**Name of Village Panchayat** ............................................................ **Name of Village** ............................................................

**Name of School** .............................................................................. **Block** ..............................................................................

**District** .........................................................................................

---

**Part A**

**Background of the Student**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>1-</strong></td>
<td>Name of the Student</td>
<td>............................................................</td>
</tr>
<tr>
<td><strong>2-</strong></td>
<td>Age of the Students (in complete years)</td>
<td>............................................................</td>
</tr>
<tr>
<td><strong>3-</strong></td>
<td>Class</td>
<td>............................................................</td>
</tr>
<tr>
<td><strong>4-</strong></td>
<td>Sex:</td>
<td>1-Male</td>
</tr>
<tr>
<td></td>
<td>Caste</td>
<td>............................................................</td>
</tr>
<tr>
<td><strong>5-</strong></td>
<td>Religion</td>
<td>1- Hindu</td>
</tr>
<tr>
<td><strong>6-</strong></td>
<td>Distance of the School from the present residence (in Kms)</td>
<td>............................................................</td>
</tr>
<tr>
<td><strong>7-</strong></td>
<td>What is the reason to choose the current school? Tick three reasons among the following according to their importance</td>
<td>1- School is near to the home</td>
</tr>
<tr>
<td><strong>8-</strong></td>
<td>Do you attend school regularly?</td>
<td>1- Yes</td>
</tr>
<tr>
<td><strong>9-</strong></td>
<td>How much regular were you in the school during last three months?</td>
<td>1- regular</td>
</tr>
<tr>
<td><strong>10-</strong></td>
<td>If not regular or less regular then tell the reasons for it.</td>
<td>1- guardians do not take interest in studies</td>
</tr>
<tr>
<td><strong>11-</strong></td>
<td>Generally where do you sit in class?</td>
<td>1- First row</td>
</tr>
<tr>
<td><strong>12-</strong></td>
<td>Where do other students of your community sit?</td>
<td>1- First row</td>
</tr>
</tbody>
</table>
# 13- Description of the family

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Name</th>
<th>Sex</th>
<th>Age</th>
<th>Relation with the student</th>
<th>Educational Status</th>
<th>Business</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Start from the name of head of the family</td>
<td>M-1</td>
<td>F-2</td>
<td>In years</td>
<td>Completed</td>
<td>Studying</td>
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<td>7</td>
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</tbody>
</table>

## Relation Code

- 1. Mother/Father
- 2. Grandmother/Grandfather
- 3. Brother/Sister
- 4. Husband/Wife
- 5. Brother-in-law/Sister-in-law
- 6. Mother-in-law/Father-in-law
- 7. Son/daughter
- 8. Nephew/Niece
- 9. Servant
- 10. Other Relative (Please Specify)

## Reasons for not enrolling Further

1. Fail/Not good in studies.
2. Institution is far away.
3. Weakness/Health Problem
4. Language Problem
5. Atmosphere of school is not fit for children/discriminatory.
7. No need (Socially there is no importance of education for girls.)
8. Marriage
9. Don’t know
10. Migration to work with parents
11. No use, do not get good employment
12. Have to work
13. Other (Please Specify)

## Source of Income

- 1. Agriculture
- 2. Agro-business
- 3. Agricultural labour
- 4. Non-Agricultural Labour
- 5. Handicraft/Self business/personal (Yajman)
- 6. Small shop/business/production unit
- 7. Organised business
- 8. Government Service First or Second Class
- 9. Government Service Third Class
- 10. Government Service Forth Class
- 11. Teacher (School/Degree College (Private of Government))
- 12. Private management
- 13. Private Supervisor/Clerk
- 14. Private Peon
- 15. Professional (Doctor /Advocate /Engineer etc.)
- 16. Professional Unclassified
- 17. Housewife
- 18. Student
- 19. Other (Please Specify)
14- Can you sit in the first row if you wish?
   1- Yes   2- No   3- Can’t say

15- If No, Please Specify the reasons.................................................................

16- Who decides as where you have to sit in the class?
   1- Teacher decides        2- We Decide        3- Rotation System is adopted
   4- Other (Please Specify).................................................................................

17- Do you feel comfortable where you sit?
   1- Yes   2- No

18- Whether Yes or No, Why?................................................................................

19- Do you think that there is a basis of seat allotment to sit in the class?
   1- Yes   2- No

20- If Yes, then what is the basis?........................................................................

21- Works done by the children in the class (Put the mark ‘1’ on the correct alternative)

<table>
<thead>
<tr>
<th>Work</th>
<th>You (1)</th>
<th>Children of your community (2)</th>
<th>Children of Upper Caste (3)</th>
<th>Children of all castes (4)</th>
<th>Not by children but by the employees appointed for it</th>
</tr>
</thead>
<tbody>
<tr>
<td>1- Cleaning of the Class</td>
<td></td>
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<tr>
<td>2- Cleaning of the Ground</td>
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<tr>
<td>3- Cleaning of the Toilet</td>
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<tr>
<td>4- To bring drinking water for teachers</td>
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<tr>
<td>5- To bring tea for teachers</td>
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<td></td>
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<tr>
<td>6- Other Work (Please Specify) ...........</td>
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<td></td>
</tr>
</tbody>
</table>

22- Does your teacher/classmate makes you feel that – (Yes- 1, No- 2)

<table>
<thead>
<tr>
<th>Statement</th>
<th>Teacher</th>
<th>Classmate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1- You have ability to study</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2- You do not have ability to study</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3- Your Mother-Father does not take interest in your studies</td>
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<td></td>
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<tr>
<td>4- Your community does not understand importance of education</td>
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<td></td>
</tr>
<tr>
<td>5- You do not deserve to be educated</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

23- Did you ever go to the home of your friends/classmates who belong to upper caste?
   1- Yes   2- No   3- Don’t know/ Not Applicable
24- If yes, do you feel comfortable/ fear/ hesitation there?
   1- I feel well with them  2- I feel fear  3- I feel hesitation  4- Other (Please Specify) .................................................................

25- If you go to their home, do they offer you food or water?
   1- Yes  2- No

26- Have you ever got punishment from your teacher?
   1- Yes  2- No

27- If Yes, what was the reason? ............................................................... .................................................................

28- Does your school organise sports competition?
   1- Yes  2- No

29- If Yes, do you participate in them?
   1- Yes  2- No

30- Have you ever been prohibited to take part in any sport?
   1- Yes  2- No

31- If Yes, then Why? ........................................................................

32- Does your school have a library?
   1- Yes  2- No  3- Don’t know/ not applicable

33- Do you go to library?
   1- Yes  2- No

34- After how much interval do you go to library?
   1- Very regular  2- Less regular  3- Occassionally  4- Never

35- What do you study in library?
   1- Books/Readable material  2- Magazines  3- Educational and Commercial magazines  4- Newspaper  5- Novel/Story Collection
   6- Other (Please Specify) .................................................................

36- Do you get Mid-day-Meal daily in your school?
   1- Yes  2- No

37- If Yes, then do you take Mid-day-meal daily in your school?
   1- Yes  2- No

38- If No, then Please specify the reasons.................................................................

39- Does the same plates or different plates are used for all the children, or all the children have to bring the plates from their home?
   1- Same plates for all  2- different plates  3- bring their plates with them
   4- Other.................................  5- Don’t know/Not Applicable

40- Who wash your plate?
   1- You yourself wash your plate  2- yours and of teacher’s  3- also wash the plates of others  4- Cook/Helper wash them  5- Don’t know/ Not Applicable
41- Is there any monitor in your class?
   1- Yes  2- No

42- Who is the monitor of your class (What is his caste)...........................................................

43- How is the monitor made?
   1. On the basis of attendance   2- On the basis of educational qualifications
      3- On the basis of Caste  4- On the basis of will of the teacher

44- Do you have the ability to be the monitor of the class?
   1- Yes  2- No  3- Don’t know/not applicable

45- Were you ever made the monitor of any class in this school?
   1- Yes  2- No

46- If Yes, then of which class? ........................................................................................................

47- If no, then why were you not made the monitor?........................................................................
....................................................................................................................................................

48- Does your teacher come in the class?
   1-Yes  2- No

49- If Yes, then whether he/she teaches or not?
   1- Yes  2- No

50- If No, then what does he/she do? ................................................................................................

51- Do you feel any difficulty to understand the lesson which is taught in your class?
   1- Yes  2- No

52- If Yes, then what are the difficulties?
   1- .............................................................................................................................................
   2- .............................................................................................................................................
   3- .............................................................................................................................................
   4- .............................................................................................................................................

53- Why do you feel difficulty?
   1- Subject is very tough  2- Subject is not taught properly  3- Teacher uses tough language
   4- There is too much disturbance in the class  5- Medium of education is English
   6- Can not tell any special reason  7- Any other reason........................................................................................................................................

54- Do you generally ask question in the class?
   1- Yes  2- No

55- Do you generally answer the question asked by your teacher?
   1- Yes  2- No

56- If No, then Why? ................................................................................................................................
57. Do you go to your teacher for suggestion or guidance?
   1- I go to them frequently  2- I go occasionally  3- I do not go to them  4- I don’t feel any necessity to go

58. Do you sometimes feel difficult to understand your lesson or to understand what is taught by your teacher?
   1- Yes  2- No

59. In a situation, when you do not understand, do you ask to the teacher?
   1- Yes  2- No

60. If yes, then you ask him where .......................................................... .................................................
    ........................................................................................................................................

61. If Yes, then do your teachers generally help you?
   1- Yes  2- No

62. If you can not ask question in the class, then what is the reason behind it?
   1- You are afraid of asking  2- You feel that teacher will not listen you  3- Any other reason, Please specify............................... ..........................................................

63. Did you take tuitions in the last year?
   1- Yes  2- No

64. If Yes, then how many months you took the tuition........................................................
    How much fees per month you gave? Rs.............................................................

65. If No, then do you feel the need of private tuition?
   1- Yes  2- No

66. What is the reason for not taking the private tuition? ........................................................
    ........................................................................................................................................

67. How much time per day you give to the following work?

<table>
<thead>
<tr>
<th>Head</th>
<th>Time Spent (in hours or don’t know/not applicable -9)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1- Study</td>
<td></td>
</tr>
<tr>
<td>2- Domestic Work</td>
<td></td>
</tr>
<tr>
<td>3- Other Work</td>
<td></td>
</tr>
</tbody>
</table>

68. Do you think you should spend more time in studies?
   1- Yes  2- No  3- Can’t Say

69. If Yes, then why can not you give more time to studies? Please specify reasons...............
    ........................................................................................................................................

70. Do you think that you could have performed better in examinations?
   1- Yes  2- My performance was good  3- Don’t know/not applicable
71- If Yes, then what is the reason of your weak performance? ............................................................
................................................................................................................................................
72- What problems do you face in your studies?
   (Tell at least 3 problems)
   1- ...........................................................................................................................................
   2- ...............................................................................................................................................
   3- .............................................................................................................................................
73- Have you got free books from your school?
   1- Yes  2- No
74- Have you got free dress from your school, last year?
   1- Yes  2- No
75- If No, then Why? .....................................................................................................................
..................................................................................................................................................

******************************************************************************

******************************************************************************
Part B

For Teachers

1- Name......................................................... Sex (1.Male 2.Female)

2- You are employed on what post in the school?
   1- Principal  2-Assitant Teacher  3-Shiksha Mitra  4- Instructor  5- Trainee Teacher  6-Motivator  7- Escort

3- Is Time-table used in your school?
   1. Yes  2- No

3.1- If No, Please Specify reasons.................................................................

4- How many classes you take in a day?.....................................................

5- Which subjects do you teach?.................................................................

6- Do you continuously come to school at scheduled time?
   1. Yes  2- No

7- Are there frequent trainings by BRC?
   1. Yes  2- No

7.1- If Yes, then during last one year, which trainings were held?......

..............................................................................................................

7.2- If Yes, then are trainings being implemented?
   1- Yes  2- No

7.2.1- If No, Please Specify reasons.............................................................

..............................................................................................................

8- Has School Management Committee been formed in your school?
   1- Yes  2- No

8-1 If Yes, then do SMC members fulfil their duties?
   1- Yes  2- No

9- Do they take part in the monthly meetings of school?
   1- Yes  2- No

10- Do members of School Management Committee try to know the problems of the school?
    1- Yes  2- No
11. What problems come in the meetings of School Management Committee? .................................................................

12. Do you know about the “School Development Scheme”?  
   1- Yes  2- No  

12.1- If Yes, then is it formed in your school?  
   1- Yes  2- No  

12.2- If No, Please Specify the reasons .................................................................

13. In your opinion what steps can be taken for proper functioning of the school? .................................................................

14. In your school, in which months examinations are conducted?  
   1. .................................................................
   2. .................................................................

14.1- Please show the results of last two years ............................................

15. Is it correct, that a child should not be failed? ............................................

16. Three major problems of your school, solution of which, can improve the school?  
   1. .................................................................
   2. .................................................................
   3. .................................................................

17. As a teacher what are the problems related to school? .........................

18. Have you given, the problems of your school, in writing to the BEO?  
   1- Yes  2- No  

18.1- If Yes, then has any effort been made by the BEO to know the problems of your school?  
   1- Yes  2- No  

18.1.1- If Yes, then has any effort been made for the timely solution of the problem?  
   1- Yes  2- No  

19. Who inspect your school?
1- BEO 2- NPRC 3-BSA 4- DIOS 5- Gram Pradhan 6- School Management Committee

20- When was inspection conducted? .....................................................................................

21- Is BRC meeting conducted every month?
   1- Yes  2- No
   21.1- If Yes, What points are discussed in BRC? ....................................................

22- Do you timely receive all the information related to your school from BRC?
   1- Yes  2- No

23- Does prayer is conducted in your school daily?
   1- Yes  2- No
   23.1- If No, then what is the reason? .................................................................

24- Does bell is used in your school every day?
   1- Yes  2- No

25- Who cleans the classes of your school?
   1. Children  2- Maid  3-Sweepers  4- Cook  5- Other

26- Who cleans the premise of your school?
   1. Children  2- Maid  3-Sweepers  4- Cook  5- Others

27- Who cleans the toilet of your class?
   1- Children  2- Maid  3- Sweeper  4- Cook  5- Other

28- Have you ever faced any problem related to cleanliness of your school?
   1- Yes  2- No

******************************************************************************************
For Parents/SMC Members

1. Did you face any difficulty in getting your child enrolled in this school?
   1- Yes  2- No

2. If Yes, then what sort of problem was it? ..........................................................

3. In Which class does your child study? .................................................................

4. What is the name of class teacher of your child? ..............................................

5. Have you ever met the class teacher?
   1- Yes  2- No

6. Do you know about the educational development of your child?
   1- Yes  2- No
   6.1- If Yes, then 1- Qualities-.................................................................
       2- Weaknesses-..............................................................................

7. Do you try to know that whether your child has completed his/her homework or not?
   1- Yes  2- No
   7.1- If No, Please Specify reasons ............................................................

8. Does your child fulfil the minimum educational qualifications ........

9. Have you ever heard about School Management Committee?
   1- Yes  2- No
   9.1 If Yes, then what do you know about it? ..............................................

10. Are you a member of School Management Committee?
    1- Yes  2- No

11. When does meeting of School Management Committee take place?
    1-Every month  2-when required  3- does not take place
    4-Don’t know

12. When last meeting of School Management Committee did took place? ....................

13. How many members were present in the meeting? .............................................

14. Do you feel that there are some problems in your school?
    1- Yes  2- No
    10.1- If Yes, Please tell the major problems of the school?
         1- ..................................................................................................
         2- ..................................................................................................
3- .................................................................................................................................

15. Have you presented your problems in the meeting?
   1- Yes  2- No
15.1- If No, Then Why? .................................................................................................

15.2- If Yes, then are those problems solved?
   1- Yes  2- No
15.2.1- If No, Then Why? ...............................................................................................

16. Who provides the details of the meeting? ..............................................................

17. Who decides the agenda of the meeting? ..............................................................

18. What are your duties as a School Management Committee member?
    ........................................................................................................................................

19. Do you know about “School Development Scheme”?
   1- Yes  2- No
19.1- If Yes, then has it been formed in your school?
   1- Yes  2- No
19.2- If No, then Please Specify the reasons ..............................................................

20. In your opinion what is being done for the proper functioning of the school?
    ........................................................................................................................................

21. In your opinion what should be done to strengthen the School Management Committee
    ........................................................................................................................................

22. Are you satisfied with the functioning of the school?
   1- Yes  2- No

23. What is the best thing about the school? ..............................................................
    ........................................................................................................................................

24. What do you dislike about your school? ..............................................................
    ........................................................................................................................................

25. Which, in your opinion, has better quality education?
   1- Government School  2- Private School

26. If Government, then Why? ......................................................................................

27. If Private, then Why? ..............................................................................................

28. Will you like to get your children educated in a private school? .......
    ........................................................................................................................................
Detail about School

Total Category wise Students enrolled in your school

<table>
<thead>
<tr>
<th>Class</th>
<th>SC</th>
<th></th>
<th></th>
<th>OBC</th>
<th></th>
<th></th>
<th>Minority</th>
<th></th>
<th></th>
<th>General</th>
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<th></th>
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<tr>
<td></td>
<td>Boys</td>
<td>Girls</td>
<td>Total</td>
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Teachers
<table>
<thead>
<tr>
<th>S.no.</th>
<th>Sex</th>
<th>Category</th>
<th>Qualification</th>
<th>Designation</th>
<th>Distance*</th>
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<tbody>
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<td>1.</td>
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*Distance to join school daily,
Infrastructure in School

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<th>Facility</th>
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<td>1.</td>
<td>Boundary Wall</td>
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<td>Plates</td>
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<td>Any Other, Specify</td>
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1- Condition of the Building

1- Repairment is not required  2- Little Repairment is required  3- A lot of repairment is required  4- ruined

2- No of Rooms - .................................................................

3- Is there a separate room for office?

1- Yes  2- No

4- Is there a time-table in the room?

1- Yes  2- No
5- Is there a Minimum Eligibility Chart in the room?
   1- Yes  2- No
6- Is there a separate girl’s toilet?
   1- Yes  2- No
7- Is there facility of Electricity in the School?
   1- Yes  2- No
7.1- If yes, is there electric supply?
   1- Yes  2- No
7.1.1- If No, Please Specify the reasons..........................................................................................
8- Are chairs available for the teachers in the School?
   1- Yes  2- No
9- Are tables available for the teachers in the School?
   1- Yes  2- No
10- Are benches available for the students in the School?
    1- Yes  2- No
11- Is drinking water available in the school campus?
    1- Yes  2- No
12- If yes, then where the water is available?
    1- In Tank  2- In Vessel for water  3- Hand Pump  4- Other (Please Specify)
13- Do you take water by yourself?
    1- Yes  2- No
14- If Yes, Can you take water by yourself or any other person gives you water?
15- If No, Is this the system for all the children or only for you?

1- Yes, by self  2- other person  3- Anybody else.................................

16- Is there toilet in your school?

1-Yes  2-No

17- Is it in a working condition?

1-Yes  2-No

18- If Yes, Can you use it?

1-Yes  2-No

19- Is there a playground in your school?

1-Yes  2-No

20- Which sports are available in your school?

1- Football  2- Basketball  3- Cricket  4- Hockey  5- Kho-Kho & Kabaddi  6- Indoor Games

7- Other (Please Specify)........................................
MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 27th August, 2009/Bhadra 5, 1931 (Saka)

The following Act of Parliament received the assent of the President on the 26th August, 2009, and is hereby published for general information:

THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009

No. 35 of 2009

[26th August, 2009.]

An Act to provide for free and compulsory education to all children of the age of six to fourteen years.

Be it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:

CHAPTER I
PRELIMINARY

1. (1) This Act may be called the Right of Children to Free and Compulsory Education Act, 2009.

(2) It shall extend to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
2. In this Act, unless the context otherwise requires,—

(a) "appropriate Government" means—

(i) in relation to a school established, owned or controlled by the Central Government, or the administrator of the Union territory, having no legislature, the Central Government;

(ii) in relation to a school, other than the school referred to in sub-clause (i), established within the territory of—

(A) a State, the State Government;

(B) a Union territory having legislature, the Government of that Union territory;

(b) "capitation fee" means any kind of donation or contribution or payment other than the fee notified by the school;

(c) "child" means a male or female child of the age of six to fourteen years;

(d) "child belonging to disadvantaged group" means a child belonging to the Scheduled Caste, the Scheduled Tribe, the socially and educationally backward class or such other group having disadvantage owing to social, cultural, economical, geographical, linguistic, gender or such other factor, as may be specified by the appropriate Government, by notification;

(e) "child belonging to weaker section" means a child belonging to such parent or guardian whose annual income is lower than the minimum limit specified by the appropriate Government, by notification;

(f) "elementary education" means the education from first class to eighth class;

(g) "guardian", in relation to a child, means a person having the care and custody of that child and includes a natural guardian or guardian appointed or declared by a court or a statute;

(h) "local authority" means a Municipal Corporation or Municipal Council or Zila Parishad or Nagar Panchayat or Panchayat, by whatever name called, and includes such other authority or body having administrative control over the school or empowered by or under any law for the time being in force to function as a local authority in any city, town or village;

(i) "National Commission for Protection of Child Rights" means the National Commission for Protection of Child Rights constituted under section 3 of the Commissions for Protection of Child Rights Act, 2005;

(j) "notification" means a notification published in the Official Gazette;

(k) "parent" means either the natural or step or adoptive father or mother of a child;

(l) "prescribed" means prescribed by rules made under this Act;

(m) "Schedule" means the Schedule annexed to this Act;

(n) "school" means any recognised school imparting elementary education and includes—

(i) a school established, owned or controlled by the appropriate Government or a local authority;

(ii) an aided school receiving aid or grants to meet whole or part of its expenses from the appropriate Government or the local authority;

(iii) a school belonging to specified category; and

(iv) an unaided school, not receiving any kind of aid or grants to meet its expenses from the appropriate Government or the local authority;

(o) "screening procedure" means the method of selection for admission of a child, in preference over another, other than a random method;
(p) "specified category", in relation to a school, means a school known as Kendriya Vidyalaya, Navodaya Vidyalaya, Sainik School or any other school having a distinct character which may be specified, by notification, by the appropriate Government;


CHAPTER II

RIGHT TO FREE AND COMPULSORY EDUCATION

3. (1) Every child of the age of six to fourteen years shall have a right to free and compulsory education in a neighbourhood school till completion of elementary education.

(2) For the purpose of sub-section (1), no child shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing the elementary education:

Provided that a child suffering from disability, as defined in clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection and Full Participation) Act, 1996, shall have the right to pursue free and compulsory elementary education in accordance with the provisions of Chapter V of the said Act.

4. Where a child above six years of age has not been admitted in any school or though admitted, could not complete his or her elementary education, then, he or she shall be admitted in a class appropriate to his or her age:

Provided that where a child is directly admitted in a class appropriate to his or her age, then, he or she shall, in order to be at par with others, have a right to receive special training, in such manner, and within such time-limits, as may be prescribed:

Provided further that a child so admitted to elementary education shall be entitled to free education till completion of elementary education even after fourteen years.

5. (1) Where in a school, there is no provision for completion of elementary education, a child shall have a right to seek transfer to any other school, excluding the school specified in sub-clauses (iii) and (iv) of clause (n) of section 2, for completing his or her elementary education.

(2) Where a child is required to move from one school to another, either within a State or outside, for any reason whatsoever, such child shall have a right to seek transfer to any other school, excluding the school specified in sub-clauses (iii) and (iv) of clause (n) of section 2, for completing his or her elementary education.

(3) For seeking admission in such other school, the Head-teacher or in-charge of the school where such child was last admitted, shall immediately issue the transfer certificate:

Provided that delay in producing transfer certificate shall not be a ground for either delaying or denying admission in such other school:

Provided further that the Head-teacher or in-charge of the school delaying issuance of transfer certificate shall be liable for disciplinary action under the service rules applicable to him or her.

CHAPTER III

DUTIES OF APPROPRIATE GOVERNMENT, LOCAL AUTHORITY AND PARENTS

6. For carrying out the provisions of this Act, the appropriate Government and the local authority shall establish, within such area or limits of neighbourhood, as may be prescribed, a school, where it is not so established, within a period of three years from the commencement of this Act.
7. (1) The Central Government and the State Governments shall have concurrent responsibility for providing funds for carrying out the provisions of this Act.

(2) The Central Government shall prepare the estimates of capital and recurring expenditure for the implementation of the provisions of the Act.

(3) The Central Government shall provide to the State Governments, as grants-in-aid of revenues, such percentage of expenditure referred to in sub-section (2) as it may determine, from time to time, in consultation with the State Governments.

(4) The Central Government may make a request to the President to make a reference to the Finance Commission under sub-clause (d) of clause (3) of article 280 to examine the need for additional resources to be provided to any State Government so that the said State Government may provide its share of funds for carrying out the provisions of the Act.

(5) Notwithstanding anything contained in sub-section (4), the State Government shall, taking into consideration the sums provided by the Central Government to a State Government under sub-section (3), and its other resources, be responsible to provide funds for implementation of the provisions of the Act.

(6) The Central Government shall—

(a) develop a framework of national curriculum with the help of academic authority specified under section 29;

(b) develop and enforce standards for training of teachers;

(c) provide technical support and resources to the State Government for promoting innovations, researches, planning and capacity building.

8. The appropriate Government shall—

(a) provide free and compulsory elementary education to every child:

Provided that where a child is admitted by his or her parents or guardian, as the case may be, in a school other than a school established, owned, controlled or substantially financed by funds provided directly or indirectly by the appropriate Government or a local authority, such child or his or her parents or guardian, as the case may be, shall not be entitled to make a claim for reimbursement of expenditure incurred on elementary education of the child in such other school.

Explanation.—The term "compulsory education" means obligation of the appropriate Government to—

(i) provide free elementary education to every child of the age of six to fourteen years; and

(ii) ensure compulsory admission, attendance and completion of elementary education by every child of the age of six to fourteen years;

(b) ensure availability of a neighbourhood school as specified in section 6;

(c) ensure that the child belonging to weaker section and the child belonging to disadvantaged group are not discriminated against and prevented from pursuing and completing elementary education on any grounds;

(d) provide infrastructure including school building, teaching staff and learning equipment;

(e) provide special training facility specified in section 4;

(f) ensure and monitor admission, attendance and completion of elementary education by every child;

(g) ensure good quality elementary education conforming to the standards and norms specified in the Schedule;
(h) ensure timely prescribing of curriculum and courses of study for elementary education; and
(i) provide training facility for teachers.

9. Every local authority shall—

(a) provide free and compulsory elementary education to every child:
Provided that where a child is admitted by his or her parents or guardian, as the case may be, in a school other than a school established, owned, controlled or substantially financed by funds provided directly or indirectly by the appropriate Government or a local authority, such child or his or her parents or guardian, as the case may be, shall not be entitled to make a claim for reimbursement of expenditure incurred on elementary education of the child in such other school;
(b) ensure availability of a neighbourhood school as specified in section 6;
(c) ensure that the child belonging to weaker section and the child belonging to disadvantaged group are not discriminated against and prevented from pursuing and completing elementary education on any grounds;
(d) maintain records of children up to the age of fourteen years residing within its jurisdiction, in such manner as may be prescribed;
(e) ensure and monitor admission, attendance and completion of elementary education by every child residing within its jurisdiction;
(f) provide infrastructure including school building, teaching staff and learning material;
(g) provide special training facility specified in section 4;
(h) ensure good quality elementary education conforming to the standards and norms specified in the Schedule;
(i) ensure timely prescribing of curriculum and courses of study for elementary education;
(j) provide training facility for teachers;
(k) ensure admission of children of migrant families;
(l) monitor functioning of schools within its jurisdiction; and
(m) decide the academic calendar.

10. It shall be the duty of every parent or guardian to admit or cause to be admitted his or her child or ward, as the case may be, to an elementary education in the neighbourhood school.

11. With a view to prepare children above the age of three years for elementary education and to provide early childhood care and education for all children until they complete the age of six years, the appropriate Government may make necessary arrangement for providing free pre-school education for such children.

CHAPTER IV

RESPONSIBILITIES OF SCHOOLS AND TEACHERS

12. (a) specified in sub-clause (i) of clause (a) of section 2 shall provide free and compulsory elementary education to all children admitted therein;

(b) specified in sub-clause (ii) of clause (n) of section 2 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 per cent.;

(c) specified in sub-clauses (iii) and (iv) of clause (n) of section 2 shall admit in class I, to the extent of at least twenty-five per cent. 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:

Provided further that where a school specified in clause (n) of section 2 imparts pre-school education, the provisions of clauses (a) to (c) shall apply for admission to such pre-school education.

(2) The school specified in sub-clause (n) of clause (n) of section 2 providing free and compulsory elementary education as specified in clause (c) of sub-section (1) shall be reimbursed expenditure so incurred by it to the extent of per-child-expenditure incurred by the State, or the actual amount charged from the child, whichever is less, in such manner as may be prescribed:

Provided that such reimbursement shall not exceed per-child-expenditure incurred by a school specified in sub-clause (i) of clause (n) of section 2:

Provided further that where such school is already under obligation to provide free education to a specified number of 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.

(3) Every school shall provide such information as may be required by the appropriate Government or the local authority, as the case may be.

13. (1) No school or person shall, while admitting a child, collect any capitation fee and subject the child or his or her parents or guardian to any screening procedure.

(2) Any school or person, if in contravention of the provisions of sub-section (1),—

(a) receives capitation fee, shall be punishable with fine which may extend to ten times the capitation fee charged;

(b) subjects a child to screening procedure, shall be punishable with fine which may extend to twenty-five thousand rupees for the first contravention and fifty thousand rupees for each subsequent contraventions.

14. (1) For the purposes of admission to elementary education, the age of a child shall be determined on the basis of the birth certificate issued in accordance with the provisions of the Births, Deaths and Marriages Registration Act, 1886 or on the basis of such other document, as may be prescribed.

(2) No child shall be denied admission in a school for lack of age proof.

15. A child shall be admitted in a school at the commencement of the academic year or within such extended period as may be prescribed:

Provided that no child shall be denied admission if such admission is sought subsequent to the extended period:

Provided further that any child admitted after the extended period shall complete his studies in such manner as may be prescribed by the appropriate Government.

16. No child admitted in a school shall be held back in any class or expelled from school till the completion of elementary education.

17. (1) No child shall be subjected to physical punishment or mental harassment.

(2) Whoever contravenes the provisions of sub-section (1) shall be liable to disciplinary action under the service rules applicable to such person.

18. (1) No school, other than a school established, owned or controlled by the appropriate Government or the local authority, shall, after the commencement of this Act, be established or function, without obtaining a certificate of recognition from such authority, by making an application in such form and manner, as may be prescribed.

(2) The authority prescribed under sub-section (1) shall issue the certificate of recognition in such form, within such period, in such manner, and subject to such conditions, as may be prescribed:
Provided that no such recognition shall be granted to a school unless it fulfils norms and standards specified under section 19.

(3) On the contravention of the conditions of recognition, the prescribed authority shall, by an order in writing, withdraw recognition:

Provided that such order shall contain a direction as to which of the neighbourhood school, the children studying in the derecognised school, shall be admitted:

Provided further that no recognition shall be so withdrawn without giving an opportunity of being heard to such school, in such manner, as may be prescribed.

(4) With effect from the date of withdrawal of the recognition under sub-section (3), no such school shall continue to function.

(5) Any person who establishes or runs a school without obtaining certificate of recognition, or continues to run a school after withdrawal of recognition, shall be liable to fine which may extend to one lakh rupees and in case of continuing contraventions, to a fine of ten thousand rupees for each day during which such contravention continues.

19. (1) No school shall be established, or recognised, under section 18, unless it fulfils the norms and standards specified in the Schedule.

(2) Where a school established before the commencement of this Act does not fulfil the norms and standards specified in the Schedule, it shall take steps to fulfil such norms and standards at its own expenses, within a period of three years from the date of such commencement.

(3) Where a school fails to fulfil the norms and standards within the period specified under sub-section (2), the authority prescribed under sub-section (1) of section 18 shall withdraw recognition granted to such school in the manner specified under sub-section (3) thereof.

(4) With effect from the date of withdrawal of recognition under sub-section (3), no school shall continue to function.

(5) Any person who continues to run a school after the recognition is withdrawn, shall be liable to fine which may extend to one lakh rupees and in case of continuing contraventions, to a fine of ten thousand rupees for each day during which such contravention continues.

20. The Central Government may, by notification, amend the Schedule by adding to, or omitting therefrom, any norms and standards.

21. (1) A school, other than a school specified in sub-clause (iv) of clause (n) of section 2, shall constitute a School Management Committee consisting of the elected representatives of the local authority, parents or guardians of children admitted in such school and teachers:

Provided that atleast three-fourth of members of such Committee shall be parents or guardians:

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

Provided also that fifty per cent. of Members of such Committee shall be women.

(2) The School Management Committee shall perform the following functions, namely:—

(a) monitor the working of the school;
(b) prepare and recommend school development plan;
(c) monitor the utilisation of the grants received from the appropriate Government or local authority or any other source; and
(d) perform such other functions as may be prescribed.

22. (1) Every School Management Committee, constituted under sub-section (1) of section 21, shall prepare a School Development Plan, in such manner as may be prescribed.

(2) The School Development Plan so prepared under sub-section (1) shall be the basis for the plans and grants to be made by the appropriate Government or local authority, as the case may be.
23. (1) Any person possessing such minimum qualifications, as laid down by an academic authority, authorised by the Central Government, by notification, shall be eligible for appointment as a teacher.

(2) Where a State does not have adequate institutions offering courses or training in teacher education, or teachers possessing minimum qualifications as laid down under sub-section (1) are not available in sufficient numbers, the Central Government may, if it deems necessary, by notification, relax the minimum qualifications required for appointment as a teacher, for such period, not exceeding five years, as may be specified in that notification:

Provided that a teacher who, at the commencement of this Act, does not possess minimum qualifications as laid down under sub-section (1), shall acquire such minimum qualifications within a period of five years.

(3) The salary and allowances payable to, and the terms and conditions of service of, teachers shall be such as may be prescribed.

24. (1) A teacher appointed under sub-section (1) of section 23 shall perform the following duties, namely:

(a) maintain regularity and punctuality in attending school;

(b) conduct and complete the curriculum in accordance with the provisions of sub-section (2) of section 29;

(c) complete entire curriculum within the specified time;

(d) assess the learning ability of each child and accordingly supplement additional instructions, if any, as required;

(e) hold regular meetings with parents and guardians and apprise them about the regularity in attendance, ability to learn, progress made in learning and any other relevant information about the child; and

(f) perform such other duties as may be prescribed.

(2) A teacher committing default in performance of duties specified in sub-section (1), shall be liable to disciplinary action under the service rules applicable to him or her.

Provided that before taking such disciplinary action, reasonable opportunity of being heard shall be afforded to such teacher.

(3) The grievances, if any, of the teacher shall be redressed in such manner as may be prescribed.

25. (1) Within six months from the date of commencement of this Act, the appropriate Government and the local authority shall ensure that the Pupil-Teacher Ratio, as specified in the Schedule, is maintained in each school.

(2) For the purpose of maintaining the Pupil-Teacher Ratio under sub-section (1), no teacher posted in a school shall be made to serve in any other school or office or deployed for any non-educational purpose, other than those specified in section 27.

26. The appointing authority, in relation to a school established, owned, controlled or substantially financed by funds provided directly or indirectly by the appropriate Government or by a local authority, shall ensure that vacancy of teacher in a school under its control shall not exceed ten per cent. of the total sanctioned strength.

27. No teacher shall be deployed for any non-educational purpose other than the decennial population census, disaster relief duties or duties relating to elections to the local authority or the State Legislatures or Parliament, as the case may be.

28. No teacher shall engage himself or herself in private tuition or private teaching activity.
CHAPTER V
CURRICULUM AND COMPLETION OF ELEMENTARY EDUCATION

29. (1) The curriculum and the evaluation procedure for elementary education shall be laid down by an academic authority to be specified by the appropriate Government, by notification.

(2) The academic authority, while laying down the curriculum and the evaluation procedure under sub-section (1), shall take into consideration the following, namely:—

(a) conformity with the values enshrined in the Constitution;
(b) all round development of the child;
(c) building up child's knowledge, potentiality and talent;
(d) development of physical and mental abilities to the fullest extent;
(e) learning through activities, discovery and exploration in a child friendly and child-centered manner;
(f) medium of instructions shall, as far as practicable, be in child's mother tongue;
(g) making the child free of fear, trauma and anxiety and helping the child to express views freely;
(h) comprehensive and continuous evaluation of child's understanding of knowledge and his or her ability to apply the same.

30. (1) No child shall be required to pass any Board examination till completion of elementary education.

(2) Every child completing his elementary education shall be awarded a certificate, in such form and in such manner, as may be prescribed.

CHAPTER VI
PROTECTION OF RIGHT OF CHILDREN

31. (1) The National Commission for Protection of Child Rights constituted under section 3, or, as the case may be, the State Commission for Protection of Child Rights constituted under section 17, of the Commissions for Protection of Child Rights Act, 2005, shall, in addition to the functions assigned to them under that Act, also perform the following functions, namely:—

(a) examine and review the safeguards for rights provided by or under this Act and recommend measures for their effective implementation;
(b) inquire into complaints relating to child's right to free and compulsory education; and
(c) take necessary steps as provided under sections 15 and 24 of the said Commissions for Protection of Child Rights Act.

(2) The said Commissions shall, while inquiring into any matters relating to child's right to free and compulsory education under clause (c) of sub-section (1), have the same powers as assigned to them respectively under sections 14 and 24 of the said Commissions for Protection of Child Rights Act.

(3) Where the State Commission for Protection of Child Rights has not been constituted in a State, the appropriate Government may, for the purpose of performing the functions specified in clauses (a) to (c) of sub-section (1), constitute such authority, in such manner and subject to such terms and conditions, as may be prescribed.

32. (1) Notwithstanding anything contained in section 31, any person having any grievance relating to the right of a child under this Act may make a written complaint to the local authority having jurisdiction.

(2) After receiving the complaint under sub-section (1), the local authority shall decide the matter within a period of three months after affording a reasonable opportunity of being heard to the parties concerned.
(3) Any person aggrieved by the decision of the local authority may prefer an appeal to the State Commission for Protection of Child Rights or the authority prescribed under sub-section (3) of section 31, as the case may be.

(4) The appeal preferred under sub-section (3) shall be decided by State Commission for Protection of Child Rights or the authority prescribed under sub-section (3) of section 31, as the case may be, as provided under clause (c) of sub-section (1) of section 31.

33. (1) The Central Government shall constitute, by notification, a National Advisory Council, consisting of such number of Members, not exceeding fifteen, as the Central Government may deem necessary, to be appointed from amongst persons having knowledge and practical experience in the field of elementary education and child development.

(2) The functions of the National Advisory Council shall be to advise the Central Government on implementation of the provisions of the Act in an effective manner.

(3) The allowances and other terms and conditions of the appointment of Members of the National Advisory Council shall be such as may be prescribed.

34. (1) The State Government shall constitute, by notification, a State Advisory Council consisting of such number of Members, not exceeding fifteen, as the State Government may deem necessary, to be appointed from amongst persons having knowledge and practical experience in the field of elementary education and child development.

(2) The functions of the State Advisory council shall be to advise the State Government on implementation of the provisions of the Act in an effective manner.

(3) The allowances and other terms and conditions of appointment of Members of the State Advisory Council shall be such as may be prescribed.

CHAPTER VII
MISCELLANEOUS

35. (1) The Central Government may issue such guidelines to the appropriate Government or, as the case may be, the local authority, as it deems fit for the purposes of implementation of the provisions of this Act.

(2) The appropriate Government may issue guidelines and give such directions, as it deems fit, to the local authority or the School Management Committee regarding implementation of the provisions of this Act.

(3) The local authority may issue guidelines and give such directions, as it deems fit, to the School Management Committee regarding implementation of the provisions of this Act.

36. No prosecution for offences punishable under sub-section (2) of section 13, sub-section (5) of section 18 and sub-section (5) of section 19 shall be instituted except with the previous sanction of an officer authorised in this behalf, by the appropriate Government, by notification.

37. No suit or other legal proceeding shall lie against the Central Government, the State Government, the National Commission for Protection of Child Rights, the State Commission for Protection of Child Rights, the local authority, the School Management Committee or any person, in respect of anything which is in good faith done or intended to be done, in pursuance of this Act, or any rules or order made thereunder.

38. (1) The appropriate Government may, by notification, make rules, for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:

(a) the manner of giving special training and the time-limit thereof, under first proviso to section 4;
(b) the area or limits for establishment of a neighbourhood school, under section 6;

c) the manner of maintenance of records of children up to the age of fourteen years, under clause (d) of section 9;

d) the manner and extent of reimbursement of expenditure, under sub-section (2) of section 12;

e) any other document for determining the age of child under subsection (1) of section 14;

(f) the extended period for admission and the manner of completing study if admitted after the extended period, under section 15;

g) the authority, the form and manner of making application for certificate of recognition, under sub-section (1) of section 18;

(h) the form, the period, the manner and the conditions for issuing certificate of recognition, under sub-section (2) of section 18;

(i) the manner of giving opportunity of hearing under second proviso to sub-section (3) of section 18;

(j) the other functions to be performed by School Management Committee under clause (d) of sub-section (2) of section 21;

(k) the manner of preparing School Development Plan under sub-section (1) of section 22;

(l) the salary and allowances payable to, and the terms and conditions of service of, teacher, under sub-section (3) of section 23;

(m) the duties to be performed by the teacher under clause (f) of sub-section (1) of section 24;

(n) the manner of redressing grievances of teachers under sub-section (3) of section 24;

(o) the form and manner of awarding certificate for completion of elementary education under sub-section (2) of section 30;

(p) the authority, the manner of its constitution and the terms and conditions thereof, under sub-section (3) of section 31;

(q) the allowances and other terms and conditions of appointment of Members of the National Advisory Council under sub-section (3) of section 33;

(r) the allowances and other terms and conditions of appointment of Members of the State Advisory Council under sub-section (3) of section 34.

(3) Every rule made under this Act and every notification issued under sections 20 and 23 by the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or notification or both Houses agree that the rule or notification should not be made, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification.

(4) Every rule or notification made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislatures.
THE SCHEDULE
(See sections 19 and 25)
NORMS AND STANDARDS FOR A SCHOOL

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Item</th>
<th>Norms and Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Number of teachers:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) For first class to fifth class</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Admitted children</td>
<td>Number of teachers</td>
</tr>
<tr>
<td></td>
<td>Up to Sixty</td>
<td>Two</td>
</tr>
<tr>
<td></td>
<td>Between sixty-one to ninety</td>
<td>Three</td>
</tr>
<tr>
<td></td>
<td>Between Ninety-one to one hundred and twenty</td>
<td>Four</td>
</tr>
<tr>
<td></td>
<td>Between One hundred and twenty-one to two hundred</td>
<td>Five</td>
</tr>
<tr>
<td></td>
<td>Above One hundred and fifty children</td>
<td>Five plus one Head-teacher</td>
</tr>
<tr>
<td></td>
<td>Above Two hundred children</td>
<td>Pupil-Teacher Ratio (excluding Head-teacher) shall not exceed forty.</td>
</tr>
<tr>
<td></td>
<td>(b) For sixth class to eighth class</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(1) At least one teacher per class so that there shall be at least one teacher each for—</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) Science and Mathematics;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) Social Studies;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(iii) Languages.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(2) At least one teacher for every thirty-five children.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(3) Where admission of children is above one hundred—</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) a full time head-teacher;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) part time instructors for—</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(A) Art Education;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(B) Health and Physical Education;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(C) Work Education.</td>
<td></td>
</tr>
</tbody>
</table>

2. Building
All-weather building consisting of—
(i) at least one class-room for every teacher and an office-cum-store-cum-Head teacher's room;
(ii) barrier-free access;
(iii) separate toilets for boys and girls;
(iv) safe and adequate drinking water facility to all children;
(v) a kitchen where mid-day meal is cooked in the school;
(vi) Playground;
<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Item</th>
<th>Norms and Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.</td>
<td>Minimum number of working days/instructional hours in an academic year</td>
<td>(i) two hundred working days for first class to fifth class;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(ii) two hundred and twenty working days for sixth class to eighth class;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(iii) eight hundred instructional hours per academic year for first class to fifth class;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(iv) one thousand instructional hours per academic year for sixth class to eighth class.</td>
</tr>
<tr>
<td>4.</td>
<td>Minimum number of working hours per week for the teacher</td>
<td>forty-five teaching including preparation hours.</td>
</tr>
<tr>
<td>5.</td>
<td>Teaching learning equipment</td>
<td>Shall be provided to each class as required.</td>
</tr>
<tr>
<td>6.</td>
<td>Library</td>
<td>There shall be a library in each school providing newspaper, magazines and books on all subjects, including story-books.</td>
</tr>
<tr>
<td>7.</td>
<td>Play material, games and sports equipment</td>
<td>Shall be provided to each class as required.</td>
</tr>
</tbody>
</table>

T.K. VISWANATHAN,
Secretary to the Govt. of India
In pursuance of the provisions of clause 3 of Article 348 of the Constitution, the Governor is pleased to order the publication of the following [English translation of notification no: 79-5-2011-29/09 dated 2011.]

No: 251p/79-5-2011-29/09

Lucknow: Dated: 7/6/2011

NOTIFICATION

In exercise of the powers conferred by section 38 of the Right of Children to Free and Compulsory Education Act, 2009 (Act no. 35 of 2009) and in supersession of all existing rules and orders on the subject, the Governor is pleased to make the following rules for the purpose of implementation of the provisions of the aforesaid Act.

THE UTTAR PRADESH RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION RULES, 2011

PART I

PRELIMINARY

1. Short title, extent and commencement

   (1) These rules may be called the Uttar Pradesh Right of Children to Free and Compulsory Education Rules, 2011.
   
   (2) They shall extend to the whole of Uttar Pradesh.
   
   (3) They shall come into force at once and shall remain in force subject to the condition that adequate funds will continually made available by the Central Government.

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;

   b) “anganwadi” means an Anganwadi Centre established under the Integrated Child Development Services Scheme of the Ministry of Women and Child Development of the Government of India;

   c) “appointed date” means the date of commencement of the Act i.e. April 1, 2010;

   d) “Chapter”, “section” and “Schedule” means respectively Chapter, section of, and Schedule to, the Act;
c) "form" means a form given in the Appendix to these rules:

d) "neighbourhood" means a population area specified in rule 4:

g) "pupil cumulative record" means record of the progress of the child based on comprehensive and continuous evaluation;

h) "school mapping" means planning school location to overcome social barriers and geographical distance;

i) "specified norms" means the norms and standards specified in the Schedule to the Act;

j) "Zila Shiksha Adhikari" means a District Level Officer in Department of Basic Education or Department of Secondary Education, as the case may be.

(2) Words and expressions used in these rules 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

Special Training
(Section 4)

3 (1) The School Management Committee/ local authority shall within the area of jurisdiction thereof, identify never enrolled or school dropout children above the age of 6 years, get them admitted in a class appropriate to their age in their neighbourhood school, assess their learning level and accordingly organize special training for them as required in the following manner, namely:

a) the special training shall be based on specially designed, age appropriate learning material, approved by the State Council for Educational Research and Training;

b) it shall be provided in classes held on the premises of the school, or through classes organized in safe residential facilities;

c) it shall be provided by teachers working in the school, or by persons specially appointed for the purpose;

d) the duration of special training 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 THE STATE GOVERNMENT AND LOCAL AUTHORITY

Areas or limits of neighbourhood (section-6)

4 (1) The area or limit of neighbourhood within which a school has to be established by the Committee authorized by the State Government shall be as under-

a) in respect of children in classes I-V, a school shall be established in habitation which has no school within a distance of 1.0 Km. and has population of at least 300:

b) in respect of children in classes VI-VIII, a school shall be established in habitation which has no school within a distance of 3.0 km. and has population of at least 800.

Explanation: For the purposes of this rule the expression "Committee authorized by the State Government" shall mean the Committee established under section-10 or section -10 A, as the case may be, of the Uttar Pradesh Basic Education Act, 1972.

(2) For children from such areas where it is not possible to provide school within the radius of neighbourhood specified under sub-rule (1), the State Government shall make adequate arrangements, such as free transportation, residential facilities etc. in relaxation of the provisions specified under sub-rule (1).

(3) The local authority i.e. Gram Panchayat/Nagar Nigam/Nagar Palika/Nagar Panchayat as the case may be shall identify a neighbourhood school where children can be admitted and make such information public for each habitation within its jurisdiction.

(4) In respect of children with disability, which prevent them from accessing the school, the local authority with the prior approval of the Zila Shiksha Adhikari, shall endeavour to make appropriate and safe transportation arrangements for them to attend school and complete elementary education.

(5) The 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 (section-8 and 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 of the Act a child attending a school referred to in sub-clause (ii) of clause (n) of section 2 of the Act in pursuance of clause (b) of sub-section (1) of section 12 of the Act and a child attending a school referred to in sub-clause (iii) and (iv) of clause (n) of section 2 of the Act in pursuance of clause (c) of sub-
section (1) of section 12 of the Act shall be entitled to free textbooks each year and uniform once in each year:

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

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 of 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 purposes of determining and establishing neighbourhood schools, the local authority (Gram Panchayat/Nagar Nigam/Nagar Panchayat, as the case may be) shall undertake school mapping, and identify all children, including children in remote areas, children with disability, children belonging to disadvantaged group, children belonging to weaker section and children referred to in section 4, latest by 31st March, and every year.

(3) The local authority shall be responsible to ensure that no child is subjected to caste, class, religious or gender abuse or discrimination in the school.

(4) 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 playgrounds, in the use of common drinking water and toilet facilities, and in the cleaning of toilets or classrooms.

Maintenance of records of children by local authority
((section-9 (d))

(1) The local authority (Gram Panchayat/Nagar Nigam/Nagar Panchayat, as the case may be) shall maintain a record of all children, in its jurisdiction, through a survey, from their birth till they attain 14 years of age.

(2) A unique identity number shall be allotted to each child by the Zila Shiksha Adhikari to ensure and monitor enrolment, attendance, learning achievement and completion of elementary education of every child.

(3) The record, referred to in sub-rule (1), shall be -

a) updated annually;

b) maintained transparently, in the public domain, and used for the purposes of ensuring and monitoring admission, attendance and completion of elementary education by every child residing within its jurisdiction.
(4) The record, referred to in sub-rule (1) shall, in respect of every child, be maintained on the prescribed format including the following details:

a) name, sex, date of birth, place of birth;

b) parents' or guardians' name, address, occupation;

c) pre-primary school/aganwadi centre where the child attends (up to the age of 6 years);

d) elementary school where child is admitted;

e) present address of the child;

f) class in which the child is studying;

g) for children between age of 6-14 years, if education is discontinued in the territorial jurisdiction of the local authority, the cause of such discontinuance;

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

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

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

(5) The local authority shall ensure that the names of all children enrolled in the schools under its jurisdiction are publicly displayed in each school.

(6) The Zila Shiksha Adhikari shall ensure that the information referred to in sub-rule (4) is displayed and updated on the district website.

PART IV
RESPONSIBILITIES OF SCHOOLS AND TEACHERS

Admission of children belonging to weaker section and disadvantaged group ((section-12 (1) (e))

(1) The schools referred to in sub-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 schools referred to in sub-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 textbooks, library and Information, Communication and Technology (ICT) facilities, extra-curricular activities 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 school 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 with the prior approval of the State Government.

(4) The local authority (Gram Panchayat/Nagar Nigam/Nagar Palika/Nagar Panchayat, as the case may be) shall maintain a name-wise list and record of all children belonging to weaker section and disadvantaged group, studying in private and specified category schools under its jurisdiction,

(1) The process of admission of children referred to in clauses (b) and (c) of section 12 (1) shall be totally transparent. The detail of such children applying for admission shall be maintained by the school regularly, which shall include the name, address, sex, caste, date of birth of the child and the name, address, occupation and monthly income of father/mother/guardian, detail of whether child belongs to weaker section or disadvantaged group. Such information shall be made public through website. Out of the total applicants, all the children who applied for admission, but not admitted for whatsoever reason, shall be informed in writing with the reason thereof. It shall also be binding for the school to follow the process of admission prescribed by the State Government from time to time.

(2) The total annual recurring expenditure incurred by the State Government, from its own funds, and funds provided by the Central Government and 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 as on 30th September, 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 State Government 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.

(3) Every school referred to in sub-clause (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.
(4) Every school referred to in sub-rule (3) seeking reimbursement shall provide the list of children, with their unique identity number and details of item-wise expenditure incurred by the school with all requisite details along with evidence on the form prescribed by the Director of Education (Basic) by 31st October of every year:

Provided that where such schools are already under obligation to provide free education to a specified number of children on account of it having received any land, building equipment or other facilities either free of cost or at a concessional rate, such schools shall not be entitled for reimbursement to the extent of such obligation.

(5) The Zila Shiksha Adhikari after necessary verification will transfer the amount of reimbursement due in the account referred to in sub-rule (3) and shall make the information public through website.

(6) If at any stage, the school is found having sought and received reimbursement on the basis of concealment of facts or wrong claim, it will have to deposit twice the amount so received, in the Government exchequer with action for withdrawal of recognition of the school and proceeding under the relevant sections of Indian penal code, and the amount shall be recoverable by the Collector as arrears of land revenue.

Documents as age proof
(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 purposes of admission in schools-

a) hospital or Auxiliary Nurse and Midwife (ANM) register record;

b) anganwadi record;

c) village register of birth and death;

d) declaration through an affidavit of the age of the child by the parent or guardian.

Extended period for admission in school
(section-15)

10 (1) Extended period of admission shall be three months from the date of commencement of the academic year of a school i.e. 30th September after the commencement of the session.

(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 to school
(section-18)

11 (1) Every school, other than a school established, owned or controlled by the Central Government, State Government or local authority, established before the commencement of the Act shall make a self declaration in Form-I to the concerned Zila Shiksha Adhikari, who shall be the authorized officer.
regarding its compliance or otherwise with the norms and standards specified in the Schedule and fulfillment of the following conditions, namely:

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 individuals or any other persons;

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

d) the school building or 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 furnishes such reports and information as may be required by the Zila Shiksha Adhikari/ Director of Education or any other authorized 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.

(2) Every self declaration received in Form-I shall be placed by the Zila Shiksha Adhikari in public domain through website within fifteen days of its receipt.

(3) The Zila Shiksha Adhikari shall conduct on-site inspection of such schools which claim in Form-I to fulfill the norms, standards and the conditions mentioned in sub-rule (1) within three 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 Zila Shiksha Adhikari in public domain and schools found to be conforming to the norms, standards and the conditions shall be granted recognition by the Zila Shiksha Adhikari in Form-II, within a period of 60 days from the date of inspection.

(5) The list of schools which do not conform to the norms, standards and conditions mentioned in sub-rule (1) shall be prepared and made public by the Zila Shiksha Adhikari through a notification mentioning the deficiencies and shall be displayed on website. Such schools may request the Zila Shiksha Adhikari for an on-site inspection for grant of recognition anytime within the next two years.

(6) Schools, which do not conform to the norms, standards and conditions mentioned in sub-rule (1) even 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 Central Government, State Government or local authority, established after the commencement of the Act shall conform to the norms, standards and conditions mentioned in sub-rule (1) in order to qualify for recognition.

(8) Every Zila Shiksha Adhikari shall maintain a register of recognized schools and allot a number to every such school.

Withdrawal of recognition to school
((section-18 (3))

12 (1) Where the Zila Shiksha Adhikari 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 11, 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, 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 Zila Shiksha Adhikari shall cause an inspection of the school, to be conducted by a Committee of three members comprising of Government representatives and one educationist. The Committee shall make due inquiry and submit its report, along with its recommendations for continuation of recognition or its withdrawal, within a period of 20 days of such inspection to the Zila Shiksha Adhikari. The Committee referred to above shall be constituted by the District Magistrate and the District Magistrate shall have power to change the members of the Committee.

(2) The Zila Shiksha Adhikari, on the basis of the recommendations of the Committee shall send letter within 10 days seeking explanation from the concerned school and give 30 days time for submitting the explanation and after due examination of the explanation received or in case the explanation is not received then on the basis of records/documents, send his recommendations to the State Education Department within a period of one month thereafter:

Provided that the District Magistrate shall have the authority to get the recommendation of the Committee to be re-examined before its submission to the State Education Department.

(3) The State Education Department, shall, on the basis of the recommendations referred to in sub-rule (2), take decision within 30 days of the receipt of the recommendations and convey it to the Zila Shiksha Adhikari.
(4) The Zila Shiksha Adhikari shall, on the basis of the decision of the State Education Department, pass a speaking order canceling the recognition granted to the school within 07 days from the receipt of the decision. The order of de-recognition shall be operative from the immediately succeeding academic year and shall specify the neighbourhood schools to which the children of the de-recognized schools shall be admitted.

(5) The order made under sub-rule (4) shall be conveyed to the respective local authority and shall be placed in the public domain through display on website.

**PART V**

**SCHOOL MANAGEMENT COMMITTEE**

<table>
<thead>
<tr>
<th>Composition and functions of the School Management Committee (section-21)</th>
<th>13</th>
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</thead>
</table>

(1) A School Management Committee shall be constituted in every school, other than an unaided school, within its jurisdiction and reconstituted within every two years.

(2) The School Management Committee shall consist of 15 members out of which 11 shall be from amongst parents or guardians of children:

Provided that 50 percent of members of such Committee shall be women.

(3) The remaining 04 members of the School Management Committee shall be from amongst the following persons, namely:

   a) one member from amongst the elected members of the local authority, to be decided by the local authority;

   b) one member from amongst Auxiliary Nurse and Midwife (ANM), to be decided by the teachers of the school;

   c) one Lekhpal, to be nominated by the District Magistrate;

   d) one member shall be the head teacher or in the absence of head teacher the senior most teacher of the school, who shall be the ex-officio member-secretary.

(4) The guardian members of the School Management Committee shall include the parent/guardian of one child each belonging to the Scheduled Castes, the Scheduled Tribes, other backward classes and weaker section.

(5) The selection of guardian members of the School Management Committee shall be made through general consensus in the open meeting:
Provided that the Committee shall include parent/guardian of minimum one child from each class of the school.

(6) To manage its affairs, the School Management Committee shall elect a Chairperson and Vice-Chairperson from amongst the parent members.

(7) The School Management Committee shall meet at least once a month and the minutes and decision of the meetings shall be properly recorded and made available to the public.

(8) The School Management Committee shall, monitor the working of the school; prepare and recommend School Development Plan; monitor the utilization of the grants received from the State Government or local authority or other source, and in addition, 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 for proper implementation of clauses (a) and (e) of section 24 and section 28 that teachers of the school maintain regularity and punctuality in attending school, hold regular meetings with parents and guardians and apprise them about the continued attendance, ability to learn, progress made in learning and any other relevant information about the child and no teacher is engaged in private tuition or private teaching;

c) monitor for the implementation of section 27 that teachers are not burdened with non academic duties other than the decennial population census, disaster relief duties or duties relating to elections to the local authority or the State Legislatures or Parliament, as the case may be;

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 specified in the Schedule;

f) bring to the notice of the local authorities 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) where a child above six years of age has not been admitted in any school, for his/her age appropriate learning level, identify the needs, prepare a plan, and monitor the implementation of
the special training;

h) monitor the identification and enrolment of, and facilities for education of children with disability, and ensure their participation in, and completion of elementary education;

i) monitor the implementation of the Mid-Day Meal programme in the school and ensure its enrichment;

j) monitor the receipts and expenditure of the school.

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

(10) The accounts referred to in sub-rule (9) shall be signed by the Chairperson/Vice-Chairperson and member-secretary of the School Management Committee and made available to the authorities concerned within one month of their preparation.

Preparation of School Development Plan 14 (section-22)

(1) The School Management Committee shall prepare a School Development Plan at least three months before the end of the financial year.

(2) The School Development Plan shall be a three years 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 head teachers, subject teachers and part-time instructors, separately for classes I to V and classes VI to VIII, calculated, as per specified norms;

c) physical requirement of additional infrastructure and equipments etc. over the three years period, as per specified norms;

d) additional financial requirement over the three years period, year-wise, in respect of clauses (b) and (c), including additional requirement of free textbooks for children and for providing special training facility to children admitted in age appropriate class and any other additional financial requirement for fulfilling the responsibilities of the school under the Act.

(4) The School Development Plan shall be signed by the Chairperson or the Vice-Chairperson and member-secretary of the School
Management Committee and submitted to the authorities concerned before the end of the financial year in which it is to be prepared.

PART VI
TEACHERS

15 The minimum educational qualifications for teachers, laid down by an authority, authorized by the Central Government, by notification, shall be applicable for every school referred to in clause (n) section 2.

16 (1) The State Government 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.

(2) If teachers possessing prescribed minimum qualifications are not available as estimated under sub-rule (1), then the State Government shall request the Central Government by 31st March, for relaxation of the prescribed minimum qualification.

(3) The State Government shall take necessary action after the notification issued by the Central Government, for relaxation in the minimum qualification on the request under sub-rule (2).

(4) The relaxation from minimum qualifications shall be for maximum period of five years from the commencement of the Act, i.e. till 31st March, 2015, within such period the teachers appointed under the relaxed condition shall acquire the minimum educational qualifications prescribed under rule 15.

(5) No appointment of teacher for any school can be made in respect of any person not possessing the minimum educational qualifications prescribed under rule 15 without the notification referred to in sub-rule (3).

17 (1) The State Government shall make a request to the academic authority notified by the Central Government for enhancement of capacity of teacher education and for providing required facilities for distant mode teacher training to ensure that all teachers in schools established, owned or controlled by the State Government or a local authority or specified schools, who do not possess the minimum qualifications laid down under rule 15 at the time of commencement of the Act, acquire such minimum qualifications within a period of five years from the commencement of the Act. The State Government shall after obtaining the approval as per requirement provide for training of all such teachers.
(2) The management of aided or unaided schools shall enable such teachers, who do not possess the minimum qualifications laid down under rule 15 at the time of commencement of the Act, to acquire the same within a period of five years from the commencement of the Act.

Salary and allowances and conditions of service of teachers

((section-23 (3))

Duties to be performed by teachers

((section -24 (1) (f))

18 The salary, allowances and service conditions of teachers of every type of school shall be governed by such service rules as are applicable to the teachers of that school.

19 (1) A teacher shall:-

a) be accountable to respective local authority and School Management Committee in regard to maintain regularity and punctuality in attending school, regular teaching, regular correction of the written work of the students and completion of entire curriculum within the specified time;

b) monitor the regular attendance, learning ability and progress of every child in school thereof, share students' performance with parents on a regular basis;

c) cooperate in managing the affairs of School Management Committee, when required;

d) help the local authority for admission of all children in school, as required, within the jurisdiction of local authority;

e) shall maintain a file containing the pupil cumulative record for every child to check child's understanding of knowledge and his or her ability to apply the same and for continuous evaluation, and on the basis of which shall award the completion certificate.

(2) In addition to the duties mentioned in sub-rule (1) and the functions specified in clauses (a) to (e) of sub-section (1) of section 24, a teacher shall perform the following duties assigned to him or her:-

a) participation in training programmes;

b) participation in curriculum formulation, and development of syllabi, training modules and textbook development.

c) cooperate in internal and external school assessment initiatives

(3) The appointing authority of teachers shall incorporate duties mentioned in section 24 (1) of the Act and responsibility as laid down in Rules 19 (1) and (2) above, in the service rules of the
Grievance Redressal mechanism for teachers

(Section 24 (3))

Maintaining of Pupil-Teacher Ratio in each school (section 25)

(1) The sanctioned strength of teachers in every school shall be notified by the District Magistrate of the respective district. Such notification shall be displayed on the district website; the sanctioned strength of teachers in a school shall be informed to the respective school and local authority:

Provided that the District Magistrate, shall, within two months of such notification, redeploy teachers of schools having strength in excess of the sanctioned strength prior to the notification referred to in sub-rule (1).

(2) In order to maintain the specified pupil-teacher ratio, the District Magistrate shall review the sanctioned strength of teacher in every school every year before the month of July and redeploy the teachers as per requirement.

(3) For the purpose of maintaining the pupil-teacher ratio, no teacher posted in a school shall be made to serve in any other school or office or deployed for any non-educational purpose, other than the decennial population census, disaster relief duties or duties relating to elections to the local authority or the State Legislatures or Parliament.

(4) If any teacher found to be engaged in private tuition or private teaching, disciplinary action will be taken under the service rules applicable to him or her.

PART VII
CURRICULUM AND COMPLETION OF ELEMENTARY EDUCATION

Academic Authority (section 29)

(1) For the purpose of section 29 the State Council of Educational Research and Training shall lay down the curriculum and evaluation procedure for elementary education.

(2) The State Council of Educational Research and Training while laying down the curriculum and evaluation procedure, shall perform following functions:

a) formulate the relevant and age appropriate syllabus and textbooks and other learning material;

b) develop in-service teacher training design; and
c) prepare guidelines for putting into practice continuous and comprehensive evaluation.

(3) The State Council of Educational Research and Training through internal and external organizations shall design and implement a process of holistic school quality assessment on a regular basis.

a) Performance of schools shall be assessed independently at least once a year through a departmental assessment and mandatorily every two years through an assessment conducted by an external agency. For the annual independent assessment the State Council of Educational Research and Training shall constitute an appropriate question bank on the basis of which the District Institute of Education and Training shall conduct an assessment on a random sample basis for each block wise to the District Magistrate and Zila Basic Shiksha Adhikari by last week of December every year.

b) External agency for the purpose could be, inter alia, drawn from amongst Faculty of Education Department of various Universities and Colleges, various Research Institutes, reputed National Level Organisations/Non-Government Organisation involved in Basic Education. Detailed terms of references be drawn and results be furnished within six months from the assignment of the assessment by the external agency. The report shall be published as a State Level School and Learning Assessment Report.

Parameters for the external biennial assessment will, inter alia, be as follows;

- Students' learning achievement levels;
- Availability and use of textbooks, teacher guides and teaching learning materials in classroom teaching;
- Opportunity to students for individual and group work;
- Regular correction of the written work by the teachers;
- Teachers' punctuality in attending schools and regularity in conduct of teaching learning;
- Sharing of students' performance with parents on a regular basis;
- Observation of teachers' ability to teach and conduct classroom;
- Percentage coverage of annual curriculum.

The report shall, inter alia, furnish the outcomes of the school assessment district wise in descending order to the State Government State Council of Educational Research and Training and Sarva Shiksha Abhiyan Programme, for relevant action thereafter and will furnish block wise outcomes of the assessment to the District Magistrate and Zila Basic Shiksha Adhikari for remedial action.

Award of certificate  23  (1) The certificate of completion of elementary education shall be issued
at the school level within one month of the completion of elementary education in the form prescribed by Director of Education (Basic):

Provided that the private institutions shall clearly mention the allotted recognition registration number on the certificate issued by them.

(2) The certificate referred to in sub-rule (1) shall certify that the child has completed all course of study prescribed under section 29.

(3) The certificate shall 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

(24) (1) Till such time as the State Government sets up the State Commission for Protection of Child Rights, it shall constitute an interim authority known as the Right to Education Protection Authority (REPA).

(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 disability;

(iv) elimination of child labour or working with children in distress;

(v) child psychology or sociology; or

(vi) educational or administrative management.

(3) The National Commission for Protection of Child Rights Rules, 2006 shall, so far as pertains to the terms and conditions, mutatis mutandis apply to the Right to Education Protection Authority (REPA).
(4) All records and assets of the Right to Education Protection Authority (REPA) shall be transferred to the State Commission for Protection of Child Rights immediately after its constitution.

(5) In performance of its functions, the State Commission for Protection of Child Rights or the Right to Education Protection Authority (REPA), as the case may be, may also act upon matters referred to it by the State Advisory Council.

(6) The State Government shall constitute a Cell in the State Commission for Protection of Child Rights or the Right to Education Protection Authority (REPA) as the case may be, which may assist the Commission or the Right to Education Protection Authority (REPA) in performance of its functions under the Act.

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 (REPA) as the case may be, shall set up a child help line, accessible by letter/telephone/SMS and which would act as the forum for aggrieved child or guardian to register complaint regarding violation of rights under the Act, in a manner that records his/her identity but does not disclose it.

(2) Initially a complaint shall be made to Village Education Committee/Ward Education Committee through its member-secretary. After decision of Village Education Committee/Ward Education Committee, appeal may be made to block level Assistant Basic Shiksha Adhikari/Nagar Shiksha Adhikari, as the case may be. Second appeal may be made to Zila Panchayat under section 10 for matters related to rural area and to Municipality under section 10 A for matters related to urban area of the Uttar Pradesh Basic Education Act, 1972.

All complaints shall be monitored by Uttar Pradesh Basic Shiksha Parishad through transparent and prompt action on line mechanism.

Constitution and functions of the State Advisory Council

(1) The State Advisory Council (hereinafter in this rule referred to as the Council) shall consist of a Chairperson and 14 members.

(2) The Minister of Basic Education Department 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 four members, shall be from amongst persons belonging to the Schedule Castes, the Schedule Tribes, other backward classes and Minorities; one from each category;

b) at least one member shall be from amongst persons having...
specialised knowledge and practical experience of education of children with special needs;

c) one member shall be from amongst persons having specialised knowledge in the field of pre-primary education;

d) one member shall be from amongst persons having specialised knowledge and practical experience in the field of teacher education;

e) one member shall be from the representative of reputed Non Government organisation exclusively working in the field of elementary education;

f) Secretary Basic Education shall be the convener member of the Council and the Director of Education (Basic), the Director of Education (Secondary), the Director, State Council of Educational Research and Training, the Director of Mid Day Meal Authority and the State Project Director, Uttar Pradesh Education For All Project Board shall be ex-officio members of the Council;

Provided that fifty percent of members, other than ex-officio members, shall be from amongst women.

(4) The Council may especially invite representatives of other related Ministries/Departments as required.

(5) The Department of Basic Education shall provide logistic support for meetings of the Council and its other functions.

(6) The State Advisory Council shall advise the State Government for effective compliance of the provisions of the Act.

(ANIL SANT)
Secretary
Basic Education
APPENDIX

FORM-I
(See sub-rule (1) of Rule 11)

SELF DECLARATION CUM APPLICATION
FOR GRANT OF RECOGNITION OF SCHOOL

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

To,

The Zila Shiksha Adhikari
(Name of District & State)

Sir,

I forward herewith with a self declaration regarding compliance with the norms and standards specified 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 address) with effect from the commencement of the school year 20-------------

Enclosure:
Place:
Date:

Yours faithfully,

Chairman of Managing Committee/ Manager
### A. School Details

<table>
<thead>
<tr>
<th>1.</th>
<th>Name of School</th>
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<tbody>
<tr>
<td>2.</td>
<td>Academic Session</td>
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<tr>
<td>3.</td>
<td>District</td>
</tr>
<tr>
<td>4.</td>
<td>Postal Address</td>
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<tr>
<td>5.</td>
<td>Village/City</td>
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<tr>
<td>6.</td>
<td>Block and Tehsil</td>
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<tr>
<td>7.</td>
<td>Pin Code:</td>
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<tr>
<td>8.</td>
<td>Phone No. with STD Code</td>
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<tr>
<td>9.</td>
<td>Fax No.</td>
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<tr>
<td>10.</td>
<td>E-mail address if any</td>
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<tr>
<td>11.</td>
<td>Nearest Police Station</td>
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### B. General Information

<table>
<thead>
<tr>
<th>1.</th>
<th>Year of Foundation</th>
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<tbody>
<tr>
<td>2.</td>
<td>Date of First Opening of School</td>
</tr>
<tr>
<td>3.</td>
<td>Name of Trust/Society/Managing Committee</td>
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<tr>
<td>4.</td>
<td>Whether Trust/Society/Managing Committee is registered.</td>
</tr>
<tr>
<td>5.</td>
<td>Period up to which Registration of Trust/Society/Managing Committee is valid. (relevant documents for evidence of proof to be enclosed)</td>
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<tr>
<td>6.</td>
<td>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.</td>
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<tr>
<td>7.</td>
<td>Name, official address of the Manager/President/Chairman of the School</td>
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<tr>
<td>8.</td>
<td>Total Income and Expenditure during last 3 years surplus/deficit (The accounts should be audited and certified by a Chartered Accountant and proper account statements should be enclosed)</td>
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</table>

<table>
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<tr>
<th>Year</th>
<th>Income</th>
<th>Expenditure</th>
<th>Surplus/deficit</th>
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(O).............
(R).............
(Mobile No)..................
C. Nature and area of School

1. **Medium of Instruction**
2. **Type of School (Specify entry & exit classes)**
   (a) Boys/Girls/Co-ed.
   (b) Aided/Unaided
   (c) Primary/Upper primary
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. (relevant documents for evidence of proof to be enclosed)
7. Whether the school buildings or other structures or the grounds are used only for the purposes of education and skill development?
8. Total area of the school
9. Built in area of the school (with building plan)

D. Enrollment Status

<table>
<thead>
<tr>
<th>Class</th>
<th>No. of Sections</th>
<th>No. of Students</th>
</tr>
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<tbody>
<tr>
<td>1. Pre-primary</td>
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<td>2. I-V</td>
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<td>3. VI-VIII</td>
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E. Infrastructure Details & Sanitary Conditions

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<thead>
<tr>
<th>Room</th>
<th>Numbers</th>
<th>Average Size</th>
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<tbody>
<tr>
<td>1. Classroom</td>
<td></td>
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<tr>
<td>2. Office room-cum-store Room-cum-Headmaster Room</td>
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<tr>
<td>3. Kitchen-Cum-Store</td>
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</table>

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
   ➢ Books (No. of books) (attach list)
   ➢ 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 (details of each teacher separately)

<table>
<thead>
<tr>
<th>Teacher Name</th>
<th>Father name</th>
<th>Date of Birth</th>
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Academic Qualification
(with subjects)

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<thead>
<tr>
<th></th>
<th>Professional Qualifications</th>
<th>Teaching Experience</th>
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Class Assigned

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<tr>
<th></th>
<th>Appointment Date</th>
<th>Trained or Untrained</th>
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2. Teaching in Both Elementary and Secondary (details of each teacher separately)

<table>
<thead>
<tr>
<th>Teacher Name</th>
<th>Father name</th>
<th>Date of Birth</th>
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Academic Qualification
(with subjects)

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3. Head Teacher

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<tr>
<th>Teacher Name</th>
<th>Father name</th>
<th>Date of Birth</th>
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Academic Qualification
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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?
1. 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 Zila Shiksha Adhikari from time to time and complies with such instructions of the Zila Shiksha Adhikari 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 Zila Shiksha Adhikari or the Director of Education or the State Government at any time, and the school shall furnish all such information as may be necessary to enable the State Government or the local authority or the administration to fulfill the obligations thereon to Parliament/Legislative Assembly of the state/Panchayat/Municipal Corporation as the case may be.

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

Place:
FORM-II  
(See sub-rule (4) of Rule 11)

Gram:  
E-Mail:  
Phone:  
Fax:  

OFFICE OF THE ZILA SHIKSHA ADHIKARI  
(Name of District/State)  
No.  
Dated:  

The Manager,

Sub: Recognition Certificate for the School under sub-rule (4) of rule 11 of The Uttar Pradesh 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 (Annexure I) and the Uttar Pradesh Right of Children to Free and Compulsory Education Rules, 2011 (Annexure II).
3. The School shall admit in class I, to the extent of ------% 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. 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, if covered under section 12 (2) of the Act, shall be reimbursed accordingly. 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  
   (a) to any child for lack of age proof;  
   (b) on the ground of religion, caste or race, place of birth or any of them.

7. The School shall ensure that,-  
(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 Rule 23;
(v) inclusion of Students with disabilities/special needs as per provision of the Act;
(vi) the teacher performs its duties specified under section 24 (1) of the Act; and
(vii) 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 the 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. No unrecognized classes shall run within the premises of the school or outside in the same name of school.
11. 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.
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 prepared as per rules. A copy each of the Statements of Accounts should be sent to the Zila Shiksha Adhikari 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 Education/ Zila Shiksha Adhikari 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. The School Management/Trust and staff shall abide by the directions of the State Government issued from time to time.
18. Other conditions as per Annexure 'III' enclosed.

Yours faithfully,

Zila Shiksha Adhikari