

Government of Rajasthan
Education (Gr.-5) Department

No.F.8(29)Edu.-5/E.E./2009

Jaipur, dated June 21, 2011

NOTIFICATION

In exercise of the powers conferred by section 43 of the Rajasthan Non-Government Educational Institutions Act, 1989 (Act No. 19 of 1992) and all other powers enabling it in this behalf, the State Government hereby makes the following rules further to amend the Rajasthan Non-Government Educational Institutions (Recognition, Grant-in-aid and Service conditions etc.) Rules, 1993, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Non-Government Educational Institution (Recognition, Grant-in-aid and Service conditions etc.) (Amendment) Rules, 2011.

(2) They shall come in to force from the date of their publication in the Official Gazette.

2. Substitution of heading of the Chapter II. - The existing heading of Chapter-II of the Rajasthan Non-Government Educational Institutions (Recognition, Grant-in-aid and Service conditions etc.) Rules, 1993, hereinafter referred to as the said rules, shall be substituted by the following, namely:-

“RECOGNITION, ITS REFUSAL AND WITHDRAWAL FOR
INSTITUTIONS OTHER THAN THOSE IMPARTING ELEMENTARY
EDUCATION (CLASSES I TO VIII)”

- 3. Amendment of rule 3.** - In rule 3 of the said rules, -
- (i) in sub-rule (1) after the existing expression “affiliated to a University or recognised by the Board” and before the existing expression “seeking recognition must be registered”, the expression “or imparting elementary education from Class I to VIII” shall be inserted.
 - (ii) in sub-rule (2) after the existing expression “recognised by the Board” and before the existing expression “the Competent Authority as specified in Appendix-III”, the

expression “or imparting elementary education from Class I to VIII” shall be inserted.

4. Amendment of rule 5 – In sub-rule (1) of rule 5 of the said rules, after the existing expression “recognised by the Board” and before the existing expression “willing to get recognition”, the expression “or imparting elementary education from Class I to VIII” shall be inserted.

5. Amendment of rule 6 – In sub-rule (1) of rule 6 of the said rules, after the existing expression “recognition to an institution is refused” and before the existing expression “any person aggrieved by such refusal”, the expression “under the provisions of this chapter” shall be inserted.

6. Amendment of rule 7 - In sub-rule (1) of rule 7 of the said rules, after the existing expression “temporary or permanent recognition” and before the existing expression “in the following circumstances”, the expression “granted under this chapter” shall be inserted.

7. Amendment of rule 8 – In sub-rule (1) of rule 8 of the said rules, after the existing expression “Where recognition” and before the existing expression “to an institution is withdrawn”, the expression “granted under this chapter” shall be inserted.

8. Insertion of new Chapter II-A. – After the existing Chapter II and before the existing chapter III, the following new Chapter II-A shall be inserted, namely:-

“CHAPTER II-A

RECOGNITION, ITS REFUSAL AND WITHDRAWAL FOR INSTITUTIONS
IMPARTING ELEMENTARY EDUCATION (CLASSES I TO VIII)

8 A. Procedure for recognition for primary & upper primary schools.- (1) Every Primary and Upper Primary school, other than a school established, owned or controlled by the Central Government, State Government or the local authority, established before the commencement of the Right of Children to Free and Compulsory Education Act, 2009 (Central Act No. 35 of 2009) (hereinafter referred to as the Act of 2009) shall make a self declaration within a period of three months of the commencement of the these amendment rules, in Form 1, to the concerned District Elementary Education Officer regarding compliance of the norms and standards

specified in the Schedule of the Act of 2009 and fulfillment of the following conditions, namely:-

- (a) the school is run by a society registered under the Societies Registration Act, 1860 (Central Act No. 21 of 1860), the Rajasthan Societies Registration Act, 1958 (Act No. 28 of 1958), 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 individuals or any other persons;
- (c) the school conforms to the values enshrined in the Constitution of India;
- (d) the school buildings 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 the local authority;
- (f) the school furnishes such reports and such information as may be required from time to time and complies with such instructions of the State Government or the local authority as may be issued to secure the continued fulfillment of the conditions 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 District Elementary Education Officer in public domain within fifteen days of its receipt.

(3) The District Elementary Education Officer shall, within three months of the receipt of the self declaration, cause on-site inspection of such schools which claim in Form 1 to fulfill the norms and standards and the conditions mentioned in sub-rule (1).

(4) After the inspection referred to in sub-rule (3) is carried out, the inspection report shall be placed by the District Elementary Education Officer in public domain and schools found to be conforming to the norms, standards and the conditions shall be granted recognition by the District Elementary Education Officer in Form 2 within a period of fifteen days 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

Elementary Education Officer through a public order to this effect. Such schools may request the District Elementary Education Officer for an on-site inspection for grant of recognition at any time within a period of three years from the commencement of the Act of 2009.

(6) Schools which do not conform to the norms, standards and conditions mentioned in sub-rule (1) within three years from the commencement of the Act of 2009, shall cease to function.

(7) Every Primary and Upper Primary school, other than a school established, owned or controlled by the Central Government, State Government or local authority, established after the commencement of the Act of 2009 shall conform to the norms and standards and conditions mentioned in sub-rule (1) in order to qualify for recognition under this rule.

8 B. Procedure for withdrawal of recognition for Primary and Upper Primary schools. - (1) Where the District Elementary Education Officer (hereinafter in this rule referred to as the said Officer) on his own motion, or on any representation received from any person, has reason to believe, to be recorded in writing, that a school recognized under rule 8A, has violated one or more of the conditions for grant of recognition or has failed to fulfill the norms and standards specified in the Schedule of the Act of 2009, the said Officer shall act in the following manner, -

(a) issue a notice to the school specifying the violations of the conditions 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 said Officer may cause an inspection of the school to be conducted by a Committee of three to five members comprising of educationists, civil society representatives, media, and government representatives, which shall make due inquiry and submit its report, along with its recommendations for continuation of recognition or its withdrawal, to the said Officer.

(c) on receipt of the report and recommendations of the Committee, the said Officer may pass an order for withdrawal of recognition:

Provided that no order for withdrawal of recognition shall be passed by the said Officer without giving the school an adequate opportunity of being heard.

Provided further that no such order shall be passed by the said Officer without prior approval of the State Government.

(2) The order of withdrawal of recognition passed by the said Officer 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.”

9. Amendment of Appendix 2. – In Appendix 2 appended to the said rules,-

- (i) entries relating to Primary School and Upper Primary School in Column number 3 and 4 against serial number 2 shall be deleted.
- (ii) entries relating to Primary School and Upper Primary School in Column number 3 and 4 against serial number 3 shall be deleted.
- (iii) entries relating to Primary School and Upper Primary School in Column number 3 and 4 against serial number 4 shall be deleted.
- (iv) entries relating to Primary School and Upper Primary School in Column number 3 and 4 against serial number 5 shall be deleted.
- (v) entries relating to Primary School and Upper Primary School in Column number 3 and 4 against serial number 6 shall be deleted.
- (vi) entries relating to Primary School and Upper Primary School in Column number 3 and 4 against serial number 7 shall be deleted.
- (vii) entries relating to Primary School and Upper Primary School in Column number 3 and 4 against serial number 8 shall be deleted.
- (vii) entries relating to Primary School and Upper Primary School in Column number 3 and 4 against serial number 9 shall be deleted.

- (ix) entries relating to Primary School and Upper Primary School in Column number 3 and 4 against serial number 10 shall be deleted.
- (x) entries relating to Primary School and Upper Primary School in Column number 3 and 4 against serial number 11 shall be deleted.
- (xi) entries relating to Primary School and Upper Primary School in Column number 3 and 4 against serial number 12 shall be deleted.
- (xii) entries relating to Primary School and Upper Primary School in Column number 3 and 4 against serial number 13 shall be deleted.
- (xiii) entries relating to Primary School and Upper Primary School in Column number 3 and 4 against serial number 14 shall be deleted.

10. Amendment of Appendix 3. – In Appendix 3 appended to the said rules, the existing expression “(1) प्राथमिक विद्यालय” and “(2) उच्च प्राथमिक विद्यालय” shall be deleted.

11. Insertion of new Form 1 and Form 2. - After the existing Appendix 15 appended to the said rules, the following new Form 1 and Form 2 shall be added, namely: -

“FORM 1

(See sub-rule (1) of rule 8A)

**SELF DECLARATION-CUM-APPLICATION FOR GRANT OF
RECOGNITION OF SCHOOL**

To,

The District Elementary Education Officer,

----- (Name of District)

RAJASTHAN

Sir,

I forward herewith 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,

Chairman /Manager of
Managing Committee

Enclosures:

Place :

Date :

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 up to 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/Chairman of the School			
	Name			
	Designation			
	Address			
	Phone			(O)..... (R)
8.	Total Income and 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
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	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. and 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 (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)

2. 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. Head Teacher

	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 up to class 8?	

- (I) Certified that the school has also submitted information in this data capture format of District Information System of Education with this application.
- (J) Certified that the school is open to inspection by any officer authorized by the appropriate authority;
- (K) Certified that the school undertakes to furnish such reports and information as may be required by the District Elementary Education Officer from time to time and complies with such instructions of the appropriate authority or the District Elementary Education Officer as may be issued to secure the continued fulfillment of the conditions 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 Elementary Education Officer or appropriate authority at any time, and the school shall furnish all such information as may be necessary to enable the State Government or the Local Body or the Administration to discharge its or his obligations to State Legislature / Panchayat / Municipal Corporation, as the case may be.

Signature

(Name)

Chairman/Manager
Managing Committee
.....School

Place:

FORM 2
(See sub-rule (4) of rule 8A)

OFFICE OF DISTRICT ELEMENTARY EDUCATION OFFICER

(_____ (Name of District), Rajasthan)

No.

Dated:

The Chairman/Manager,
Managing Committee,
..... School

Subject: Recognition Certificate for the School under sub-rule (4) of rule 8A.

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 the 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 the Right of Children to Free and Compulsory Education Act, 2009 (Central Act No. 35 of 2009) and the Rajasthan Right of Children to Free and Compulsory Education Rules, 2011.
3. The School shall admit in class I or in pre-school class, as the case may be, to the extent as per the Act of 2009, of the strength of that class, children belonging to weaker section and

disadvantaged group in the neighbourhood and provide free and compulsory elementary education till its completion.

4. For the children referred to in paragraph 3, the School shall be reimbursed in accordance with the provisions of the Rajasthan Right of Children to Free and Compulsory Education Rules, 2011. To receive such reimbursements the school shall maintain a separate bank account.
5. The Society/School shall not collect any capitation fee and subject the child or his or her parent or guardian to any screening procedure.
6. The School shall not deny admission to any child for lack of proof of age and shall adhere to the provisions of section 15 of the Act of 2009. The School shall ensure:
 - (i) No child admitted to the school shall be held back in any class or expelled from school till the completion of elementary education in the school;
 - (ii) No child shall be subjected to physical punishment or mental harassment;
 - (iii) No child shall be 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 rule 23 of the Rajasthan Right of Children to Free and Compulsory Education Rules, 2011;
 - (v) Inclusion of students with disabilities/special needs as per the provisions of the Act of 2009;
 - (vi) The teachers are recruited with minimum qualifications as laid under sub-section (1) of section 23 of the Act of 2009:

Provided that the current teachers who, at the commencement of the Act of 2009 do not possess minimum qualifications, shall acquire such minimum qualifications within a period of 5 years, as per the provisions of the proviso to section 23 of the Act of 2009;

- (vii) The teachers performs their duties specified under sub-section (1) of section 24 of the Act of 2009; and
 - (viii) The teachers shall not engage himself or herself for private teaching activities.
7. The School shall follow the syllabus on the basis of the curriculum laid down by the appropriate authority.
 8. The School shall maintain the standards and norms of the school as specified in section 19 of the Act of 2009. 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

9. No unrecognized classes shall run within the premises of the school or outside in the same name of school.
10. The school buildings or other structures or the grounds are used only for the purposes of education and skill development.
11. The School is run by a society registered under the Societies Registration Act, 1860 (Central Act No. 21 of 1860), the Rajasthan Societies Registration Act, 1958 (Act No. 28 of 1958), or a public trust constituted under any law for the time being in force;
12. The School is not run for profit to any individual, group or association of individuals or any other persons;
13. The accounts should be audited and certified by a Chartered Accountant and proper accounts statements should be prepare

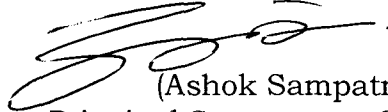
as per rules. A copy each of the Statements of Accounts should be sent to the District Elementary Education Officer every year.

14. The recognition Code Number allotted to your school is _____. This may please be noted and quoted for any correspondence with this office.
15. The school furnishes such reports and information as may be required by the Director of Elementary Education/District Elementary 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;
16. Renewal of Registration of Society, if any, be ensured.
17. Other conditions as per Annexure enclosed.

Yours faithfully,

District Elementary Education Officer
_____ District"

By Order of the Governor,



(Ashok Sampatram)
Principal Secretary to Government