

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DIRECTORATE OF EDUCATION: SCHOOL BRANCH
OLD SECRETARIAT: DELHI-110054.

No. DE.23(462)/Sch.Br./ 10/ 6086-90

Dated:- 24/06/10


NOTICE

Sub: Draft Rules Framed Under ' The Right of Children to Free and Compulsory Education Act 2009'.

The Right to Education Act 2009 has come into force w.e.f. 01-04-2010. Draft rules under the above Act have been finalized. The same are being placed in public domain for the information of the public at large and inviting their valuable suggestions/comments, if any.

The comments/suggestions, if any, may be sent to the Additional Director of Education(Schools), Directorate of Education, Room No. 212-A, Old Secretariat, Delhi-54 by post or by hand so as to reach this office latest by 5.00 pm on or before 2nd July 2010.

The comments/ suggestions can also be sent to the Additional Director of Education (Schools) through email at diredu@nic.in.

 24/6/10

ADDL.DIRECTOR OF EDUCATION (SCHOOL)


ENCL. As above

No. DE.23(462)/Sch.Br./10/ 6086-90

Dated:- 24/06/10

Copy to:-

1. PS to Secretary (Education)
2. PS to Director (Education)
3. All RDEs/DDEs/EOs
4. OS (IT) to please paste it on the website
5. Guard File

 24/6/10

ADDL.DIRECTOR OF EDUCATION (SCHOOL)

**RIGHT OF EDUCATION RULES UNDER THE RIGHT
TO EDUCATION ACT, 2009 (DELHI)**

PART – 1

PRELIMINARY

Short title, extent and commencement

1. These Rules may be called Right of Children to Free and Compulsory Education Rules (Delhi) under the Right to Education Act, 2009.
2. These Rules shall come into force with immediate effect.
3. They extend to the whole of the National Capital Territory of Delhi.

Definitions

2. (1) In these rules, unless the context otherwise requires:-
 - (a) “Act” means the Right of Children to Free and Compulsory Education Act, 2009
 - (b) “Chapter”, “Section”, and “Schedule” means respectively chapter, section and schedule to, the Act.
 - (c) “Child” means a male or female child of the age of 6 to 14 years.
 - (d) ‘Director’ means the Director of Education, Delhi and includes any other officer authorised by him to perform all or any of the functions of the Director under this Act.
 - (e) ‘Deputy Director of Education’ means the incharge of an Educational District or an officer equivalent rank in Local bodies.
 - (f) “Pupil Cumulative Record” means record of the progress of the child based on comprehensive and continuous evaluation.
 - (g) “school mapping” means planning school location to overcome social barriers and geographical distance.
 - (h) ‘State Government’ means Government of NCT of Delhi.
 - (i) “Local authority” means
 - (a) in relation to an area within the local limits of the Municipal Corporation of Delhi, that Corporation;

(b) in relation to an area within the local limits of the New Delhi Municipal Council that Council;

(c) in relation to an area within the local limits of the Delhi Cantonment Board, that Board;

(j)“NCT of Delhi.” means National Capital Territory of Delhi.

(2) All references to “forms” in these Rules shall be construed as references to forms set out in Appendix I 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

PART II RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION

Special Training for the purposes of first proviso to section 4

2. (1) The School Management Committee/local authority shall identify children requiring special training and organise 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 section 29(1)
 - (b) It shall be provided in classes held on the premises of the school, or through classes organised in safe residential facilities.
 - (c) It shall be provided by teachers working in the school, or by teachers specially appointed for the purpose.
 - (d) The duration shall be for a minimum period of three months which may be extended, based on periodical assessment of learning progress, for a maximum period not exceeding two years.

(2) The child shall, upon induction into the age appropriate class, after special training continue to receive special attention by the teacher to enable him/her to successfully integrate with the rest of the class, academically and emotionally.

PART – III

DUTIES OF STATE GOVERNMENT, LOCAL AUTHORITY

Areas or limits for the purpose of section 6

- 4 (1) The areas or limits of neighbourhood within which a school has to be established in NCT of Delhi shall be as under:-
 - (a) In respect of children in classes I-V a school shall be established as far as possible within a distance of two km of the neighbourhood.
 - (b) In respect of children in classes VI-VIII a school shall be established as far as possible within a distance of 5 kms. of the neighbourhood.
- (2) wherever required, the State Government/Local Authorities shall upgrade existing schools with classes I-V to include classes VI-VIII. In respect of schools which start from class VI onwards, the State Government shall endeavour to add classes I-V, wherever required.
- (3) In case no school exists in the limits of neighbourhood specified under Sub Rule (1) above, the State Government/Local Authority shall make adequate arrangements, such as free transportation for providing elementary education in a school in relaxation of the limit specified under sub Rule (1)
- (4) In the areas having high population density the State Government /local authority may consider establishment of more than one neighbourhood school, having regard to the number of children in the age group of 6-14 years in such areas.
- (5) The Local Authority shall identify the neighbourhood school where children can be admitted and make such information public for each habitation within its jurisdiction.
- (6) In respect of children with disabilities which prevent them from accessing the school, the State Govt./local Authority as the case may be shall make appropriate and free transportation arrangements for them to attend school and complete elementary education
- (7) The State Govt/Local Authority shall ensure that access of children to the school is not hindered on account of social and cultural factors.

Duties of State Government and Local Authority for the purposes of sections 8 & 9

5 (1) A child attending a school of the State Government or local authority referred to in sub-clause (i) of clause (n) of section 2, a child attending a school referred to in sub-clause (ii) of clause (n) of section 2 in pursuance of clause (b) of sub section 1 of section 12 and a child attending a school referred to in sub clause (iii) and (iv) of clause (n) of section 2 in pursuance of clause (c) of sub section (1) of section 12 shall be entitled to free text books and uniforms.

Provided that a child with disabilities shall also be provided free special learning and support material.

Explanation: In respect of the child admitted in pursuance of clause (b) of sub section (1) of section 12 and a child admitted in pursuance clause (c) of sub section 1 of section 12, the responsibility of providing the free entitlement shall be of the school referred to in sub-clause (ii) of clause (n) of section 2 and of sub-clauses (iii) and (iv) of clause (n) of section 2, respectively.

(2)For the purpose of determining and for establishing neighbourhood schools, the Local authority shall undertake school mapping and identify all children, including children in remote areas, children with disabilities, children belonging to disadvantage groups, children belonging to economically weaker sections and children referred to in section 4, within a period of one year from the appointed date, and every year thereafter.

(3)The State Government/Local authority shall ensure that no child is subjected to caste, class, religious or gender abuse in the school.

(4)For the purpose of clause (c) of section 8 and clause (c) of section 9, the State Govt/Local Authority shall ensure that a child belonging to a weaker section, a child belonging to disadvantaged group and CWSN as defined in Children with Disability Act is not segregated or discriminated against in the classroom, during mid day meals, in the play grounds, in the use of common drinking water and toilet facilities.

Maintenance of records of children by local authority for the purpose of clause (d) of section 9

6 (1) The Local authority shall maintain a record of all children, in its jurisdiction through a household survey, from their birth till they attain 14 years.

(2) The record, referred to in Sub-Rule (1) shall be updated each year.

(3) The record referred to in sub Rules (1) shall be maintained transparently, in the public domain, and used for the purposes of clause (e) of section 9.

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, Place of Birth)

(b) parents/guardian names, address, occupation

(c) pre-primary school/Anganwadi centre that the child attendance (upto age 5)

(d) elementary school where the child is admitted

(e) present address of the child

(f) class in which child is studying (for children between 6-14) and if education is discontinued in the territorial/jurisdiction of the Local Authority the cause of such discontinuance

(g) whether the child belongs to weaker sections within the meaning of clause (e) of section 2 of the Act)

(h) whether the child belongs to a disadvantaged group within the meaning of clause (d) of section 2 of the Act.

(i) Whether the child is a child with special needs as defined under section _____ and Children with Disabilities Act.

(j) details of children requiring special facilities/residential facilities on account of migration and sparse population , age appropriate admission , disability.

(3) The Local Authority shall ensure that the names of all children enrolled in the schools under its jurisdiction are publicly displayed in each school.

PART – IV

RESPONSIBILITIES OF SCHOOLS AND TEACHERS

Admission of children belonging to weaker section and disadvantaged group for the purposes of clause (c) to section 12 (1)

7. (1) The school referred to in clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in pursuance of clause (c) to section 12 (1) shall not be segregated from the other children in the classrooms nor shall their classes be held at places and timings different from the classes held for the other children

(2) The school referred to in clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in pursuance of clause (c) to section 12 (1) shall not be discriminated from the rest of the children in any manner pertaining to entitlements and facilities such as text books, uniforms, library and ICT facilities, extra-curricular and sports.

(3) The areas or limits of neighbourhood specified in Rule 4 (1) shall apply to admissions made in pursuance of clause (c) to section 12 (1)

Provided that the State Govt. may, for the purposes of filling up the requisite percentage of seats for children referred to in clause (c) to section 12 (1) extend these limits from time to time.

(4) The State Govt may prescribe the procedure for admission of children under clause (c) of section 12 (1) by official notification issued from time to time.

Reimbursement of per-child expenditure by the State Government for the purposes of section 12 (2)

8 (1) The total annual recurring expenditure incurred by the State 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 the State Government.

Explanation: For the purpose of determining the per child expenditure, the expenditure incurred by the appropriate authority or local authority on schools referred to in sub-clause (ii) of clause (n) of section 2 and the children enrolled in such schools shall not be included.

(2) Every school referred to in clauses (iii) and (iv) of clause (n) of section 2 shall maintain a separate bank account in respect of the amount received by it as reimbursement under sub-section (2) of section 12.

(3) The schools mentioned in second proviso to section 12 (2) shall continue to fulfil their obligation for providing free education beyond elementary education and till completion of secondary /Sr secondary education as case may be to the extent of their obligation and shall not be entitled for reimbursement.

Documents as age proof for the purpose of section 14

9. Wherever a birth certificate under the Births, Deaths and Marriages Certification Act, 1886 is not available, any one of the following documents shall be deemed to be proof of age of the child for the purpose of admission in schools:-

- (a) Hospital/Auxiliary Nurse and Midwife (ANM) register record
- (b) Anganwadi record
- (c) Declaration through an affidavit of the age of the child by the parent or guardian

Extended Period for admission for the purpose of section 15

- 10.(1) Extended period of admission shall be six months from the date of commencement of the academic year of a school.
- (2) 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 training, as determined by the head of the school.

Recognition of schools for the purpose of section 18

11.(1) Every school, other than a school established, owned or controlled by the State Government or Local Authority, established before the commencement of this Act shall make a self declaration within a period of three months of the commencement of the Act, in Form No. 1 to the concerned District Deputy Director of Education or any other officer authorized for this purpose regarding its compliance or otherwise with the norms and standards prescribed in the Schedule and the 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 same being in force;

(b) the school is not run for profit to any individual, group or association of individuals or any other persons;

(c) the school conforms to the values enshrined in the Constitution;

(d) the school buildings or other structures or the grounds are used only for the purpose of education.

(e) The school is open to inspection by any officer authorised by the State Government/Local Authority.

- (f) The school furnishes such reports and information as may be required by the Director of Education/Deputy Director of Education from time to time and complies with such instructions of the State Government/Local Authority as may be issued to secure the continued fulfilment of the condition of recognition or the removal of deficiencies in working of the school;
- (2) Every self declaration received in Form 1 shall be placed by the concerned District Deputy Director of Education in public domain within thirty days of its receipt.
- (3) The concerned District Deputy Director of Education either himself or by an authorized team of Officers shall conduct on-site inspection of such schools which claim in Form no. 1 to fulfil the norms and standards and the conditions mentioned in sub-Rule (1) within six months of the receipt of the self declaration.
- (4) After the inspection referred to in Sub-Rule (3) is carried out, the inspection report shall be placed by the District Deputy Director of Education in public domain and schools found to be conforming to the norms, standards and the conditions shall be granted recognition by the Deputy Director of Education in Form No. 2 within a period of two months from the date of inspection.
- (5) Schools that do not conform to the norms, standards and conditions mentioned in Sub Rule (1) shall be listed by the District Deputy Director of Education through a public order to this effect, and any time within the next two and a half years, such schools may request the District Deputy Director of Education for an on-site inspection for grant of recognition.
- (6) Schools which do not conform to the norms, standards and conditions mentioned in sub rule (1) after three years from the commencement of the Act shall cease to function
- (7) Every school, other than a school established, owned or controlled by the State Government or local authority established after the commencement of this Act shall conform to the norms and standards and conditions mentioned in sub-Rule (1) in addition to requirement of DSEAR -1973 in order to qualify for recognition. The procedure for recognition for such schools shall be as laid down in DSEAR-1973

procedure for recognition for such schools shall be as laid down in DSEAR-1973

Withdrawal of recognition to schools for the purposes of sections 18 (3) and 12 (3)

12 (1) Where the concerned District Deputy Director of Education on his own motion, or on any representation received from any person, has reason to believe, to be recorded in writing, that a school recognised under Rule 11, has violated one or more of the conditions for grant of recognition or has failed to fulfil the norms and standards prescribed in the Schedule, he shall act in the following manner:

(a) Issue a notice to the school specifying the violations 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 concerned District Deputy Director of Education may cause an inspection of the school, to be conducted by a Committee of three to five members which shall make due inquiry and submit its report, along with its recommendations for continuation of recognition or its withdrawal, to the concerned Deputy Director of Education

(c) On receipt of the report and recommendations of the Committee, the Deputy Director of Education may pass order for withdrawal of recognition

Provided that no order for withdrawal of recognition shall be passed by the concerned Deputy Director of Education without giving the school adequate opportunity of being heard.

Provided further that no such order shall be passed by the concerned Deputy Director of Education without prior approval of the Director of Education.

(2) The order of withdrawal of recognition passed by the concerned Deputy Director of Education shall be operative from the immediately succeeding academic year and shall specify the neighbourhood schools to which the children of that school shall be admitted.

Amend

PART -V SCHOOL MANAGEMENT COMMITTEE

Composition and functions of the School Management Committee for the purposes of section 21

13 (1) A School Management Committee having not less than 15 members shall be constituted in every school, other than an unaided school, within its jurisdiction, within six months of the appointed date, and reconstituted every two years.

Provided that fifty percent of the members of this committee shall be women.

Provided further that proportionate representation shall be given to the parents or guardians of children belonging to disadvantaged group and weaker section.

(2) Seventy five percent of the strength of the School Management Committee shall be from amongst parents or guardians of children.

(3) The remaining twenty five percent of the strength of the SMC shall be from amongst the following persons:

- (a) One member of the committee shall be the representative of the Local Authority to be decided by the local authority.
- (b) Head of the school shall also be the member of the committee
- (c) One member of the committee shall be the teacher of the school to be decided by the teachers of the school.
- (d) Remaining one member shall be an educationist of the locality.

(4) To manage its affairs, the School Principal shall be the ex-officio Chairperson of the School Management Committee. Vice Chairperson shall be from among the parent members. The member teacher of the committee shall act as a convenor.

(5) The School Management Committee shall meet at least once in two months and the minutes and decisions of the meetings shall be properly recorded and made available to the public.

*Asst. Dir. of
Schools
election of
MC*

(6) The School Management Committee shall, in addition to the functions specified in clauses (a) to (d) of section 21 (2), perform the following functions, for which it may constitute smaller working groups from amongst its members;

(a) communicate in simple and creative ways to the population in the neighbourhood of the school, the right of the child as enunciated in the Act; as also the duties of the State Government, Local Authority, school, parent and guardian;

(b) Ensure the implementation of clauses (a) and (e) of section 24 and section 28.

(c) Monitor that teachers are not burdened with non academic duties other than those specified in section 27.

(d) Ensure the enrolment and continued attendance of all the children from the neighbourhood in the school;

(e) Monitor the maintenance of the norms and standards prescribed in the Schedule;

(f) Bring to the notice of the local authority any deviation from the rights of the child, in particular mental and physical harassment of children, denial of admission, and timely provision of free entitlements as per section 3 (2).

(g) Identify the needs, prepare a Plan, and monitor the implementation of the provisions of section 4.

(h) Monitor the identification and enrolment of, and facilities for learning by disabled children, and ensure their participation in, and completion of elementary education

(i) Monitor the implementation of the Mid-Day Meal in the school.

(j) prepare an annual account of receipts and expenditure of the school.

(7) Any money received by the School Management Committee for the discharge of its functions under this Act, shall be kept in a separate account, to be made available for audit every year.

(8) The accounts referred to in clause (j) to sub-Rule (6) and sub-Rule (7) should be signed by the Chairperson/Vice Chairperson and Convener of

the School Management Committee and made available to the local authority within one month of their preparation.

Preparation of School Development Plan for the purpose of section 22

14. (1) The School Management Committee shall prepare a School Development Plan at least three months before the end of the financial year in which it is first constituted under the Act.

(2) The School Development Plan shall be a three year plan comprising three annual sub plans.

(3) The School Development Plan, shall contain the following details:-

(a) Estimates of class wise enrolment for each year.

(b) Requirement, over the three year period, of the number of additional teachers, including subject teachers and part time teachers, separately for classes I to V and classes VI to VIII, calculated with reference to the norms specified in the Schedule.

(c) Physical requirement of additional infrastructure and equipments over the three year period, calculated, with reference to the norms and standards specified in the Schedule.

(d) Additional financial requirement over the three year period, year wise in respect of (b) and (c) above, including additional requirement for providing special training facility specified in section 4, entitlements of children such as free text books and uniforms, and any other additional financial requirement for fulfilling the responsibilities of the school under the Act.

(3) The School Development Plan should be signed by the Chairperson and Vice Chairperson of the School Management Committee and submitted to the appropriate authority before the end of the financial year in which it is to be prepared.

PART –VI TEACHERS

Minimum Qualification for the purposes of section 23 (1)

15 (1) The academic authority notified in pursuance of sub-section (1) of section 23, shall, within three months of such notification, lay down the minimum qualifications for persons to be eligible for appointment as a teacher in an elementary school.

(2) The minimum qualifications laid down by the academic authority referred to in sub-Rule (1) shall be applicable for every school referred to in clause (n) of section 2.

Relaxation of minimum qualification for the purposes of section 23 (2)

16 (1) The State Government/Local Authority shall estimate the teacher requirement as per the norms in the schedule for all schools referred to in clause (n) of section 2 within the State, within six months from the commencement of the Act.

(2) Where a State does not have adequate institutions offering courses or training in teacher education, or persons possessing minimum qualifications as laid down under sub-Rule (2) of Rule 15 are not available in sufficient numbers in relation to the requirement of teachers estimated under Sub Rule (1), the State Government shall request, within one year of the commencement of the Act, the Central Government for relaxation of the prescribed minimum qualification.

(3) On receipt of the request referred to in sub-Rule (2), the Central Government shall examine the request of the State Government and may relax the minimum qualifications by way of a Notification.

(4) The Notification referred to in sub-Rule (3) shall specify the nature of relaxation and the time period, not exceeding three years, but not beyond five years from the commencement of the Act, within which the teachers appointed under the relaxed conditions acquire the minimum qualifications prescribed by the academic authority notified under sub-section (1) of Section 23.

(5) After six months after the commencement of the Act, no appointment of teacher for any school can be made in respect of any person not possessing the minimum qualifications prescribed by the academic

authority notified under sub-section (1) of Section 23 without the notification referred to in sub-Rule (3)

(6) A person appointed as a teacher within six months of the commencement of the Act, must possess at least the academic qualifications not lower than higher secondary school certificate or equivalent.

Acquiring minimum qualifications under proviso to section 23 (2)

17 (1) The State Government shall provide adequate teacher education facilities to ensure that all teachers in schools who do not possess the minimum qualifications laid down under sub-Rule (2) of Rule 15 at the time of commencement of the Act, to acquire such minimum qualifications within a period of five years from the commencement of the Act.

(2) For a teacher of any school referred to in sub-clause (ii) and (iv) of clause (n) of section 2, who does not possess the minimum qualifications laid down under sub-Rule (2) of Rule 15 at the time of commencement of the Act, the management of such school shall enable such teacher to acquire such minimum qualifications within a period of five years from the commencement of the Act.

Salary and allowances and conditions of service of teachers for the purpose of section 23 (3)

18 (1) The State Government or the local authority, as the case may be, shall notify terms and conditions of service and salary and allowances of teachers in order to create a professional and permanent cadre of teachers.

(2) In particular and without prejudice to sub rule (1), the terms and conditions of service shall take into account the following, namely-

(a) Accountability of teachers to the School Management Committee constituted under section 21.

(b) provisions enabling long term stake of teachers in the teaching profession

Duties to be performed by teachers for the purpose of clause(f) to section 24 (1)

19 (1) In performance of the functions specified in sub section (1) of section 24 (1) and in order to fulfil the requirements of clause (h) of sub-section (2) of section 29, the teacher shall maintain a file containing the pupil cumulative record for every child which will be the basis for the awarding the completion certificate specified in sub-section (2) of section 30.

(2) In addition to the functions specified in clauses (a) to (e) of sub-section (1) of section 24, a teacher may perform the following duties assigned to him or her, without interfering with regular teaching;

(a) participation in training programmes;

(b) participation in curriculum formulation, and development of syllabi, training modules and text book development;

Maintaining Pupil-Teacher Ratio in each school for the purposes of section 25

20 (1) Sanctioned strength of teachers in a school shall be notified by the State Government or the local authority, as the case may be, within a period of three months of the appointed date.

Provided that the State Government or the local authority, as the case may be, shall, within three months of such Notification, redeploy teachers of schools having a strength in excess of the sanctioned strength prior to the Notification referred to in Sub_Rule (1).

PART VII – CURRICULUM AND COMPLETION OF ELEMENTARY EDUCATION

Academic Authority for the purposes of section 29

21 (1) The State Government shall notify an academic authority for the purpose of section 29 (1)

(2) While laying down the curriculum and evaluation procedure, the academic authority notified under Sub-Rule (1) shall;

(a) formulate the relevant and age appropriate syllabus and text books and other learning material.

16/11
30-
X/10
35

- (b) develop in –service teacher training design, and
 - (c) prepare guidelines for putting into practice continuous and comprehensive evaluation.
- (3) The academic authority referred to in sub-rule (1) shall design and implement a process of holistic school quality assessment on a regular basis.

Award of certificate for the purposes of section 30

22 (1) The certificate of completion of elementary education shall be issued at the school level within one month of the completion of elementary education.

(2) The certificate referred to in sub-rule (1) shall-

(a) certify that the child has completed all courses of study prescribed under section 29.

(b) contain the Pupil Cumulative Record of the child and also specify achievements of the child in areas of activities beyond the prescribed course of study and may include music, dance, literature, sports etc.

PART – VIII PROTECTION OF RIGHT OF CHILDREN

Performance of functions by the State Commission for Protection of Child Rights, for the purposes of section 31.

23. The State Government shall enable constituting a cell in the State Commission for Protection of Child Rights. which may assist the Commission in performance of its functions under the Act.

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

24. (1) The State Commission for Protection of Child Rights, shall set up a child help line, accessible by SMS, telephone and letter, which would act as the forum for aggrieved child/guardian to register complaint regarding violation of rights under the Act, in a manner that records her identity but does not disclose it;

(2) All complaints to the helpline should be monitored through a transparent, “alert and action” on-line mechanism by the State Commission for protection of Child Rights.

Constitution and Functions of the State Advisory Council for the purpose of section 34

25 (1) The State Advisory Council shall consist of a Chairperson and fourteen Members.

2. The Minister in-charge of the Ministry/Department of School Education in the State Government shall be the ex-officio Chairperson of the Council.

3. Members of the Council, shall be appointed by the State 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 should be from amongst persons belonging to SCs, STs and Minorities respectively.

(b) At least one member should be from amongst persons having specialized knowledge and practical experience of education of children with special needs;

(c) One member should be from amongst persons having specialised knowledge in the field of pre-primary education

(d) At least two members should be from amongst persons having specialized knowledge and practical experience in the field of teacher education

(e) Fifty percent of such members shall be from amongst women.

4. The Department of Education shall provide logistic support for meetings of the State Advisory Council and its other functions.

5. The procedure for transaction of Business of the Council shall be as under:-

(i) The Council shall meet regularly at such times as the Chairperson thinks fit but six months shall not intervene between its last and the next meeting.

(ii) The meeting of the Council shall be presided by the Chairperson. If for any reason the Chairperson is unable to attend the meeting of the Council, he may nominate a member of the Council to preside over such

meeting. Quorum of the meeting of the Council shall be considered complete if at least 50% of its members are present.

6. The terms and conditions for appointment of Members of the Council shall be as under:-

(a) Every member shall hold office as such for a term of two years from the date on which he assumes office.

Provided that no member shall hold office more than two terms.

(b) The member may be removed from his office by an order of the State Government on the ground of proved misbehaviour or incapacity, or on the happening of any one or more of the following events.

(d) Is adjudged an insolvent or

(ii) Refuses to act or become incapable of acting or

(iii) Is of unsound mind and stands so declared by a competent court or

(iv) Has so abused his office as to render his continuance in office detrimental to the public interest or

(v) Is convicted for an offence by a competent Court or

(vi) Is without obtaining leave of absence from the Council, absent from two consecutive meetings of the Council

(c) No member shall be removed from his office without being given an adequate opportunity of being heard.

(d) If vacancy occurs in the office of Members, whether by reason of his death, resignation or otherwise, such vacancy shall be fulfilled within a period of 120 days by making a fresh appointment in accordance with the provisions of sub-Rule (2).

(e) Members of the Council shall be entitled to reimbursement of travelling and daily allowances for official tours and journeys in accordance with the orders issued by the State Government in relation to non-official members of the Committees and Commissions and such like categories of persons.

PART – IX Miscellaneous*State Govt.*

1. Power to issue instructions: The Director may, if he is of opinion that in order to implement the provisions of the Act in Delhi it is necessary so to do, issue such instructions in relation to any matter, not covered by these rules, as he may deem fit.

2. Delegation of Powers: The State Government may delegate all or any, of its powers under the rules to the Director or any other officers authorised by notification.

APPENDIX

FORM 1

SELF DECLARATION FOR GRANT OF RECOGNITION OF SCHOOL

See sub-Rule (1) of Rule 11 of the

Right of Children to Free and Compulsory Education Rule, 2009

To,

The Deputy Director of Education
(Name of District & State)

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 proforma for the grant of recognition to _____ (Name of the school) _____ with effect from the commencement of the school year 20 ____

Yours faithfully,

Enclosure :

Place :

Date:

Chairman of Managing Committee/Manager
With stamp of school

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

B. General Information				
1.	Year of Foundation			
2.	Date of First Opening of School			
3.	Name of Trust/Society/Managing Committee			
4.	Whether Trust/Society/Managing Committee/ is registered			
5.	Period upto which Registration of Trust/Society/Managing Committee is valid			
6.	Whether there is a proof of non-proprietary character of the Trust/Society/Managing Committee supported by the list of members with their address on an affidavit in copy			
7.	Name official address of the Manager/President/C/Chairman of the School			
	Name			
	Designation			
	Address			
	Phone			(O)
				(R)
8.	Total Income & Expenditure during last 3 years surplus/deficit			
	Year	Income	Expenditure	Surplus/deficit

C. Nature and area of School		
1.	Medium of Instruction	
2.	Type of School (Specify entry & exit classes)	
3.	If aided, the name of agency and percentage of aid	
4.	If School Recognized	
5.	If so, by which authority	
	• Recognition number	

6.	Does the school has its own building or is it running in a rented building.	
7.	Whether the school buildings or other structures or the grounds are used only for the purpose of education and skill development?	
8.	Total area of the school	
9.	Built in area of the school	

D. Enrollment Status			
	Class	No. of Section	No. of Students
1.	Pre-primary		
2.	I – V		
3.	VI – VIII		

E. Infrastructure Details & Sanitary Conditions			
	Room	Numbers	Average Size
1.	Classroom		
2.	Office room – cum – Store Room – cum – Headmaster Room		
3.	Kitchen – Cum – Store		

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 books in Library <ul style="list-style-type: none"> • Books (No. of books) • Periodical/Newspapers 	
5.	Type and number of drinking water facility	
6.	Sanitary Conditions	
	(i) Type of W.C. & Urinals	
	(ii) Number of Urinals/Lavatories Separately for Boys	
	(iii) Number of Urinals/Lavatories Separately for Girls	

G. Particulars of Teaching Staff		
1. Teaching in Primary/Upper Primary exclusively (detail of each teacher separately)		
Teacher Name (1)	Father/Spouse Name (2)	Date of Birth (3)
Academic Qualification (4)	Professional Qualifications (5)	Teaching Experience (6)
Class Assigned (7)	Appointment Date (8)	Trained or Untrained (9)
Teaching in Both Elementary and Secondary (details of each teacher separately)		
Teacher Name (1)	Father/Spouse Name (2)	Date of Birth (3)
Academic Qualification (4)	Professional Qualifications (5)	Teaching Experience (6)
Class Assigned (7)	Appointment Date (8)	Trained or Untrained (9)
3. Heads of school		
Teacher Name (1)	Father/Spouse Name (2)	Date of Birth (3)
Academic Qualification (4)	Professional Qualifications (5)	Teaching Experience (6)

	Class Assigned (7)	Appointment Date (8)	Trained or Untrained (9)
4. Teacher In charge (Elementary Education)			
	Teacher Name (1)	Father/Spouse Name (2)	Date of Birth (3)
	Academic Qualification (4)	Professional Qualifications (5)	Teaching Experience (6)
	Class Assigned (7)	Appointment Date (8)	Trained or Untrained (9)
H. Curriculum and Syllabus			
1.	Details of curriculum & syllabus followed in each class (up to VIII)		
2.	System of Pupil Assessment.		
3.	Whether Pupils of the school are required to take any Board exam upto class 8		

I. Certified that the school has submitted the same information in the data capture format of District Information System of Education.

J. Certified that the school is open to inspection by any officer authorized by the State Govt/Local Authority.

K. Certified that the school undertakes to furnish such reports and information as may be required by the District Deputy Director of Education from time to time and complies with such instructions of the appropriate authority or the District Deputy Director of Education as may be issued to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in working of the school;

L. Certified that records of the school pertinent to the implementation of this Act shall be open to inspection by any officer authorized by the District Deputy Director of Education appropriate authority at any time, and the school shall furnish all such information as may be necessary to enable the Central and/or State Govt/Local Body or the Administration to discharge its or his obligations to Parliament/Legislative Assembly of the State/Panchayat/Local bodies as the case may be.

Chairman/Manager
Managing Committee
_____ school
Stamp of school

Place

Form II

Gram :
E-Mail :

Phone :
Fax :

OFFICE OF THE DEPUTY DIRECTOR OF EDUCATION
(Name of District/State)

No.

Dated :

The Manager,

Sub : Recognition Certificate for the School under Sub-rule (4) of Rule 11 of Right of Children to Free and Compulsory Education Rules, 2009 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 of 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 the following conditions :-

1. The grant of 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 (Annexure I) and the Right of Children to Free and Compulsory Education Rules, 2009 (Annexure II).
3. The School shall admit in class I, to the extent of _____ % of the strength of the neighbourhood 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 Section 12(2) 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 for lack of age proof.
If Such admission is sought subsequent to the extended provided prescribed for admission.
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 completion of elementary education.
 - (iv) Every child completing elementary education shall be awarded a certificate as laid down under Rule 23.
 - (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 section 23(1) of the Act. Provided further that the current teachers who, at the commencement of this Act do not possess minimum qualifications shall acquire such minimum qualifications within a period of 5 years.
 - (vii) The teacher performs its duties specified under section 24(1) of the Act and
 - (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 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 the school campus.
 - Total built up area
 - Area of play ground
 - No. of class rooms
 - Room for Headmaster-cum-Office-cum-Store room
 - 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 used only for the purposes education and skill development.
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 DEO 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 Director of Education/District Education Officer from time to time and 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.

Yours faithfully,

Dy. Director of Education
District.