9 of the Act the State Government/Block Education Officer with the cooperation of School Management Committee shall make a strategy to identify the never enrolled and drop out children, classify them and shall ensure the completion of elementary education in accordance to the school mapping in the following manner namely-
- (a) To organise the special training in accordance to the decision/approvals of School Management Committee;
  - (b) Regular Monitoring to ensure the regular attendance and Retention of children mainstreamed through Special Training;
  - (c) To obtain the extant objectives the State Government/Local Authority shall make publicity of the strategies made for the completion of elementary education of never enrolled/drop-out children;
  - (d) The State Government/Local Authority with the help of School Management Committee shall maintain the academic records of children during Special Training, so that after mainstreaming of these children necessary action may be taken to ensure the achievement of desirable learning levels amongst these children;
  - (e) The State Government/Local Authority shall ensure the training and regular support of teachers selected for the special training.
- (11) The State Government shall ensure the availability of free entitlements to the children studying in Government Schools such as Text Books, Mid Day Meal, Uniform for all Girls and uniform for boys belonging to Schedule



Caste, Schedule Tribe and BPL families. Additional free entitlements may be notified by the State Government from time to time. The school defined under sub-clauses (iii) and (iv) of clause (n) of section 2 should ensure these free entitlement for children admitted under clause (c) of sub-section (1) of section 12.

For all children in remote habitations with sparse population where opening of school is unviable within the area or limits of Neighbourhood specified under sub rule (1) and Urban Deprived Children/children without adult protection in Urban areas where schools are not opened because of non availability of land, transport/escort facility will be provided as free entitlement.

- (12) The District Education Officer shall notify a '**Calendar of Admission**' for 25% quota to be followed by the schools defined in sub-clauses (iii) and (iv) of clause (n) of section 2 of the Act, for admission of children under these rules. Any school violating these provisions and conducting the admission process in contrary to the Calendar of Admission is liable to be penalized under the provisions of the Act.
- (13) It shall be the responsibility of government functionaries at all level and the School Management Committee to educate the public about the various provisions of the Act and Rules.
- (14) Every year, before 30<sup>th</sup> May the District Education Officer shall notify the Pupil Teacher Ratio of every school in his jurisdiction and place such a list in the public domain, Accordingly the District Education Officer may ensure the redeployment of teachers by the second week of July month of every year.
- (15) Where in a school, there is no provision for completion of elementary education, under clause (1) of section 5 of the Act, the District Education Officer shall make proper arrangements for completion of elementary

education of the children by assisting the child in taking a transfer to the nearest approved school where such facilities are available.

- (16) The State Project Office, Sarva Shiksha Abhiyan, Uttarakhand shall bring out a performance report on the status of the implementation of the Act in its Annual Report.

**(B) To Ensure Quality Education:**

**5. Responsibilities of State Council of Educational Research and Training(SCERT):**

- (1) The SCERT shall ensure providing of high quality education in all schools and to this end specify norms and standards in respect of all school activities, educational activities, educational achievement and other activities involving quality. These norms and standards shall also be specified for children's learning outcomes, outcomes in other activities and activities of teachers and schools.
- (2) The SCERT shall regularly monitor the levels of learning of children in all government and aided elementary schools of the state, including evaluation of schools through third party. Based on the monitoring reports, the SCERT will provide suggestions for improving the quality of education.
- (3) Based on these reports the SCERT shall also devise special training programs in every class/subject for those children who have not been able to reach the expected learning levels.
- (4) The SCERT shall develop the norms and standards to examine the level of teachers' teaching skills.
- (5) The SCERT shall prepare special training package for children of low learning levels, out of school children and children admitted after the extended period.

- (6) The SCERT shall revise the pre-service teacher's training curriculum in conformity to the norms and standards laid down by National Council of Teacher Education under the RTE Act.
- (7) The SCERT shall subject the teacher training programme to external evaluation process and based on these evaluation studies continuously update these programmes.

**6. Responsibilities of District Institute of Education and Training(DIET)/District Resource Centre(DRC):**

- (1) The DIET mentors shall ensure academic monitoring of schools in every month to understand the Academic problems faced at the field level and help the teachers to improve the quality of classroom teaching.
- (2) An Academic Committee shall be formed at DIET level. This committee shall analyze the academic monitoring report received from District Education Officer, District Project Officer/Additional District Education Officer (Basic), Block Education Officer, DIET mentors, Block Resource Coordinator, Cluster Resource Coordinator and shall prepare and implement quarterly academic action plan accordingly.

**7. Responsibilities of District Education Officer(DEO), Additional District Education Officer (ADEO Basic)/District Project Officer (DPO):**

- (1) The DEO and Additional District Education Officer (Basic)/DPO shall ensure the academic monitoring of schools every month.
- (2) The monitoring report shall be submitted to the concerned District Institute of Education and Training.

**8. Responsibilities of Block Education Officer (BEO), Deputy Block Education Officer (Dy. BEO), Block Resource Coordinator(BRC) & Cluster Resource Coordinator(CRC):**

- (1) The Block Education Officer and Deputy Block Education Officer shall ensure the academic monitoring of schools in every month and shall give

academic support to these schools. The Block Education Officer shall submit the report to the concerned DIET.

- (2) The Block Education Officer and Deputy Block Education Officer shall keep the record of the need and gap in physical infrastructure and ensure the availability of physical infrastructure depending upon the availability of the resources.
- (3) The BRC shall also ensure academic monitoring of schools every month and shall give academic support to these schools. The BRC shall also analyze the progress of these schools and will inform accordingly to the Block Education Officer.
- (4) The CRC shall ensure the academic monitoring of schools every month and shall give academic support to these schools. The CRC shall also analyze the progress of these schools and will inform accordingly to the Block Education Officer.
- (5) The Block Education Officer will ensure the availability of consolidated academic monitoring reports every month received from BRC, CRC and Deputy Block Education Officer to the concerned DIET.

**9. Responsibilities of Head Teacher/Principal and Teachers:**

- (1) At the school level, the Head Teacher/Principal along with all other teachers shall ensure the realization of quality/learning outcomes of children. The Head Teacher/Principal and all other teachers shall also ensure the systematic maintenance of records and documentation of progress of the children on a continuous basis.
- (2) The Head Teacher/Principal and Class Teacher/subject teacher shall continuously monitor the levels of learning of children in the school and accordingly ensure proper implementation of the special training programmes.

- (3) The teacher shall evaluate/measure the achievement level of children at elementary level. This measurement of achievement for all classes shall be continuous and comprehensive. The teachers shall be made accountable for acquisition of learning levels of those children who have not been able to reach the expected learning levels.
  - (4) There shall be a box file in every Government and aided school. The mentioned file will be provided to every child. At the end of the day, every child will write in his/her own words on a paper what he/she has learnt during the day in the school. So that the progress of the child could be viewed in an instance by any individual or inspecting authority.
- 10.** Any Authority violating the rules mentioned under rule 6 to 9 shall be liable for disciplinary action as per their service rules.

**(C) Child's Records:**

**11. Maintenance of records of children up to the age of fourteen years by Local Authority:**

- (1) The Block Education Officer shall maintain a record of all children, in its jurisdiction, through Household Survey from their birth till they attain 14 years age;
- (2) The record, referred to in sub- rule (1) shall be updated annually.
- (3) The record referred to in sub- rule (1) shall be maintained transparently, in the public domain and used for the purposes of clause (e) of section 9 of the Act.
- (4) The record, referred to in sub rule (1) shall in respect of every child, include:-
  - (a) Name, Sex, Date of Birth, (Birth Certificate number wherever available), place of Birth;
  - (b) Name, Address, Occupation and qualification of parent or guardian;
  - (c) Pre- Primary School/Anganwadi Centre that the child attends (up to age 6);

- (d) Primary/Elementary School where the child is admitted;
  - (e) Present address of the child;
  - (f) Class in which the child is studying;
  - (g) If Education is discontinued in the territorial jurisdiction of the Local Authority, the cause of such discontinuance;
  - (h) Whether the child belongs to a disadvantaged group under clause (d) of section 2 of the Act. If yes, the detail;
  - (i) Whether the child belongs to the weaker section under clause (e) of section 2 of the Act. If yes, the detail;
  - (j) Whether the child requires special training facilities/residential facilities/transport facilities on account of (i) migration and sparse population (ii) age appropriate admission (iii) disability.
- (5) The Block Education Officer shall ensure that the names of all children enrolled in the Schools under its jurisdiction are publicly displayed in each School.
- (6) The District Education Officer shall ensure the information mentioned under sub rule (5) are displayed publicly and updated in the District's Website.

#### **Part IV**

#### **RESPONSIBILITIES OF SCHOOLS AND TEACHERS**

#### **12. Admission of children belonging to weaker section and disadvantaged group:**

- (1) The area or limits of neighborhood specified in sub Rule (1) of rule (4) shall apply to clause (c) of sub-section (1) of section 12 of the Act;

Provided that a neighborhood School for the purpose of filling up the requisite percentage of seats for children referred to in clause (c) of sub-section (1) of section 12, shall be permitted by the District Education Officer to extend the prescribed limits only when he/she is completely

satisfied that such children to that extent are not available within the original prescribed limits of the neighborhood.

- (2) Block Education Officer with the help of the School Management Committees shall identify the children of disadvantaged group and weaker section as defined in sub rule (g) and (h) of rule 2 respectively.
- (3) The admission process, for the children of disadvantaged group and weaker section in schools under sub-clause (iii) and (iv) of clause (n) of section 2, shall be followed as mentioned below:-

**(I) Identification of Children and Schools:-**

- (a) The Block Education Officer shall prepare the list of children of disadvantaged group and weaker section for his Block in accordance to the application received for the purpose. The list shall be prepared ward wise. The listing of the children living in slums, rag pickers, children having no permanent settlement and street children shall be done as per the names of their parents in Panchayat Voter list, House Hold Survey, Ration Card or such other documents.
- (b) The Block Education Officer shall also identify the Orphan children with the help of the Social Welfare Department. The help of various Orphanages may be also taken for the identification of children living in the Orphanages.
- (c) The Block Education Officer shall also prepare the ward wise list of the existing schools as defined under sub-clauses (iii) and (iv) of clause (n) of section 2.

**(II) Admission Process:-**

Admission process of the children belonging to disadvantaged group and weaker section for 25 percent seats in

class-I (and below) of the schools specified in sub-clauses (iii) and (iv) of clause (n) of section 2 i.e. specified category and Unaided schools under Clause(c) of sub-section (1) of section 12 shall be notified by the State Government from time to time under relevant provisions of the Act.

- (4) The School (including a school referred in sub clauses (iii) and (iv) of clause (n) of section 2 of the Act) shall ensure that a child (including a child admitted in pursuance of clause (c) of sub-section (1) of section 12 of the Act) belonging to a Weaker section or a child belonging to a disadvantaged group is not segregated or discriminated against in the Classroom, during distribution of Mid Day Meal, in the playground or in the use of other common facilities like drinking Water, Toilets, Library, ICT, Scholarship.
- (5) Apart from ensuring 100 percent enrolment, every school shall strive towards ensuring 100 percent attendance of children every day. Each school shall devise a system of interacting with the parents of irregular children every week and also secure cooperation of all School Management Committee members to ensure 100 percent attendance of children.
- (6) Children not attending continuously or cumulatively for more than 60 working days in continuous 90 days duration shall be placed under the category of temporary drop-out and the free entitlements like MDM facilities shall be cut down, provided that if such child is readmitted in the school then the facilities will be restarted. The school shall make efforts to bring them back through special training measures.
- (7) The Block Education Officer shall keep the record of all drop-out children and will also make efforts to bring them back.
- (8) Seasonal migratory children shall be treated as drop-outs, if they do not take Certificates from the school to study in a school where they are migrating. When these children return, the school shall assess their learning levels and take up special training measures in order to help them to reach the expected learning levels.



- (9) The school shall ensure that quality Education is imparted and each child achieves the essential learning outcomes prescribed for the course of study.
- (10) At the commencement of the academic year every school defined in the Act shall publicly declare its class wise fee structure.
- (11) No school shall deny or delay issuing of the transfer certificate when requested by the parent or guardian of the child. The school shall not demand payment of any kind of fee for issuing a transfer certificate, when the child leaves a school during the course of the academic year. In accordance to the sub-section (3) of section 5 of the Act, the Head Master/Principal of the school shall be authorised to issue the transfer certificate. The transfer certificate shall be counter signed by the District Education Officer if desired by the parent/guardian.
- (12) It is mandatory for every school to submit DISE format every year by 30<sup>th</sup> of September to the District Education Officer through Block Education Officer.

**13. Reimbursement of per-child-expenditure by the State Government for the purpose of sub-section (2) of section 12 of the Act:**

- (1) In respect of admission of children to schools under sub-clause (iv) of clause (n) of section 2 providing free and compulsory elementary education as specified in clause (c) of sub-section (1) of section 12, shall be reimbursed by the State Government as determined by the State level Committee headed by the Principal Secretary/Secretary, Finance, Government of Uttarakhand, constituted for the purpose by the State Government. The child shall not be levied any other additional fee/charges or expenses by the private school. The time frame for reimbursement shall also be decided by the said committee.
- (2) The total annual recurring expenditure incurred by Government whether from its own funds, or funds provided by the Central Government or by any other Authority, on elementary education in respect of all schools established, owned or controlled by it or by the Local Authority, divided by

the total number of children enrolled in all such schools, shall be the per child expenditure incurred by Government.

- (3) If any school specified in sub-clause (iv) of clause (n) of section 2 is already under obligation to provide free education to a specified number children on account of it having received any land, building, equipment or other facilities, either free of cost or at a concessional rate, such school shall not be entitled for reimbursement to the extent of such obligation.
- (4) Every school which receives reimbursement of fee shall maintain a separate bank account which shall be subject to audit by the State Government.
- (5) In respect of a child admitted to a private unaided school, other than a designated neighborhood school, the child can not claim reimbursement of such expenditure incurred on its education in such a school.
- (6) The Block Education Officer shall ensure that there are no fake/double admissions by schools, who wish to take advantage of the reimbursement of fee under the Act.
- (7) The State shall ensure that all the children admitted in unaided schools under the 25 percent quota are given all the free entitlements which the children receive in a government school such as free uniforms, Mid Day Meal etc.

**14. Prohibition of Collection of Capitation Fee and Screening Procedure for Admission:**

- (1) No school shall collect any capitation fee, while admitting a child to school or at any time during the stay of the child in that school.
- (2) No school shall subject the child to a screening procedure (including a written or an oral test for the child and parents interview) while admission to any class.

- (3) Any school which contravenes to the provisions mentioned under sub rule (1) and (2) of rule 14 is liable for penalties prescribed in the Act.
- (4) If any school violates the rules mentioned under sub rule (1) and (2) of rule 14 for more than three times, then the de-recognition process for such schools shall be initiated.

**15. Documents of age proof:**

For the purpose of admission to elementary school, the age of the child shall be determined on the basis of the birth certificate issued in accordance with the provisions of the Births, Death and Marriage Registration Act, 1886 (6 of 1886) or on the basis of any of the following documents-

- (a) Hospital/ANM register record;
- (b) Anganwadi record;
- (c) Village/Gram register/Parivar Register;
- (d) Declaration of the age of the child by the parent or guardian if a birth Certificate is not available, provided that the age declared once shall be final.

**16. Extended Period of admission:**

- (1) The extended period for admission shall be three months (31<sup>st</sup> of July) from the date of commencement of the academic year of a school.
- (2) No child shall be denied admission, if such admission is sought even after the extended period.
- (3) Where a child is admitted in a school after the extended period, he or she shall be eligible to complete studies with the help of special trainings, developed by the Academic Authority (SCERT). The schools specified under sub-clauses (iii) and (iv) of clause (n) of section 2 may take the help of SCERT for organising special training.

**17. Recognition Of Schools:**

- (1) For the recognition of every school, other than a school established, owned or controlled by the State Government or local authority, a four member committee shall be formed at every district-
  - (a) District Education Officer- Chairperson;
  - (b) Additional District Education Officer (Basic)- Member Secretary;
  - (c) A member nominated by District- Magistrate; And
  - (d) Block Education Officer of the related Block-Member.
- (2) Every school other than a school established, owned or controlled by the State Government or the Local Authority, established before or after the commencement of the rules, shall make a self declaration-cum-application in the **Form No-1** as shown in the **Appendix-I** within a period of three months from the commencement of these rules to the concerned District Education Officer, who shall be the designated authority to issue certificate of recognition to the school under section 18 of the Act. The application addressed to the District Education Officer shall be submitted to him/her. The school shall get a receipt and registration number after submission of the application from the District Education Officer.
- (3) Every self declaration received in **Form-1** shall be placed by the District Education Officer in public domain within fifteen days of its receipt.
- (4) The District Education Officer shall authorise the Block Education Officer to make a site inspection in accordance to the self declaration format of **Form-1** of such schools within a period of three months after receiving the application, to verify if the school seeking recognition fulfills the norms and standards prescribed under section 19 of the Act. The District Education Officer and the inspecting Authority shall have power to seek information relevant for the grant of recognition and to make inspection of the records

to verify the information submitted in the application form seeking recognition. All objections regarding the grant of recognition shall be put down in writing in the format.

- (5) The District Education Officer on being satisfied that the school fulfills the norms and standards prescribed under section 19 and section 25 of the Act, shall issue the recognition certificate in the **Form-2** as shown in the **Appendix-II**. The certificate shall be for a period of five years and shall be issued within 30 days from the date of the inspection mentioned in sub rule (4). The certificate of recognition shall be subject to the following condition (**Appendix-IV**)
- (a) The school is run by a society registered under the Societies Registration Act, 1860 (21 of 1860), or a public trust constituted under any law for the time being in force;
  - (b) The school is not run for profit to any individual, group or association of persons;
  - (c) The school conforms to the values enshrined in the constitution;
  - (d) The school building or other structures or the grounds are used only for the purposes of education and skill development;
  - (e) The school is open to inspection by any Officer authorized by the State Government or Local Authority;
  - (f) The school shall furnish such reports and information as may be required by the State Government or any Authorized Officer and District Education Officer from time to time and comply with such instructions of the State Government/Local Authority as may be issued to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in the working of the school;

- (g) The school shall fulfill the norms and standards specified under section 19 and in the schedule of the Act;
- (h) The school shall adhere/comply the conditions mentioned under the Act and rules;
- (i) The school shall give reservation of minimum 25 percent in class I for the children of disadvantaged groups and children of weaker sections from the neighborhood area. In case the school is aided school it shall provide free and compulsory elementary education to such proportion of children admitted therein as its annual recurring aid or grants so received bears to its annual recurring expenses, subject to a minimum of twenty-five percent;
- (j) The school having pre-school education shall give reservation of at least 25 percent of its enrolment at the initial stage of admission to the children of disadvantaged groups and the children of weaker sections of the neighborhood area under section 12 of the Act;
- (k) The school shall submit, every year before the commencement of academic session, fee to be charged from the children to the District Education Officer;
- (l) The school shall not collect any capitation fee and shall not subject the child or his or her parents or guardian to any screening procedure, while admitting a child;
- (m) The recognition shall be withdrawn in case of violation of the conditions of recognition;
- (n) The school shall submit DISE format every year as on 30<sup>th</sup> of September to the District Education Officer through Block Education Officer.

- (6) If a school fulfills norms mentioned in section 25 of the Act, but does not fulfill other norms and standards specified in the schedule of the Act the District Education Officer shall issue a provisional certificate granting permission to run the school for a period up to three years from the date of commencement of the rules. The provisional certificate shall be issued in the **Form-3** as shown in the **Appendix-III**;

Provided, that if the school fulfills the required norms and standards within the time frame specified in the provisional certificate, The District Education Officer, on receipt of application for recognition, satisfy himself/herself and shall issue the certificate of recognition as laid down under sub-rule (5);

Provided further that if the school does not claim recognition within the period specified in the provisional certificate it shall cease to be recognised school and running of such a school shall be punishable under section 19 of the Act .The District Education Officer shall issue an order in writing detailing reasons of non grant of recognition to the school. The order shall be pasted at the prominent places in the school and will be put on the public domain. This order shall also contain the name /names of the neighborhood school/schools where the children of the unrecognised school will be admitted.

- (7) No new school shall be opened after the commencement of the rules without obtaining recognition certificate issued under section 18 of the Act.
- (8) The District Education Officer may inspect or cause to inspect the school every year to verify fulfillment of conditions of recognition.
- (9) The District Education Officer shall allot a recognition registration number to the schools.

- (10) The District Education Officer shall place the information about the recognized school in public domain through Website.

**18. Withdrawal Of Recognition Of Schools:**

- (1) Where the District Education Officer/Committee members as the case may be on his own motion, or on any representation received from any person, has reason to believe, that a school recognized under sub rule (5) of rule 17 has violated one or more of the conditions for grant of recognition or has failed to fulfill the standards prescribed in the schedule, he shall act in the following manner-

- (a) Issue a notice to the school specifying the violation of the condition of grant of recognition and seek its explanation within one month;
- (b) In case the explanation is not found to be satisfactory or no explanation is received within the stipulated time period, the District Education Officer within a period of seven days may cause an inspection of the school, to be conducted by a committee, comprising the following members-
  - (i) Additional District Education Officer(Basic)-Member Sec;
  - (ii) A member nominated by District Magistrate - Member;
  - (iii) Block Education Officer of the related Block - Member; and
  - (iv) A member of the recognised Association of Private Schools.

The Committee shall make due inquiry and submit its report, along with its recommendations for continuation of recognition or its withdrawal, to the District Education Officer within twenty days of the inspection;

- (c) On receipt of the report and recommendation of the committee, the District Education Officer shall take a decision for withdrawal of recognition with in a period of fifteen days from the date of receipt



of the report. Such decision will be placed in the public domain and sent to the Director of School Education for approval/disapproval. Provided that no such decision for withdrawal of recognition shall be taken by the District Education Officer without giving the school an opportunity of being heard;

Provided further that no such order shall be passed by the District Education Officer without prior approval of the Director of School Education. The Director shall issue an order regarding the withdrawal of recognition within 15 days of the receiving of the case.

- (2) The order of withdrawal of recognition passed by the District Education Officer shall be operative from immediately succeeding academic year and shall specify the neighborhood schools to which the children of that school shall be admitted.
- (3) The appeal against the order issued under sub-rule (1) may be filed before the State Government within fifteen days from the receipt of the order. The State Government after giving opportunity of hearing to both the parties, will pass the order within two months from the date of submission of appeal. The order of the Government shall be final.
- (4) The information of recognition or de- recognition of any school will be sent to the Block Education Officer and Gram Panchayat/Urban Local Body.

#### **Part-V**

#### **School Management Committee**

Composition and Functions of the School Management Committee, in the State of Uttarakhand shall be the same as notified by the State Government through the Govt. Notification No.- 158/XXIV(1)/2011-60/2010, Dated 09 February, 2011 and as amended by the notification from time to time.

The English translation of the said Government Order No.- 158/XXIV(1)/2011-60/2010, Dated 09 February, 2011 is as under:-

**(English Translation)**

**19. Composition and Functions of the School Management Committee constituted under section 21 of RTE Act:**

- (1) In accordance to the provision of section 21 of the Act, A School Management Committee shall be constituted in every school, other than an unaided school specified in the Act, under sub clause (iv) of clause (n) of section 2, comprising the elected members of the Local Authority, parents or guardian of the children studying in the school and teacher.
- (2) The objectives of the constitution of School Management Committee shall be-
  - (a) To ensure the achievement of the objectives laid down by Right of Children to Free and Compulsory Education Act. 2009 for 6-14 years age group;
  - (b) To ensure the participation of parents and teachers in the School Management;
  - (c) To ensure the Community participation for the children's enrolment, retention and improvement of educational achievement level for the universalization of Elementary Education in accordance to the National Policy of Education;
  - (d) To ensure the proper utilization of funds and other facilities provided by the Government and other sources;
  - (e) To develop ownership and sensitization of the Community for the development of school.

(3) In accordance to the provision of section 21 of the Act, A School Management Committee shall be constituted in every Primary School, Upper Primary School, High School and Intermediate College (as the case may be), other than an unaided school specified in the Act, under sub-clause (iv) of clause (n) of section 2. The School Management Committee shall be constituted as below-

(i) **Primary School**:- School Management Committee- Primary level(Class-I to V).

(ii) **Upper Primary School**:- School Management Committee- Elementary level(Class-I-VIII or Class-VI-VIII as the case may be).

(iii) **High School**:-

(a) School Management Committee(Under RTE):- Elementary level (Class-I-VIII or Class-VI-VIII as the case may be);

(b) School Management Committee(Under RMSA):- Higher Secondary level(Class-IX-X) already constituted under RMSA.

(iv) **Intermediate College**:-

(a) School Management Committee(Under RTE):- Elementary level (Class-I-VIII or Class-VI-VIII as the case may be);

(b) School Management Committee(Under RMSA):- Secondary level(Class-IX-XII) constituted under RMSA.

**Clarification**:- A separate School Management Committee shall be constituted for each level of Elementary and Secondary for the schools mentioned under sub rule (3) (iii and iv).

(4) The two main bodies of the School Management Committee shall be as below-

(i) General body.

(ii) Executive Council.

**20. The General Body of the School Management Committee:-**

- (1) The members of the General Body of School Management Committee shall be as below-
  - (i) The parents of children studying in the school, in case of parents residing in another place or non living of parents, one guardian of such child.
  - (ii) All the teachers working in the school.
  - (iii) In case of school situated in Rural areas, the Gram Pradhan, UpPradhan & elected members of the Village Panchayat where the school is located, in case of school situated in Urban areas the elected members of the ward where the school is situated.
  - (iv) The Panchayat Secretary of the related Village Panchayat – Ex-Officio member.
- (2) The designated members of the General Body of School Management Committee shall be-
  - (i) Chairperson.
  - (ii) Vice-Chairperson.
  - (iii) Member Secretary - Head Teacher/Senior Most Teacher (If Head Master is not available).
- (3) The members mentioned under sub rule (2) shall be elected in the first meeting of the General Body of School Management Committee. The Member Secretary shall ensure the election process of Chairperson and Vice-Chairperson.
- (4) Only parents of children who are studying in the school shall be eligible for the post of Chairperson and Vice-Chairperson.

- (5) For the election of Chairperson and Vice-Chairperson secret election process shall be adopted. The first meeting of the General Body shall be organised within three weeks of the commencement of the academic year. The Member Secretary shall ensure availability of written information to all member of the General Body including the agenda points and other important information about the first meeting of General Body seven days prior of the date fixed for it. The parents/guardian of the children shall be intimated through children studying in the school. The information of the meeting shall be displayed in the notice board of the school.
- (6) Considering the election of the members in the first meeting of the General Body, at least 30 percent presence of the total number of members shall be compulsory.
- (7) The first meeting of the General Body shall be started at the fixed date & time. After the completion of the quorum of the meeting, the Member Secretary shall start the meeting with the information of constitution of School Management Committee, objectives, functions and responsibilities and election of the members. Separate nomination paper shall be filled by the candidates desirable for the post of Chairperson and Vice-Chairperson. Considering informing all the members of the General Body, the Member Secretary shall announce the names of the candidate applied for the post of Chairperson and Vice-Chairperson. The Member Secretary shall also ensure that names of the candidates are displayed in the notice board of the school. After deciding the time for the election and counting, the Member Secretary shall announce accordingly.
- (8) At the time of election the members of the General Body in accordance to their interest shall write in a paper secretly the names of the candidates announced for the post of Chairperson and Vice-Chairperson and shall place the paper in the box selected for the purpose. The Member Secretary shall select any two members of the General Body for counting

and announcing the elected members, provided that the selection for the purpose shall be taken by the approval of the members of the General Body. On the same day at the fixed time the ballot box shall be opened before the presence of the members of the General Body and the counting shall be accomplished accordingly. After writing the detail of the received vote to every candidate for the post of Chairperson and Vice-Chairperson, in a register the result shall be announced.

- (9) The election process followed to elect the Chairperson and Vice-Chairperson shall be recorded in a register with the signature of Chair Person, Vice-Chairperson and Member Secretary. The said register shall be kept by the Member Secretary and will be made available if any member of the General Body request for that.
- (10) The tenure of the members and elected members of the General Body shall be for one year in accordance to the academic year. Exceptionally the tenure of the elected members of the School Management Committee constituted for academic year 2010-11 shall be till 31<sup>st</sup> March 2012, provided that the ward of the elected members is studying till 31<sup>st</sup> March 2012.
- (11) For the purpose of sub rule (1) the parents of the enrolled children, one guardian in case parents residing in another place or non living of parents, shall be automatically designated as a member of the General Body of School Management Committee, Provided that the membership of those parents/guardian shall be quashed automatically, whose ward has completed the Elementary Education or have been enrolled in other schools. The membership of those parents/guardians shall be quashed automatically whose ward is absent for continuous three months from the date of enrollment, provided that the membership of such parent/guardian shall be retained if such ward is re-enrolled in the school.

- (12) Any parent might be elected as a Chairperson or Vice-Chairperson for more than one year, provided that his/her ward should be studying in the school at the time of election.
- (13) The Chairperson or Vice-Chairperson shall be declared debarred if three-fourth members of the General Body of the School Management Committee pass a non-confidence motion against them. They shall be declared ineligible for election for the next three years.
- (14) In case of the resignation of the Chairperson or Vice-Chairperson or ineligibility as mentioned under sub rule (13), a new Chairperson or Vice-Chairperson shall be elected immediately after the meeting of General Body, within one month of the vacancy as mentioned under sub rule (5) to (9). In these cases the member Secretary shall ensure written information to all the members at least one week before of the fixed date.
- (15) The meetings of the General Body shall be organised within a time period mentioned below-
- (i) First meeting - Within 03 weeks of the commencement of the academic session.
  - (ii) Second meeting - On 5<sup>th</sup> September (Teachers Day)
  - (iii) Third meeting - On the date fixed for review of annual student evaluation at the end of the academic session.
  - (iv) In cases of mid term vacancy for the post of Chairperson and Vice-Chairperson or in good faith of school, more than three meeting of the General Body might be organised, provided that such meeting will be organised on the written request of at least two-third members of the General Body.

- (16) The Member Secretary shall ensure availability of written information, including the agenda points and other important information about the first meeting of General Body, seven days prior of the date fixed for it. The parents/guardian of the children shall be intimated through children studying in the school. The information of the meeting shall be displayed in the notice board of the school.
- (17) The quorum of the meeting of the General Body of School Management Committee shall be completed if at least 30 percent parent or guardians are present.
- (18) The presence of Chairperson, Vice Chairperson and member Secretary shall be compulsory in the meeting of General Body. The Vice Chairperson shall preside over the meeting of the General Body, If due to unavoidable circumstances the Chairperson is absent in the meeting.
- (19) The General Body reserves the rights to invite any expert for the advice or consideration in the matters relating to the development and management of the school (For Example:- Anganwadi worker in the jurisdiction of the school, health worker, eminent educationist, NGO working in the field of education, members of the Yuvak Mangal Dal, Mahila Mangal Dal etc). The Member Secretary shall invite such types of members if such suggestion is given by the Chairperson of the General Body, provided that the invited member shall not be considered eligible for voting.
- (20) The member Secretary shall ensure that the minutes and documents of the meetings of General Body are properly recorded and shall be responsible for the timely implementation of the decisions taken in the General Body.
- (21) The General Body of the School Management Committee shall include the points in the agenda of the meeting related to the preparation of the



School Development Plan, approval of the Annual Work Plan, review the physical and financial expenditure of the works done in the last year for the development of the school, the points related to improvement in school working, implementation and monitoring of the decisions taken in the previous meeting and implementation of the policies and instructions issued by the Department of Education/Government. The member Secretary shall ensure the availability of the Government order/directions issued by the Department of Education at different intervals.

**21. The Executive Council of the School Management Committee:**

(1) An Executive Council of the School Management Committee shall be constituted for the timely execution of the works related to the School Management and implementation of the decision taken in the meetings of the General Body. The structure of the Executive Council shall be as below-

- (i) Chairperson - Ex-Officio Chairperson of the General Body.
- (ii) Member Secretary - Ex-Officio member Secretary of the General Body.
- (iii) General Member - The Gram Pradhan, Up-Pradhan of the Village Panchayat and the elected member of the ward where the school is situated or the elected members of the ward of Nagar Nigam/Nagar Palika/Nagar Panchayat where the school is situated..
- (iv) General Member - The members amongst the parents in the first meeting of the General Body shall be elected (as the case may be) as below-
  - (i) In schools having 60 or less than 60 children - 08 elected parent members.

(ii) In schools having 61-180 children - 10  
elected parent members.

(iii) In schools having more than 180 children  
– 12 elected parent members.

(v) Ex-Officio - Panchayat Secretary of the concerned  
Member Village Panchayat.

- (2) In addition to all conditions in sub rule (1), there shall be 50 percent Women in the Executive Council of the School Management Committee.
- (3) In case of non-representation of parents of children belonging to Schedule Caste, Schedule Tribe, OBC and CWSN in the elected Executive Council then the General Body shall nominate a member each from the categories mentioned above, as a special nominee.
- (4) The Executive Council shall organise its monthly meetings regularly. The monthly meetings of the Executive Council shall be organised compulsorily in the school after the Mid Day Meal on the first Saturday of every month. In case of holiday on first Saturday the meeting will be held on the first Friday of every month.
- (5) The member Secretary shall ensure the availability of information of meeting and agenda before one week of the meeting to every member.
- (6) By the approval of Chairperson any emergency meeting of the Executive Council may be organised if such request is made by more than 30 percent members.
- (7) The presence of the Chairperson and the member Secretary shall be compulsory in the meeting of the Executive Council. The quorum of the meeting shall be completed if thirty percent members are present.
- (8) The member Secretary shall ensure that the decisions of the meetings are properly recorded in the meeting register with the signature of the present

members. The important decisions taken in the meeting of the Executive Council shall be displayed in the notice board of the school.

- (9) The maintenance of the meeting register and related documents shall be ensured by the member Secretary. The member secretary shall also ensure that the register and documents are properly made available if such request is made by any member.

**22. Functions and responsibilities of the School Management Committee:-**

- (1) The School Management Committee shall accomplish the following works in accordance to the sub-section (2) of section 21 of the Right of Children to Free and Compulsory Education Act, 2009-
  - (a) Monitoring of school activities;
  - (b) To prepare and approve the School Development Plan;
  - (c) To monitor the utilization of the funds received from the Government or Local Authority or from any other sources;
  - (d) To execute the policies and instructions laid down by the State Government/Department at different intervals.
- (2) In accordance to the above mentioned works the School Management Committee through its Executive Council shall be authorised to accomplish the works mentioned below-
  - (i) To ensure the enrollment and retention children of 6-14 years age group for the universalization of elementary education and take appropriate steps to reduce the drop out;
  - (ii) To work for qualitative reforms by improving the educational achievement level of the students and review the evaluation and progress report of children done through continuous and

comprehensive evaluation procedure. Accordingly take steps for the remedial education/special training;

- (iii) To prepare/implement and monitor the School Development Plan;
- (iv) To ensure the utilization of funds received from the Government or other sources, as per rule;
- (v) To ensure the availability of free uniform facilities, provided by the Government at different intervals, to the eligible children;
- (vi) To ensure the implementation of Mid Day Meal Scheme and to monitor regularly so that the qualitative meal may be provided to the children;
- (vii) To ensure the availability of clean drinking water, adequate toilet facilities and regular supply of water and cleanliness and maintenance of toilet facilities;
- (viii) To ensure the regular health check – ups of the children studying in the school, provide assistance in health check-up programmes organised by the Education and Health Department and to prepare the health cards of the children with the coordination of the health department;
- (ix) To ensure the identification of Children with special need and to provide them Inclusive Education;
- (x) To ensure the cooperation of community in co-curricular activities such as Bal Melas, Science exhibition, and game competitions held in schools;
- (xi) To ensure the Civil works transparently in accordance to the rule-1.9.8 of Chapter-I and 7.1.6 and 7.1.7 of Chapter-VII of SSA Frame Work;

- (xii) To monitor the construction of school building, maintenance work and other Civil works;
- (xiii) To arrange the furniture and maintenance of school;
- (xiv) To monitor the utilization of annual school grant and school maintenance grant;
- (xv) To ensure the development and proper utilization of library in the school for the development of reading habits in the students;
- (xvi) To present the Annual Report of School Management Committee before the General body and to provide the copy of the report to the Village Panchayat and school;
- (xvii) To ensure the implementation of all such other works prescribed by the Government time to time;
- (xviii) To ensure the regular attendance of teachers in the school The Executive Council, by the approval of at least 30 percent members of the total members of Executive Council, shall inform to the Deputy Block Education Officer/Block Education Officer for the necessary action if the teachers are absent or irregular. The deputy Block Education Officer/Block Education Officer shall make enquiry to the related matter and shall send the inquiry report to the District Education Officer and shall provide a copy to the related School Management Committee within a month of the complain. The DEO shall decide the matter within a period of two months and shall inform accordingly to the related School Management Committee. If the charges laid down against the teacher are found proper, the disciplinary action in accordance to the service rules shall be taken by the District Education Officer. If the School Management Committee is not satisfied by the inquiry of deputy Block Education Officer/Block Education Officer then it may make

an appeal through Chairperson of the Executive Council, to the District Education Officer or State Commission for the Protection of Child Right (SCPCR) constituted for the effective implementation of Right of Children to Free and Compulsory Education Act, 2009 by the approval of at least 30 percent members of the Executive Council;

- (xix) The General body of School Management Committee of a school situated in remote/remotest area may make a recommendation to the DEO that the transfer of any particular teacher shall not be done because of special contribution of such teachers in the development of children, provided that a written consent is also given by such teacher, then transfer of such teacher shall not be done till next session; And
- (xx) In cases of proposals passed by the two third members of the General Body of the School Management Committee for the transfer of any teacher working in a Sugam School, because of un satisfactory performance of such teacher, then such teachers shall be transferred, provided that minimum stay of such teachers has been completed, provided that such types of decisions may be taken on the meeting organised for the review of annual evaluation at the end of academic session.

**23. Financial Resources of School Management Committee:**

- (1) The Financial resources of the School Management Committee may be obtained from the following-
  - (i) Grant received from Government, School grant, Maintenance grant, grant for school building and other grants provided by the Government;
  - (ii) Grant received from NGO's or local bodies;

- (iii) Voluntary donations by the parents/Community; And
  - (iv) Grant/Fee received from the fairs and from other community purposes.
- (2) The materials purchased by the School Management Committee for the development of the school shall be purchased under the prevalent procurement rules of the State Government.
  - (3) The Annual accountings of the School Management Committee shall be presented by the member secretary before the meeting of the General Body and shall be provided for social audit and general/special audit done by the authorised agency nominated by the Government.
  - (4) A separate account of the School Management Committee grant shall be opened in a Bank, operated through the joint signature of Chairperson and Member Secretary. In case of the shifting/changing of Chairperson and Member Secretary the signature of the new Chairperson and Member Secretary shall be informed to the Bank accordingly.

**24. Preparation of School Development Plan:**

- (1) In accordance to the sub-section (1) of section 22 of the Right of Children To Free and Compulsory Education Act, 2009 The School Management Committee shall prepare a School Development Plan, which shall be the basis for the plans and grants to be made by the Central or State Government or Local Authority in accordance to the sub-section (2) of section 22 (as the case may be).

The following points shall be taken in consideration while preparing the School Development Plan-

- (i) The School Development Plan shall be completed before three months of the end of the financial year;

- (ii) The School Development Plan shall be prepared for three years, accordingly Annual Plan in the form of sub plan shall be presented every year for the approval.
- (2) The School Development Plan shall consist of the following -
- (a) Estimated class-wise enrolment for each year;
  - (b) Estimated number of teachers (including head teachers), additional teacher, subject teacher and part time teacher for three years, in accordance to the specified standards separately for class-I to V and class-VI to VIII;
  - (c) Required physical infrastructure such as building, equipment etc. for three years in accordance to the specified norms;
  - (d) Yearwise detail of required additional financial resources shall be mentioned to provide free text books to the children and special training facilities for the children taking admission in accordance to the age specific classes.
- (3) The School Development Plan shall be provided to the Local Authority after the signature of Chairperson, Vic-Chairperson and Member Secretary of the General Body of the School Management Committee.

**25. Training of the Members of the School Management Committee:**

The Department of Elementary Education shall ensure the training of the members of the General Body of the School Management Committee so that capacities of the members might be used in School Management.

**26. Motivation of the School Management Committee:**

The Department of Elementary Education shall prepare an encouragement scheme for the motivation of the School Management Committee, doing



excellent work in the field of the Elementary Education. The identified School Management Committee shall be rewarded at Block, District and State level.

**27. Miscellaneous:**

- (1) The State Government shall preserve the right to amend the rules and regulations of the School Management Committee whenever required.
- (2) The School Management Committee shall be responsible for the Education Committee formed at Village Panchayat level. The minutes of the meetings of the General Body and the annual report shall be presented before the Education Committee. The Education Committee shall be Authorised to monitor the working of the School Management Committee.

**Part-VI**

**TEACHERS**

**28. Minimum qualifications for appointment of teachers in Elementary School:**

- (1) The qualifications for a person to be appointed as a teacher shall be in consonance with the prevalent qualifications laid down by the National Council of Teachers' Education from time to time.
- (2) The minimum qualifications laid down by the National Council of Teacher Education referred to in sub rule (1) shall be also applicable for every school referred to in clause (n) of section 2.

**29. Relaxation of Minimum Qualifications:**

- (1) For the purpose of Sub-section (2) of section 23 of the RTE Act, the schools, specified under sub clause (iv) of clause (n) of section 2 seeking relaxation in teachers qualification shall provide the information on the

prescribed **Form-4** as shown in the **Appendix-V** within thirty days from the notification of these rules to the concerned District Education Officer.

- (2) The District Education Officer shall consolidate the information mentioned in sub rule (1) and shall provide to the Director of School Education within 15 days of the receipt of **Form-4**.
- (3) The Director of School Education shall provide the consolidated information mentioned in sub rule (2) to the State Government within 15 days of the receipt of District level information.
- (4) The Government may request the Central Government for the relaxation of the prescribed minimum qualification as required.

**30. Salary and allowances and conditions of service of teachers:**

The salary, allowances and conditions of service of teachers of Government and Government Aided Schools shall be in accordance to the service rules applicable to them and the notifications issued by the State Government from time to time for the purpose.

**31. Duties to be performed by teachers:**

- (1) Every teacher shall perform all the duties prescribed in sub-section (1) of section 24 of the Act.
- (2) Besides, every teacher shall maintain a cumulative record of every child, which will form the basis for award of the completion certificate specified in sub-section (2) of section 30 of the Act.
- (3) The teacher shall assess the performance of every child periodically as per the prescribed curriculum and take up special training measures of those children who do not reach expected learning levels in each subject.
- (4) The teacher shall also participate in the regular training programmes, preparation of curriculum, textbooks, training modules and Teaching

Learning Material development organised by the Cluster Resource Center/Block Resource Center/District Institute of Education and Training and other academic agencies without causing continuous disruption of the academic work of the school.

- (5) No teacher shall use corporal punishment or mental harassment as a method of disciplining the child.
- (6) Hold regular meeting with parents/guardians and apprise them about the regularity in the attendance, ability to learn, progress made in learning and any other relevant information about the child.
- (7) The teacher shall provide quality education to every child in congenial learning environment.
- (8) The teacher shall not discriminate any child on the basis of Caste, Gender, Region, Religion and Language etc.
- (9) The teacher shall inculcate expected human values among students.
- (10) The teacher shall keep positive attitude about teaching profession.
- (11) No teacher shall engage himself/herself in private tuition.

**32. Grievance Redressal Mechanism for Teachers:**

- (1) The grievance redressal for Government and Aided School teachers shall be in accordance with the service rules applicable to them.
- (2) In every unaided school the school management shall submit information about the grievance redressal mechanism of teachers to the District Education Officer. The District Education Officer will ensure that the mechanism is proper and provides for effective redressal of grievances.

**33. Maintaining Pupil-Teacher Ratio in each school:**

- (1) The sanctioned strength of teachers in a school shall be notified as per specification given in the Act, by the District Education Officer, within a maximum period of 3 months from the notification of these rules.
- (2) Every year before 30<sup>th</sup> May, the District Education Officer shall notify the Pupil Teacher Ratio of every school in his jurisdiction and place such a list in the public domain. Accordingly The District Education Officer may ensure the redeployment of teachers by the second week of July month of every year.

**Part-VII**

**Curriculum and Completion of Elementary Education**

**34. Academic authority:**

- (1) The State Council for Educational, Research and Training (SCERT) is the designated academic authority for the purpose of section 29 of the Act.
- (2) In addition to the curriculum and evaluation procedure laid down in sub-section(2) of section 29 of the Act, the Academic Authority shall be responsible for –
  - (a) Formulating the curriculum as per the guidelines contained in the National/State Curriculum Frameworks;
  - (b) Preparing class-wise and age appropriate syllabus;
  - (c) Defining the expected learning outcomes of children at the end of each grade and for every subject and bringing out textbooks and learning material based on these outcomes;
  - (d) Periodical revision of pre-service elementary teacher training curriculum;
  - (e) Designing appropriate in-service teacher training programmes;

- (f) Preparing suitable guidelines for implementation of Continuous and Comprehensive Evaluation for all classes from classes I to VIII.
- (3) The State shall designate an authority to regularly monitor the levels of learning of children in all government and aided elementary schools of the state through sample surveys using appropriate evaluation tools and bring out Block wise annual reports on the status of quality of elementary education in the state.
- (4) Within the overall guidelines prescribed by the curriculum and textbooks, the schools shall be given a degree of academic freedom which includes flexibility in adopting methods of teaching to suit local situations and standards which will help schools to aim for excellence in quality of education imparted in them. This shall also help in experimentations and innovations in Pedagogy.

**35. Award of Certificate:**

- (1) The school shall issue the certificate of completion of elementary education to the child before the last working day of the academic year in **Form-5** as shown in **Appendix-VI**.
- (2) The certificate shall contain details of academic progress of the child and specify its achievements both in curricular as well as co-curricular activities.
- (3) The SCERT shall design a model format for the detail of academic progress of the child and circulate it among all schools through District Education Officer.
- (4) The school shall ensure that the child has reached the expected learning levels before a certificate mentioned in sub-rule (1) is issued.

## Part-VIII

### Protection of the Rights of the Children

#### **36. Performance of functions by the State Commission for Protection of Child Rights:**

- (1) The State Government may take steps to setup the State Commission for Protection of Child Rights for the purpose of sub section (1) of section 31 of the RTE Act. In the absence of the State Commission for Protection of Child Rights, the State Government shall constitute an interim Authority known as the Right to Education Protection Authority (hereinafter in this rule referred to as the REPA) for the purposes of performing the functions specified in sub-section (1) of section 31 of the RTE Act, within six months of the commencement of these rules.
- (2) The Right to Education Protection Authority (REPA) shall consist of the following, namely-
  - (a) A Chairperson who is a person of high academic repute or has been a High Court Judge or has done outstanding work for promoting the rights of children; and
  - (b) two members, of whom at least one shall be a woman, from the following areas, from amongst persons of eminence, ability, integrity, standing and experience in-
    - (i) education;
    - (ii) child health care and child development;
    - (iii) juvenile justice or care of neglected or marginalized children or children with disabilities;
    - (iv) elimination of child labour or working with children in distress;

- (v) child psychology or sociology; or
  - (vi) legal profession.
- (3) Immediately after the constitution of the State Commission for Protection of Child Rights, all records and assets of the REPA shall be transferred to it.
- (4) In performance of its functions, the State Commission for Protection of Child Rights or the REPA, as the case may be, may also act upon matters referred to it by the State Advisory Council constituted by the Government.

**37. Manner of furnishing complaints before the State Commission for Protection of Child Rights:**

- (1) The State Commission for Protection of Child Rights, or the Right to Education Protection Authority (hereinafter in this rule referred to as REPA), as the case may be, may set up a child help-line, accessible through SMS, letter, telephone, internet or a help desk in every education block which would act as an easily accessible forum for an aggrieved child/parent/guardian/person regarding violation of the rights under the Act, in a manner that records the complainant's identity but does not disclose it.
- (2) All complaints to the helpline would be monitored through a transparent "Alert and immediate Action" mechanism as defined by the State Commission for the Protection of Child Rights.

**38. Constitution and functions of the State Advisory Council:**

- (1) The State Government shall constitute by notification a State Advisory Council in accordance to the sub-section (1) of section 34 of the Act.
- (2) The Minister in-charge of School education in the State Government shall be the ex-Officio Chairperson of the Council.

- (3) Members of the Council, shall be nominated by the Government from amongst persons having knowledge and practical experience in the field of elementary education and child development, as under,
- (a) At least one member shall be from amongst persons belonging to Schedule Caste/Schedule Tribe/ Other Backward Class;
  - (b) At least one member shall be from amongst persons belonging to Minority;
  - (c) At least one member shall be from amongst persons having specialized knowledge and practical experience of education of children with special needs;
  - (d) One member shall be from amongst persons having specialized knowledge in the field of pre-primary education;
  - (e) At least one member shall be from amongst persons having specialized knowledge and practical experience in the field of teacher education;
  - (f) At least one member shall be from NGO/Reputed Institution working in the field of elementary education;
  - (g) The following shall be ex-Officio members of the Council:
    - (i) Secretary, School Education, Uttarakhand;
    - (ii) Chairperson, State Commission for Protection of Child Rights;
    - (iii) Secretary, Women Empowerment and Child Development, Uttarakhand;
    - (iv) Secretary, Health, Uttarakhand;
    - (v) Secretary, Social Welfare, Uttarakhand;



- (vi) State Project Director, Uttarakhand Sabhi Ke Liye Shiksha Parishad; And
  - (vii) Director, School Education, Uttarakhand.
  - (viii) Additional Director, State Council of Educational Research and Training.
- (4) Atleast one third members of the Council shall be women.
  - (5) State Project Director, SSA shall be the ex-Officio Member Secretary of the Council. The State Project Office of Sarv Shiksha Abhiyan shall facilitate the meetings of the State advisory Council.
  - (6) The Council shall meet regularly at least once in a quarter and review the implementation of the Act and rules in the State of Uttarakhand.
  - (7) Quorum required would be one – third of total members of the Council.
  - (8) The Council shall be reconstituted every year.
  - (9) Nominated members of the Council shall be entitled to travel and daily allowances as notified by the State Government.
  - (10) The State Advisory Council shall advise the State Government on implementation of the provisions of the Act in an effective manner.

**By Order**

**(Subardhan)**

**Additional Secretary(Independent Charge)  
School Education,  
Government of Uttarakhand.**

**APPENDIX - I**

**FORM-1**

**SELF DECLARATION CUM APPLICATION**

**FOR GRANT OF RECOGNITION OF SCHOOL**

**See sub rule (2) of rule 17 of**

**The Right of Children to Free and Compulsory Education Rules, 2011**

To,

(Name of place)

Date-----

The District Education Officer

District .....

Uttarakhand.

Sir,

I forward herewith with a self declaration regarding compliance with the norms and standards prescribed in the Schedule of the Right of Children to Free and Compulsory Education Act, 2009 and an application in the prescribed Performa for the grant of recognition to ..... (Name of the school) with effect from the commencement of the Act.

Yours faithfully,

**Place:**

**Date:**

**Enclosure:**

**Name and Sign of**

**Chairman of Managing**

**Committee/Manager**

### Self declaration format

| <b>A. School Details</b> |                         |  |
|--------------------------|-------------------------|--|
| 1.                       | Name of the School      |  |
| 2.                       | Academic Session        |  |
| 3.                       | District                |  |
| 4.                       | Postal Address          |  |
| 5.                       | Ward                    |  |
| 6.                       | Village/City            |  |
| 7.                       | Tahsil                  |  |
| 8.                       | Pin Code:               |  |
| 9.                       | Phone No. with STD Code |  |
| 10.                      | Fax No.                 |  |
| 11.                      | E-mail address if any   |  |
| 12.                      | Nearest Police Station  |  |

| <b>B. General Information</b> |  |  |
|-------------------------------|--|--|
| 1.                            | Year of Foundation   |  |
| 2.                            | Date of First Opening of School  |  |
| 3.                            | Name of Trust/Society/Management Committee                                     |  |
| 4.                            | Registration number of Trust/Society(enclose copy of document of registration) |  |

|    |  |        |             |                        |
|----|--|--------|-------------|------------------------|
| 5. | Period up to which registration of Trust/Society is valid (enclose copy of registration document)  |        |             |                        |
| 6. | Whether there is a proof of non-proprietary character of the Trust/Society supported by the list of members with their address on an affidavit in copy (No. of enclosures .....) |        |             |                        |
| 7. | Official address of the Manager/President/ Chairman of the School  |        |             |                        |
|    | Name   |        |             |                        |
|    | Designation  |        |             |                        |
|    | Address  |        |             |                        |
|    | Phone  |        |             | (O) .....<br>(R) ..... |
|    | E-mail Address   |        |             |                        |
| 8  | Total Income & Expenditure during last 3 years surplus/deficit   |        |             |                        |
|    | Year   | Income | Expenditure | Surplus/deficit        |
|    |  |        |             |                        |
|    |  |        |             |                        |

| <b>C. Nature and area of School</b> |                       |
|-------------------------------------|-----------------------|
| 1.                                  | Medium of Instruction |

|     |  |  |
|-----|--|--|
| 2.  | Type of School (Specify entry & exit classes)  |  |
| 3.  | If aided, the name of agency and percentage of aid   |  |
| 4.  | Does the school have its own building or is it running in a rented building.   |  |
| 5.  | Whether the school buildings or other structures or the grounds are used only for the purpose of education and skill development?  |  |
| 6.  | Total area of the school   |  |
| 7.  | Built up area of the school  |  |
| 8.  | The facilities/Structures available in the area/premises of the school.  |  |
| 9.  | Whether school is under obligation to provide free education to specified number of children on account of having received any land, building, equipment or other facilities, either free of cost or at a concessional rate from the State Government, Central Government and local authority? |  |
| 10. | If yes, enclose copy of the document (No. of Enclosures .....)   |  |

**D. Enrollment Status**

|   | <b>Class</b> | <b>No. of Sections</b> | <b>No. of Students</b> | <b>Pupil teacher ratio</b> |
|---|--------------|------------------------|------------------------|----------------------------|
| 1 | Pre-primary  |                        |                        |                            |

|  |      |  |  |  |
|--|------|--|--|--|
|  | I    |  |  |  |
|  | II   |  |  |  |
|  | III  |  |  |  |
|  | IV   |  |  |  |
|  | V    |  |  |  |
|  | VI   |  |  |  |
|  | VII  |  |  |  |
|  | VIII |  |  |  |

### E. Infrastructure Details

|   | Room   | Numbers | Average Size |
|---|--|---------|--------------|
| 1 | Classroom                                      |         |              |
| 2 | Office room-cum-Store Room-cum-Headmaster Room |         |              |
| 3 | Kitchen-Cum-Store                              |         |              |
| 4 | Play ground                                    |         |              |

### F. Other Facilities

|   |   |  |
|---|---|--|
| 1 | Whether all facilities have barrier free access |  |
| 2 | Teaching Learning Material (attach list)        |  |
| 3 | Sports & Play equipments (attach list)          |  |
| 4 | Facility of books in Library                    |  |

|    |   |  |
|----|---|--|
|    | <ul style="list-style-type: none"> <li>Books (No. of books)</li> <li>Periodical/Newspapers</li> </ul> |  |
| 5  | Resource material for teachers.   |  |
| 6  | Laboratory equipment.   |  |
| 7  | No. of Computers  |  |
| 8  | Type and number of drinking water facility-No. of Tanks, Electricity facility.                        |  |
| 9  | Sanitary Conditions   |  |
|    | (i) Type of W.C. & Urinals  |  |
|    | (ii) Number of Urinals/Lavatories Separately for Boys   |  |
|    | (iii) Number of Urinals/Lavatories Separately for Girls   |  |
| 10 | Facilities for children with special need.  |  |
|    | (i) Ramp and railing.   |  |
|    | (ii) Special toilets.   |  |
| 11 | Arrangements for fire safety.   |  |

| <b>G. Availability of furniture and other facilities.</b> |                    |                    |          |          |          |          |          |          |          |          |
|---|--------------------|--------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| <b>Classwise availability</b>                             |                    |                    |          |          |          |          |          |          |          |          |
| <b>S.No.</b>  | <b>Particulars</b> | <b>Pre-Primary</b> | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> | <b>6</b> | <b>7</b> | <b>8</b> |
| 1   | Chair/Bench/Desk   |                    |          |          |          |          |          |          |          |          |
| 2   | Dari/Carpet        |                    |          |          |          |          |          |          |          |          |

|    |                                 |  |  |  |  |  |  |  |  |  |
|----|---------------------------------|--|--|--|--|--|--|--|--|--|
| 3  | Furniture/Carpet<br>for teacher |  |  |  |  |  |  |  |  |  |
| 4  | Board                           |  |  |  |  |  |  |  |  |  |
| 5  | Board for children              |  |  |  |  |  |  |  |  |  |
| 6  | Dustbin                         |  |  |  |  |  |  |  |  |  |
| 7  | Mirror                          |  |  |  |  |  |  |  |  |  |
| 8  | Fan                             |  |  |  |  |  |  |  |  |  |
| 9  | Electric bulb                   |  |  |  |  |  |  |  |  |  |
| 10 | Notice Board                    |  |  |  |  |  |  |  |  |  |
| 11 | Bulletin Board                  |  |  |  |  |  |  |  |  |  |

**H. Particulars of Teaching Staff**

**1. Teaching in Primary/Upper Primary exclusively (details of each teacher separately)**

|  | Teacher Name<br>(1)              | Father/Spouse Name<br>(2)             | Date of Birth<br>(3)        |
|--|----------------------------------|---------------------------------------|-----------------------------|
|  |                                  |                                       |                             |
|  | Academic<br>Qualification<br>(4) | Professional<br>Qualifications<br>(5) | Teaching Experience<br>(6)  |
|  |                                  |                                       |                             |
|  | Class Assigned<br>(7)            | Appointment Date<br>(8)               | Trained or Untrained<br>(9) |
|  |                                  |                                       |                             |

**2. Teaching in Both Elementary and Secondary (details of each teacher separately)**



|  |                               |                                    |                             |
|--|-------------------------------|------------------------------------|-----------------------------|
|  | Teacher Name<br>(1)           | Father/Spouse Name<br>(2)          | Date of Birth<br>(3)        |
|  |                               |                                    |                             |
|  | Academic Qualification<br>(4) | Professional Qualifications<br>(5) | Teaching Experience<br>(6)  |
|  |                               |                                    |                             |
|  | Class Assigned<br>(7)         | Appointment Date<br>(8)            | Trained or Untrained<br>(9) |
|  |                               |                                    |                             |

**3. Head Teacher**

|  |                               |                                    |                             |
|--|-------------------------------|------------------------------------|-----------------------------|
|  | Teacher Name<br>(1)           | Father/Spouse Name<br>(2)          | Date of Birth<br>(3)        |
|  |                               |                                    |                             |
|  | Academic Qualification<br>(4) | Professional Qualifications<br>(5) | Teaching Experience<br>(6)  |
|  |                               |                                    |                             |
|  | Class Assigned<br>(7)         | Appointment Date<br>(8)            | Trained or Untrained<br>(9) |
|  |                               |                                    |                             |

Please attach appropriate certificate regarding 1, 2 and 3. (No. of enclosures)

**I. Curriculum and Syllabus**

|   |  |  |
|---|--|--|
| 1 | Details of curriculum & syllabus followed in each class (upto VIII). |  |
|---|--|--|

|                       |  |          |          |          |          |          |          |          |          |
|-----------------------|--|----------|----------|----------|----------|----------|----------|----------|----------|
| 2                     | System of pupil assessment.  |          |          |          |          |          |          |          |          |
| 3                     | Whether pupils of the school are required to take any Board exam upto class 8? |          |          |          |          |          |          |          |          |
| <b>J. School Fee.</b> |  |          |          |          |          |          |          |          |          |
| <b>Class</b>          | <b>Pre-Primary</b>   | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> | <b>6</b> | <b>7</b> | <b>8</b> |
| <b>Maximum Fee</b>    |  |          |          |          |          |          |          |          |          |

**Note:- No extra charges mentioned above shall be charged. The school must mention all types of fee clearly.**

|  |  |
|--|--|
| <b>K.</b> Neighbourhood area for purpose of under clause (c) of section 12 of the Act, as defined by Block Education Officer or appropriate authority. |  |
| <b>L.</b> If the school is recognised  |  |
| If so, by which authority <ul style="list-style-type: none"> <li>• Recognition Number</li> </ul>   |  |

**Note:-** The information mentioned in L about the recognition is only for reference. Every school, other than a school established, owned or controlled by the State Government or Local Authority shall apply for recognition under RTE either the school is already recognised or unrecognised.

**M.** Certified that the school has also entered the information detailed above in the DISE format.

**N.** Certified that the school is open to inspection by any officer authorized by the appropriate authority;

**O.** Certified that the school undertakes to furnish such reports and information as may be required by the District Education Officer from time to time and complies with such instructions of the appropriate authority or the District Education

Officer as may be issued to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in working of the school.

- P. Certified that records of the school pertinent to the implementation of this Act shall be open to inspection by any officer authorised by the District Education Officer or appropriate authority at any time, and the school shall furnish all such information as may be necessary to enable the Central and/or State Government/Local Body or the administration to discharge its or his obligations to Parliament/Legislative Assembly of the State/Panchayat/Municipal Corporation as the case may be.
- Q. The school shall abide by the conditions of recognition as laid down by the competent authority.
- R. I certify that the information mentioned above is true with my best knowledge.

**Sd./-**

**Chairman/Manger,**

**Managing Committee**

**School.....**

**Appendix-II**

**Form-2**

**See sub-rule (5) of rule 17 of**

**The Right of Children to Free and Compulsory Education Rules, 2011**

**Phone:**

**E-Mail:**

**Fax:**

**OFFICE OF DISTRICT EDUCATION OFFICER -----(name of district )**

*Uttarakhand.*

**No.**

**Dated:**

**The Manager,**

----- ( name of the school)

**Sub: Recognition Certificate for the School under sub–rule (5) of Rule 17 of The Right of Children to Free and Compulsory Education Rules, 2011 for the purpose of Section 18 of Right of Children to Free and Compulsory Education Act, 2009.**

Dear Sir/Madam,

With reference to your application dated \_\_\_\_\_and subsequent correspondence with the school/inspection in this regard, I convey the grant for recognition to the \_\_\_\_\_ (name of the school with address) for Class \_\_\_\_ to Class \_\_\_\_ for a period of five years w.e.f. \_\_\_\_ to \_\_\_\_.

The above sanction is subject to fulfillment of following conditions:-

1. The grant for recognition is not extendable and does not in any way imply any obligation to recognize/affiliate beyond Class VIII.
2. The School shall abide by the provisions of Right of Children to Free and Compulsory Education Act, 2009 and the Right of Children to Free and Compulsory Education Rules, 2011.

3. The School shall admit in class I, to the extent of 25 percent of the strength of that class, children belonging to weaker section and disadvantaged group in the neighborhood and provide free and compulsory elementary education till its completion. Provided, further that in case of pre primary classes also, this norm shall be followed.
4. For the children referred to in paragraph 3, the School shall be reimbursed as per sub-section (2) of section 12 of the Act. To receive such reimbursements school shall provide a separate bank account.
5. The Society/School shall not collect any capitation fee and subject the child or his or her parents or guardians to any screening procedure.
6. The School shall not deny admission to any child (a) for lack of age proof, (b) if such admission is sought subsequent to the extended period provided prescribed for admission, (c) on the ground of religion, caste or race, place of birth or any of them.
7. The School shall ensure:
  - (i) No child admitted shall be held back in any class or expelled from school till the completion of elementary education in a school;
  - (ii) No child shall be subjected to physical punishment or mental harassment;
  - (iii) No child is required to pass any board examination till the completion of elementary education;
  - (iv) Every child completing elementary education shall be awarded a certificate as laid down under sub-rule (1) of rule 35.
  - (v) Inclusion of students with disabilities/special needs as per provision of the Act.
  - (vi) The teachers are recruited with minimum qualifications as laid under sub-section (1) of section 23 of the Act. Provided further that the current teachers who, at the commencement of these rules do not possess minimum qualifications shall acquire such minimum qualifications within a period of 5 years.
  - (vii) The teacher performs its duties specified under sub-section (1) of section 24 of the Act and 31 of rules.

- (viii) The teachers shall not engage himself or herself for private teaching activities.
8. The School shall follow the syllabus on the basis of curriculum laid down by appropriate authority.
  9. The School shall enroll students proportionate to the facilities available in the school as prescribed in the section 19 of the Act.
  10. The School shall maintain the standards and norms of the school as specified in section 19 of the Act. The facilities reported at the time of last inspection are as given under:-
    - Area of school campus;
    - Total built up area;
    - Area of play ground;
    - No. of class rooms;
    - Room for Headmaster-cum-Office-cum-Storerroom;
    - Separate toilet for boys and girls;
    - Drinking Water Facility;
    - Kitchen for cooking Mid Day Meal;
    - Barrier free Access;
    - Availability of Teaching Learning Material/Play Sports Equipments/Library.
  11. No unrecognized classes shall run within the premises of the school or outside in the same name of school.
  12. The school buildings or other structures or the grounds are not used during the day or night for commercial or residential purposes (except for the purpose of residence of any employee of the school) or for political or non-educational activity of any kind whatsoever.

13. The School is run by a society registered under the Societies Registration Act, 1860 (21 of 1860), or a public trust constituted under any law for the time being in force.
14. The School is not run for profit to any individual, group or association of individuals or any other persons.
15. The accounts should be audited and certified by a Chartered Accountant and proper accounts statements should be prepared as per rules. A copy each of the Statements of Accounts should be sent to the District Education Officer every year.
16. The recognition Code Number allotted to your school is ..... This may please be noted and quoted for any correspondence with this office.
17. The school furnishes such reports and information as may be required by the State Government/District Education Officer from time to time and complies with such instructions of the State Government/Local Authority as may be issued to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in working of the school.
18. Renewal of Registration of Society if any, be ensured.
19. Other conditions as per **Annexure-IV** enclosed.
20. The recognition shall be withdrawn if the contravention of the provisions of the Act, the rules and conditions of recognition is found and proved.

**Yours faithfully,**

**District Education Officer**

**Appendix-III**

**Form-3**

**See sub-rule (6) of rule 17 of**

**The Right of Children to Free and Compulsory Education Rules, 2011**

**Phone:**

**E-Mail:**

**Fax:**

**OFFICE OF DISTRICT EDUCATION OFFICER -----(name of district )**  
*Uttarakhand.*

**No.**

**Dated:**

**The Manager,**

----- ( name of the school)

**Sub: Provisional Recognition Certificate for the School under sub–rule (6) of Rule 17 of The Right of Children to Free and Compulsory Education Rules, 2011 for the purpose of Section 18 of Right of Children to Free and Compulsory Education Act, 2009.**

Dear Sir/Madam,

With reference to your application dated \_\_\_\_\_and subsequent correspondence with the school/inspection in this regard, I convey the grant for provisional recognition to the \_\_\_\_\_ (name of the school with address) for Class \_\_\_\_ to Class \_\_\_\_ for a period of three years w.e.f. \_\_\_\_ to \_\_\_\_.

The above sanction is subject to fulfillment of following conditions:-

1. The grant for recognition is not extendable and does not in any way imply any obligation to recognize/affiliate beyond Class VIII.



2. The School shall abide by the provisions of Right of Children to Free and Compulsory Education Act, 2009 and the Right of Children to Free and Compulsory Education Rules, 2011.
3. The School shall admit in class I, to the extent of 25 percent of the strength of that class, children belonging to weaker section and disadvantaged group in the neighborhood and provide free and compulsory elementary education till its completion. Provided, further that in case of pre primary classes also, this norm shall be followed.
4. For the children referred to in paragraph 3, the School shall be reimbursed as per sub-section (2) of section 12 of the Act. To receive such reimbursements school shall provide a separate bank account.
5. The Society/School shall not collect any capitation fee and subject the child or his or her parents or guardians to any screening procedure.
6. The School shall not deny admission to any child (a) for lack of age proof, (b) if such admission is sought subsequent to the extended period provided prescribed for admission, (c) on the ground of religion, caste or race, place of birth or any of them.
7. The School shall ensure:
  - (i) No child admitted shall be held back in any class or expelled from school till the completion of elementary education in a school;
  - (ii) No child shall be subjected to physical punishment or mental harassment;
  - (iii) No child is required to pass any board examination till the completion of elementary education;
  - (iv) Every child completing elementary education shall be awarded a certificate as laid down under sub-rule (1) of rule 35.
  - (v) Inclusion of students with disabilities/special needs as per provision of the Act.
  - (vi) The teachers are recruited with minimum qualifications as laid under sub-section (1) of section 23 of the Act. Provided further that the current

teachers who, at the commencement of these rules do not possess minimum qualifications shall acquire such minimum qualifications within a period of 5 years.

- (vii) The teacher performs its duties specified under sub-section (1) of section 24 of the Act and 31 of rules.
  - (viii) The teachers shall not engage himself or herself for private teaching activities.
8. The School shall follow the syllabus on the basis of curriculum laid down by appropriate authority.
  9. The School shall enroll students proportionate to the facilities available in the school as prescribed in the section 19 of the Act.
  10. The School shall maintain the standards and norms of the school as specified in section 19 of the Act. The facilities reported at the time of last inspection are as given under:-
    - Area of school campus;
    - Total built up area;
    - Area of play ground;
    - No. of class rooms;
    - Room for Headmaster-cum-Office-cum-Storeroom;
    - Separate toilet for boys and girls;
    - Drinking Water Facility;
    - Kitchen for cooking Mid Day Meal;
    - Barrier free Access;
    - Availability of Teaching Learning Material/Play Sports Equipments/Library.
  11. No unrecognized classes shall run within the premises of the school or outside in the same name of school.
  12. The school buildings or other structures or the grounds are not used during the day or night for commercial or residential purposes (except for the purpose of

residence of any employee of the school) or for political or non-educational activity of any kind whatsoever.

13. The School is run by a society registered under the Societies Registration Act, 1860 (21 of 1860), or a public trust constituted under any law for the time being in force.
14. The School is not run for profit to any individual, group or association of individuals or any other persons.
15. The accounts should be audited and certified by a Chartered Accountant and proper accounts statements should be prepared as per rules. A copy each of the Statements of Accounts should be sent to the District Education Officer every year.
16. The recognition Code Number allotted to your school is ..... This may please be noted and quoted for any correspondence with this office.
17. The school furnishes such reports and information as may be required by the State Government/District Education Officer from time to time and complies with such instructions of the State Government/Local Authority as may be issued to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in working of the school.
18. Renewal of Registration of Society if an, be ensured.
19. Other conditions as per **Annexure-IV** enclosed.
20. The recognition shall be withdrawn if the contravention of the provisions of the Act, the rules and conditions of recognition is found and proved.

**Yours faithfully,**

**District Education Officer**

## **Appendix-IV**

**See sub-rule (5) of rule 17 of**

**The Right of Children to Free and Compulsory Education Rules, 2011**

### **Conditions of recognition**

The certificate of recognition shall be subject to following conditions-

- (a) The school is run by a society registered under the Societies Registration Act, 1860 (21 of 1860), or a public trust constituted under any law for the time being in force;
- (b) The school is not run for profit to any individual, group or association of persons;
- (c) The school conforms to the values enshrined in the constitution;
- (d) The school building or other structures or the grounds are used only for the purposes of education and skill development;
- (e) The school is open to inspection by any Officer authorized by the State Government or Local Authority;
- (f) The school shall furnish such reports and information as may be required by the State Government or any Authorized Officer and District Education Officer from time to time and comply with such instructions of the State Government/Local Authority as may be issued to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in the working of the school;
- (g) The school shall fulfill the norms and standards specified under section 19 and in the schedule;
- (h) The school shall adhere/comply with the conditions mentioned under the Act and rules;
- (i) The school shall give reservation of minimum 25 percent in class I for the children of disadvantage groups and children of weaker sections from the neighbourhood

area. In case the private school is aided school it shall provide free and compulsory elementary education to such proportion of children admitted therein as its annual recurring aid or grants so received bears to its annual recurring expenses, subject to a minimum of twenty-five percent;

- (j) The school having pre-school education shall give reservation of at least 25 percent of its enrolment at the initial stage of admission to the children of disadvantaged groups and the children of weaker sections of the neighborhood area under section 12 of the Act;
- (k) The school shall submit, every year before the commencement of academic session, fee to be charged from the children to the District Education Officer;
- (l) The school shall not collect any capitation fee and shall not subject the child or his or her parents or guardian to any screening procedure, while admitting a child;
- (m) The recognition shall be withdrawn in case of violation of the conditions of recognition;
- (n) The school shall submit DISE format every year by 30<sup>th</sup> of September to the District Education Officer through Block Education Officer.

**Appendix-V**

**Form-4**

**See sub-rule (1) of rule 29 of**

**The Right of Children to Free and Compulsory Education Rules, 2011**

**Information seeking relaxation under sub-section (2) of section 23 of the RTE Act.**

| <b>I-Teachers Demand</b> |   |                                      |                      |                        |              |
|--------------------------|---|--------------------------------------|----------------------|------------------------|--------------|
| <b>A</b>                 | <b>Teacher Demand for classes I to IV (Figures as on 30-09-2010)</b>    | <b>Government/Local body schools</b> | <b>Aided schools</b> | <b>Unaided schools</b> | <b>Total</b> |
| (i)                      | Sanctioned strength   |                                      |                      |                        |              |
| (ii)                     | Actual strength   |                                      |                      |                        |              |
| (iii)                    | Vacancy[A(i)-A(ii)]   |                                      |                      |                        |              |
| (iv)                     | Additional teacher requirement due to PTR norms under RTE Act.          |                                      |                      |                        |              |
| (v)                      | Total teacher requirement for classes I to V. [A(iii)+A(v)]             |                                      |                      |                        |              |
| <b>B</b>                 | <b>Teacher Demand for classes VI to VIII (Figures as on 30.09.2010)</b> | <b>Government/Local body schools</b> | <b>Aided schools</b> | <b>Unaided schools</b> | <b>Total</b> |
| (i)                      | Sanctioned strength   |                                      |                      |                        |              |
| (ii)                     | Actual strength   |                                      |                      |                        |              |
| (iii)                    | Vacancy[B(i)-B(ii)]   |                                      |                      |                        |              |
| (iv)                     | Additional teacher  |                                      |                      |                        |              |

|     |   |  |  |  |  |
|-----|---|--|--|--|--|
|     | requirement due to PTR norms under RTE Act.                     |  |  |  |  |
| (v) | Total teacher requirement for classes VI to VIII. [B(iii)+B(v)] |  |  |  |  |

**Appendix-VI**

**Form-5**

**See sub-rule (1) of rule 35 of**

**The Right of Children to Free and Compulsory Education Rules, 2011**

..... (Name of the school)

District .....Uttarakhand.

**Certificate of Completing Elementary Education**

This is to certify that Miss/ Mr..... daughter /son of .....(name of the mother) and daughter /son of .....(name of the father) resident of ..... (address) date of birth ..... was the student of this school .....from academic session .....to academic session .....She /he has completed elementary education in the year .....

This is also certified that the child has completed all courses of study prescribed under section 29 of The Right of Child to Free and Compulsory Education Act, 2009.

This certificate is issued to the child under **The Right of Children to Free and Compulsory Education Act, 2009.**

Date: .....

**Signature**

**Name of the school.....**

**Seal of the school**

**Registration number (in case of private school)**