

# THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION KERALA RULES 2010



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# **The Right of Children to Free and Compulsory Education Kerala Rules – 2010**

## **Notification**

**Thiruvananthapuram .....2010**

In exercise of the powers conferred by section 38 of the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009), the State Government hereby makes the following rules, namely:-

### **1. Short title and Commencement:-**

(1) These Rules may be called The Kerala Right of Children to Free and Compulsory Education Rules, 2010.

(2) They shall come into force on the date of their notification in the Official Gazette.

## **PART I – PRELIMINARY**

### **2. Definitions** (1) In these rules, unless the context otherwise requires:

a) “Act” means the Right of Children to Free and Compulsory Education Act 2009 (35 of 2009);

b) “Academic Authority” means the State Council for Educational Research and Training Thiruvananthapuram. (SCERT)

c) “Anganwadi” means an Anganwadi Centre established under the Integrated Child Development Scheme (ICDS) of the Ministry of Women and Child Development of the Government of India.

d) "Appointed date" means the date on which the Rules come into force as notified in the Official Gazette.

e) "Assistant Education Officer" means an Officer in charge of elementary education in all schools having classes up to class 8.

f) "Block Resource Centre" (BRC) means the academic support centre at the Block level.

g) "Deputy Director of Education" means the officer in charge of general education in a revenue district.

h) "Director of Public Instruction" means the head of the Directorate of general education in the State.

i) "District Education Officer" means the officer in charge of the schools in an Educational District having Secondary level classes from class 9 upwards.

j) "District Institute of Education and Training" (DIET) means the district institution which imparts training and academic support to elementary school teachers in the district.

k) "Head Teacher" includes the Headmaster and Headmistress of the school.

l) "National Council for Teacher Education" means the academic authority notified by the central government under section 23 of the Act.

m) "Neighbourhood" means the area near or within a walking distance of an elementary school referred to in sub clause (i) government and local authority school and aided school referred to in sub clause (ii) of clause (n) of section 2 and shall include areas of such schools in adjacent local bodies.

n) "Pupil cumulative record" means record of the progress of the child based on comprehensive and continuous evaluation:

o) "School mapping" means assessment of the availability of schooling facilities for elementary education based on norms and standards specified in the Schedule to the Act in terms of location, infrastructure, teachers and distance matrix between schools and habitations and includes planning school location for the purpose of section 6 of the Act to overcome social,

developmental and geographical barriers and geographical distance. It also includes maps of all the schools in the state using new and emerging technologies including Geographic Information System, prepared by authorized agencies.

p) “State Commission for Protection of Child Rights” means the State Commission for Protection of Child Rights constituted under section 3 of the Commission for Protection of Child Rights Act, 2005.

q) “walking distance” means the maximum distance permissible under the Rules, being one km. in respect of a child studying in class 1 to 5 and 3 kms. in respect of a child studying in classes 6 to 8, covered by a child from his /her residence to the school on the shortest, generally accepted path.

(2) All references to “form” in these rules shall be construed as references to forms set out in Appendix hereto. All references to “sections” in these Rules will refer to sections in the Act.

(3) All other words and expressions used herein and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.

(4) All words and expressions not used or defined in the Act but used in the Rules herein shall be as provided for and defined in the Kerala Education Act 1958 and Kerala Education Rules 1959 (KER) as amended from time to time.

## **PART II – SCHOOL MANAGEMENT COMMITTEE**

### **3. Composition and function of the School Management**

**Committee** (1) A School Management Committee (hereinafter in this rule referred to as the Committee) shall be constituted in every school, other than an unaided school, within six months of the appointed date, and reconstituted every two years.

Provided that in cases where the child of a member has left or completed his/her studies in that school, such member shall be replaced by a parent selected at random from among the parents or guardians of the children of that category, for the remaining term of the Committee.

Provided further that, except the ex-officio member convenor/joint convenor and the ward member of the local authority, no person shall serve as a member of the Committee for more than two terms.

(2) The total membership in the Committee in the schools having student strength below seven hundred and fifty shall not exceed sixteen excluding the member convenor and the joint convenor where applicable. In the case of aided schools referred to under sub-clause (ii) of clause (n) of section 2, the school Manager or his nominee shall be one of the members and the total number of members in the Committee of such school shall not exceed seventeen. The quorum shall be nine. Where the student strength exceeds seven hundred and fifty, the membership shall be raised to twenty excluding the member convenor and the joint convenor where applicable. The quorum in such cases shall be eleven.

(3) Seventy-five percent of the strength of the Committee shall be from amongst parents or guardians of children. Representatives of the Mother PTA, parents of SC/ST students, and parents of other disadvantaged group, weaker section and parents of children with special needs, shall be included.

(4) The remaining twenty- five percent of the strength of the Committee shall be from amongst the following persons, namely:-

- (a) the ward/ division member of the local authority of the locality in which the school is situated;
- (b) one teacher from the school to be decided by the teachers of the school;
- (c) one member from amongst local educationists to be decided by the parents.
- (d) the school leader
- (e) School Manager or his nominee in the case of aided schools.

Fifty percent of the members shall be women.

(5) (i) To manage its affairs, the Committee shall elect a chairperson and vice chairperson from among the parent members. In the case of aided schools, the School Manager or his nominee shall be the chairperson. The Head Teacher or where the school does not have a Head Teacher, the Teacher-in-charge shall be the ex-officio member-convenor of the Committee. In schools having classes up to Class twelve, the Principal will be the ex-officio member-convenor and the Head Teacher shall be the joint-convenor.

(ii) The convenor of the Committee shall be competent to invite up to three persons at a time as Special Invitees to offer advice on specific issues like child protection, health and nutrition, child psychology and on matters relating to construction activities undertaken by the Committee. Such persons will not be part of the quorum or be eligible to vote.

(iii) The members of the Committee shall participate in the capacity building training courses conducted by the state government to facilitate the effective functioning of the Committee.

(6) (i) The Committee shall meet at least once in two months in the school premises and the decisions shall be by majority vote. The minutes of the meetings shall be properly recorded and made available to the public through the school notice board and the school's website.

(ii) The Assistant Education Officer shall ensure the timely constitution of the Committee, organize training of the members and shall facilitate its proper functioning.

(7) The Committee shall, perform the functions specified in clauses (a) to (d) of sub-section (2) of section 21 namely, (i) monitor the working of the school; (ii) prepare and recommend school development plan; (iii) monitor the utilisation of the grants received from the state government or local authority or any other source; and (iv) perform such other functions as may be prescribed. It shall also perform the following functions namely:-

(a) communicate in simple and creative ways to the population in the neighbourhood of the school, the rights of the child as enunciated in the

Act, as also the duties of the state government, local authority, school, parent and guardian;

(b) ensure the implementation of clauses (a) and (e) of section 24 relating to duties of teachers namely:-

(i) maintain regularity and punctuality in attending school;

(ii) 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 of section 27 and 28 of the Act which prohibits (i) the deployment of teachers for non-educational purposes other than those specified in the Act

(ii) engaging in private tuition or private teaching activity.

(c) arrange to monitor the achievement of the expected learning outcomes of the children as prescribed by the academic authority, with the help of experts and shall also pay attention to student absenteeism and teacher absenteeism, and take necessary steps to provide teachers against short leave vacancies having duration of below one academic year from the panel of teachers maintained by the local authority, at the rate of remuneration prescribed by the Director of Public Instruction.

(d) ensure that teachers are not burdened with non- academic duties other than those specified in section 27.

(e) ensure the enrollment and continued attendance of all the children from the neighbourhood in the school so as to ensure zero-drop out rate in the school. Children not attending school continuously for more than 15 working days shall be placed under the category of dropouts and the Committee shall make efforts to bring them back through remedial measures.

(f) monitor the maintenance of the norms and standards specified in the Schedule and in the Kerala Education Rules and ensure effective utilization of the school resources.

(g) bring to the notice of the local authority and education 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 under sub-section (2) of section 3:

(h) identify the needs, prepare a plan, and monitor the implementation of the provisions of section 4:

(i) ensure provision for remedial and enrichment coaching for children with special needs, late enrollments and slow learners and conduct of meetings of Class PTA and Mother PTA regularly by the teachers.

(j) monitor the identification and enrollment of, and facilities for education of children with disability, and ensure their participation in and completion of elementary education.

(k) monitor the implementation of the mid-day meal in the school.

(l) mobilize support and resources from the local authority, the public and other agencies for providing better facilities for both academic and co-curricular activities.

(m) prepare an annual account of receipts and expenditure of the school for the amounts received by the Committee.

(8) Any money received by the Committee for the discharge of its functions under this Act shall be kept in a joint account of the chairman and the convenor of the Committee and shall be audited annually by a chartered accountant engaged by the Committee and presented before its annual meeting.

(9) The accounts referred to in clause (m) of sub-rule (7) shall be signed by the chairperson or vice-chairperson and convener of the said committee and made available to the Assistant Education Officer within one month of their preparation.

(10) Utilization certificate in respect of funds received by the School Management Committee shall be submitted to the authority granting such funds, within two months of incurring the expenditure or within two months of the next financial year which ever is earlier.



#### **4. PREPARATION OF SCHOOL DEVELOPMENT PLAN**

(1) The School Management Committee shall prepare a School Development Plan within two months of its constitution.

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

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

- a) estimates of class-wise enrollment for each year;
- b) existing infrastructure facilities such as buildings, laboratory, library, toilets, drinking water, furniture, equipment, play ground.
- c) prepare a master plan for the school using services of experts, keeping in view the future requirements of the school under each item and incorporating the concept of learner-friendly and eco-friendly construction.
- d) physical requirement of additional infrastructure and equipment, especially for laboratory, Information and Communication Technology, library, sports and games calculated with reference to the norms specified in the Schedule and in the KER.
- e) financial requirement in respect of (d) above, including for providing special training facility for late enrollments specified in section 4, and assess the requirements separately for each category by age, and entitlements of children such as free text books and uniforms, free transportation and residential facilities required under sub-rule 4 and 7 of Rule 6 and any other additional requirement for fulfilling the responsibilities of the school under the Act.
- f) requirement of the number of additional teachers including Head Teacher, subject teachers and part time instructors, separately for classes 1 to 5 and for classes 6 to 8, calculated with reference to the norms specified in the Schedule;

(4) The School Development Plan shall be signed by the chairperson or vice-chairperson and convener of the School Management Committee and

submitted to the Assistant Education Officer and the local authority within one month of its approval by the Committee.

### **PART III – RIGHT TO FREE AND COMPULSORY EDUCATION**

**5. Special Training** (1) The School Management Committee of a school owned and managed by the State Government, local authority and aided schools, shall identify children requiring special training and organize such training in the following manner namely:-

a) The special training shall be based on specially designed, age-appropriate learning material for children with special needs and late enrollments, developed by the academic authority.

b) The said training shall be provided in classes held on the premises of the school, as far as is practicable or in classes organized in places identified by the local authority or the head teacher.

c) the said training shall be provided by teachers working in the school, or by Instructors of Multi-Grade Learning Centres appointed for the purpose by the local authority as stipulated in section 9 (g) for which the local authority shall maintain a panel of retired teachers, Instructors of MGLCs or other qualified service-minded persons of the locality.

d) the duration of the said training shall be for a minimum period of three months which may be extended, based on periodical assessment of learning progress by the teacher concerned, 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 teachers to enable him/her to successfully integrate with the rest of the class, academically and emotionally.

## **PART IV- DUTIES AND RESPONSIBILITIES OF STATE GOVERNMENT AND LOCAL AUTHORITY**

**6. Area or limits of neighbourhood** (1) The area or limits of neighbourhood within which a school has to be established by the state government or the local authority shall be:-

(a) in respect of children in classes from 1 to 5, a school shall be established within a walking distance of one km of the neighbourhood:

(b) in respect of children in classes from 6 to 8, a school shall be established within a walking distance of three kms of the neighbourhood:

(2) The state government shall endeavor to upgrade in a phased manner, existing government and aided schools with classes from 1 to 4, to include classes from 5 to 8 and in respect of schools which start from class 5 onwards, to add classes from 1 to 4 wherever required, taking into account the availability of such classes in the existing schools in the neighbourhood and the specific recommendation of the Assistant Education Officer and the local authority.

(3) In places with difficult terrain, risk of landslides, floods, lack of roads and in general, danger for young children in the approach from their homes to the school, the state government shall locate the school in such a manner as to avoid such dangers, by reducing the area or limits specified under sub-rule (1)

(4) For children from small hamlets, as identified by the state government or the local authority, where no school exists within the area or limits of neighbourhood specified under sub-rule (1), the state government or the local authority shall make adequate arrangements, such as free transportation and residential facilities for providing elementary education in a school, in relaxation of the area or limits specified in the sub rule (1)

(5) In places with high population density, the state government may consider establishment of more than one neighbourhood school having regard to the number of children in the age group of 6-14 years in such places based on the child census conducted by SSA or the local authority.

(6) The local authority, in consultation with the Assistant Education Officer concerned, shall identify the neighbourhood school (s) where children can be

admitted and make such information public through the notice board of the local authority and office of the Assistant Education Officer. The basis of the identification of the neighbourhood schools shall be the school mapping carried out by the state government under sub-rule 2 of Rule 9.

(7) In respect of children with disability, which prevent them from accessing the school, the state government or the local authority shall make appropriate and safe transportation arrangements to enable them to attend school and complete elementary education. Additional assistance in the form of home-based teaching shall be arranged for children with severe disabilities by the State Government and the local authority.

(8) The State Government and the local authority shall impress upon the parents and guardians, their duty under Section 10 of the Act, to admit or cause to be admitted, their child or ward as the case may be, to a neighbourhood school, for completion of elementary education.

(9) The State Government or local authority shall ensure that access of children to the school is not hindered

(a) on account of social and cultural factors, and

(b) on account of closure of a government or aided school referred to under sub-clause (i) and (ii) of clause (n) of section 2, and

(c) shall ensure that no school is closed down without the recommendation of the Assistant Education Officer and the local authority and prior sanction of the State Government.

(10) The state government and the local authority shall provide free and appropriate pre-school education based on a Pre-primary Education policy that shall be formulated by the state government, to all children above the age of three years till they complete six years so as to prepare them for elementary education. For this, Pre-primary Centres shall be established in all government and aided schools in a phased manner within three years from the date of notification of the Rules. A unified child-friendly curriculum shall be developed by the academic authority for these centres which shall have linkages with the Anganwadies for providing ICDS services to all the children. The minimum

academic and professional qualification of pre-primary teachers shall be as prescribed by the National Council for Teacher Education.

(11) The State Government shall permit a time-frame of two years within which all children shall have attained six years at the time of admission to class one. Age relaxation up to six months at a time during this time-frame, shall be allowed. This shall be applicable to all recognized schools as defined under sub-clause (i) to (iv) of clause (n) of section 2 of the Act.

As an interim arrangement the state government may open a new class in all the schools for children between 5 and 6 years to be known as Senior Pre-primary class for which age-appropriate and child-friendly textbooks shall be developed by the academic authority. The class shall be conducted by utilizing the services of existing teachers initially.

**7. Submission of proposals by the State Government to the Central Government for financial assistance** The State Government shall prepare annual estimates of capital and recurring expenditure for the implementation of the provisions of the Act based on the existing level and standard of its education system and forward state specific proposals to the Central Government for obtaining as grants-in-aid of revenues, such percentage of expenditure referred to in section 7(3) as it may determine from time to time.

**8. Academic responsibility of the State Government to ensure quality education** (1) The State Government shall provide free and compulsory education to every child of the age of six to fourteen years and to this end:-

(a) ensure provision of high quality education uniformly in all schools and for this, specify norms and standards in respect of all activities involving quality. These norms and standards shall supplement the norms and standards prescribed in the Schedule to the Act

(b) notify the academic authority within two months of the date of notification of the rules, for development of the framework of state curriculum based on that of

the national curriculum and for adopting the text books prepared under NCERT as far as practicable,

(c) prescribe effective system for the implementation of the syllabus, teaching/learning process and development of evaluation procedures,

(d) prescribe minimum qualifications for teachers and support staff and for infrastructure facilities in respect of pre-primary schools based on national norms,

(e) ensure quality in pre-primary teacher and elementary teacher training courses by revising the pre-service pre-primary and elementary teacher training syllabus in consonance with the national curriculum frame-work,

(f) impart quality education to children with disabilities in accordance with proviso to section 3 (2) by providing facilities for pre-service and in-service training for teachers through a specially designed training course in consultation with the national institutes in this field,

(g) design a transparent monitoring mechanism in such a manner so as to cover all the stipulations in clauses (a) to (e) of sub-section (1) of section 24 and in rule 21 and use the outcomes of such monitoring for improving the performance of the teachers on a continuous basis,

(h) The educational authorities namely, the Deputy Director of Education, the Assistant Education Officer, academic personnel of DIETs and BRC, shall visit and monitor the academic performance of the teachers and students in the schools at least once in a year. The report of such monitoring and review shall be communicated to the teachers concerned for taking corrective steps. They shall also furnish reports thereon to the Director of Public Instruction and the Director SCERT for taking remedial action at the state level,

(i) monitor the levels of learning of children in all government, aided and unaided elementary schools in the state regularly, and conduct evaluation on learning outcomes in 5 % of the schools through an external agency such as an university department, and bring out annual reports on the quality of elementary education in the state,

(j) conduct half yearly and annual review of the performance of the academic authority regarding its compliance with the implementation of the provisions of section 29 of the Act.

(2) The State Government shall:-

(a) ensure that children with disabilities have access to free education till they attain the age of 18 years and shall promote their integration in the regular schools,

(b) equip and upgrade the existing Special Schools for children with severe disabilities and provide them with residential facilities in appropriate locations.

(c) provide vocational training to all children with disabilities,

(d) provide special teaching/learning material and improved assistive devices and all such items that are necessary to give a child with disability equal opportunities in education,

(e) provide health care for the child with disabilities at school level,

(f) formulate a restructured and relevant curriculum for children with various categories of disabilities,

(g) develop appropriate systems for their continuous and comprehensive evaluation.

(3) The State Government shall in consultation with other academic authorities it may consider necessary, prepare a Scheme(s) to provide pre-service and in-service training to pre-primary and elementary school teachers in government, aided and unaided schools specified in sub-clauses (i) (ii) and (iv) of clause (n) of section 2 of the Act, as also to Anganwadi functionaries. It shall design a monitoring mechanism in accordance with the standards of training. Expenditure on training of teachers in pre-primary schools and schools referred to in sub clause (iv) of clause (n) of section 2 of the Act, shall be borne by the school management.

## **9. Responsibilities of the State Government and local authority**

(1) A child attending a school of the State Government or local authority referred to in sub-clause (i) of clause (n) of section 2, a child attending a school referred to in sub-clause (ii) of clause (n) of section 2, and a child attending a

school referred to in sub-clauses (iii) and (iv) of clause (n) of section 2 in accordance with clause (c) of sub-section (1) of section 12 shall be entitled to free education as provided for in sub-section (2) of section 3 of the Act, and in particular to free text books, writing materials, uniforms, free transportation and residential facilities as applicable.

Note: This will include a child enrolled in a school under the Juvenile Justice Care and Protection Act 2000 and a child attending a Mahila Shikshan Kendra / Learning Centre under the Kerala Mahila Samakhya Society.

Provided that a child with disability attending a school that is recognized by the state government shall be entitled also for free special learning material and assistive devices along with the other entitlements.

Explanation: For the purposes of sub-rule (1), in respect of a child admitted in accordance with clause (c) of sub-section (1) of section 12, the responsibility of providing free entitlements shall be of the school referred to in sub-clauses (iii) and (iv) of clause (n) of section 2, respectively.

(2) For the purpose of determining and for establishing neighbourhood schools, the state government shall undertake school mapping, as defined in Rule 2 (o) and the local authority shall identify all children, including children in remote areas, children with disability, children belonging to disadvantaged group, children of migrant labourers, children belonging to weaker section and children referred to in section 4, within a period of one year from the appointed date, and every year thereafter.

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

(4) The state government and the local authority shall:-

a) provide emotional and psychological counseling for all children by professionals in co-ordination with government departments like health and social welfare.

b) ensure the minimum number of working days and instructional hours in an academic year as prescribed in the Schedule by arranging the school vacations in such a manner that their duration does not exceed forty five days at a time.



c) ensure that the medium of instruction is as far as practicable, in Malayalam or in the mother tongue. English as a subject shall be introduced from Class 1 onwards. Text books prepared under NCERT curriculum shall be used in the English medium class divisions from class 1 to 4 in schools where such divisions have been permitted.

d) ensure optimum school timings to all children, for which curtailment of school hours on account of following shift or sessional system shall be discontinued within a time limit of three years from the commencement of the Act.

e) adopt flexibility in school timings wherever feasible so as to facilitate adequate time to children for co-curricular activities and to mitigate difficulties owing to unsafe traffic conditions.

(5) The state government and the local authority shall ensure that the conduct of classes in thatched buildings is discontinued within one year from the date of notification of the rules.

(6) The State Government and the local authority shall provide adequate funds as grants for the implementation of the School Development Plan, submitted by the School Management Committee as prescribed under sub-clause (2) of Section 22 of the Act.

(7) The State Government and the local authority shall enhance the manpower and infrastructure facilities in the office of the Assistant Educational Officer so as to enable such officer to effectively discharge his duties under the Act.

(8) For the purposes of clause (c) of section 8 and clause (c) of section 9, the State Government and local authority shall ensure that a child belonging to weaker section and a child belonging to disadvantaged group is not segregated or discriminated against in the classroom, during mid day meals, in the play grounds, in the use of common drinking water and toilet facilities, and in the cleaning of toilets or classrooms.

(9) The State Government and the local authority shall make arrangements including transportation, for the education of the migrant children coming from other states, in the neighbourhood school, or where this is not practicable, by setting up on-site schools at the work places where the migrant labour from

other states are engaged in any economic activity in groups. As far as may be practicable, the learning material and the text books shall be in their respective mother tongue. Appropriate learning materials shall be developed by the academic authority in consultation with the academic authority in their state of origin.

## **10. Maintenance of records of children by the local authority**

(1) The local authority shall maintain a record of all children in its jurisdiction, through a household survey from their birth or by a child census conducted by the authorized agency till they attain the age of 14 years and of children with disabilities till they attain the age of 18 years, for the purpose of section 26 and 27 of chapter V of the Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Act, 1995 and shall maintain the Unique Identification Number (UIN) in respect of every child, as and when issued by the competent authority, so as to monitor his/her enrollment, attendance, learning achievement and transition to next higher classes.

(2) Registration of Births shall be ensured by the local authority in respect of all births within its jurisdiction.

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

(4) The record, referred to in the said sub-rule, shall be maintained transparently, in the public domain, and used for the purposes of clause (e) of section 9.

(5) The record, referred to in the said sub-rule shall, in respect of every child, include,

- (a) name, sex, date of birth, place of birth and birth certificate number and if birth certificate is not available, the source of information on date of birth.
- (b) name, address, occupation of parent or guardian;
- (c) pre-primary school/anganwadi centre that the child attends (upto age 6);
- (d) elementary school where the child is admitted
- (e) present address of the child;

- (f) class in which the child is studying (for children between the age of 6 to 14 years and up to 18 years in the case of children with disability), and if education is discontinued in the territorial jurisdiction of the local authority, the cause of such discontinuance;
  - (g) whether the child belongs to the weaker section;
  - (h) whether the child belongs to a disadvantaged group and
  - (i) whether the child requires special facilities, transportation or residential facilities on account of (i) migration and sparse population; (ii) age appropriate admission; (iii) disability
- (6) A comprehensive Health Card shall be maintained in respect of every child by conducting health check-up in association with the Public Health Centre and Anganwadi/pre-primary school. Medical assistance and management shall be provided to the children as required. The Health Card shall be updated yearly till the child completes elementary education.
- (7) The local authority shall ensure that the names of children enrolled in the schools are maintained in an appropriate register.
- (8) The local authority shall comply with the provisions for redressal of grievances relating to violation of child rights as prescribed in sub section (1) and (2) of section 32 of the Act.

## **PART V- RESPONSIBILITIES OF SCHOOLS AND TEACHERS**

### **11. Admission of children belonging to weaker section and**

**disadvantaged group** (1) The school referred to in sub-clauses (iii) and (iv) of clause (n) of section 2, shall ensure that children from the neighbourhood who are admitted in accordance with clause (c) of sub-section (1) of section 12 shall not be segregated from the other children in the classrooms nor shall their classes be held at places and timings different from the classes held for the other children.

(2) The school referred to in sub-clauses (iii) and (iv) of clause (n) of section 2, shall ensure that children admitted in accordance with clause (c) of sub-

section (1) of section 12 shall not be discriminated from the rest of the children in any manner pertaining to entitlements and facilities such as text books, uniforms, laboratory, library and Information and Communication Technology (ICT) facilities, extra-curricular activities and sports.

(3) The area or limits of neighborhood specified in sub-rule (1) of rule 6 shall apply to admissions made in accordance with clause (c) of sub-section (1) of section 12. A list of recognized schools conforming to the norms and standards prescribed from time to time shall be notified by the Deputy Director of Education at least three months before the commencement of the next academic year.

(4) For the purpose of filling up at least 25% of the strength in Class I as provided in clause (c) of sub section (1) of section 12, the admission of children from disadvantaged groups and from weaker sections of the neighbourhood shall be in the ratio of 1:1. Where shortage occurs in any one category, such shortage shall be filled up from children from the other category. For the selection of such children, the school shall publish the list of applicants and selection shall be by drawing of lots for each category. The list of selected children shall be displayed on the notice board on the same day.

Provided that where such school imparts pre-primary education, the above provisions shall apply for admissions to such pre- primary classes.

Note: A school referred to under sub clause (iv) of clause (n) of section 2, which grants admission to a child who has not enrolled in the government or aided school which is the neighbourhood school, shall not be eligible for reimbursement under clause 2 of section 12.

(5) The Unique Identification Number and the biometric identification details shall be maintained in respect of every child by all the schools referred to in section 2.

(6) 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 or, where a child is required to move from one school to another, either within a State or outside, such child shall have a right to seek transfer to any other

school for completing his or her elementary education. The head teacher shall act in compliance with the provision of sub clause (3) of section 5.

(7) (i) 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.

The Director of Public Instruction shall be the authority to impose fine under section 13 (a) and (b) of the Act for violations of the provisions therein.

(8) The head teacher shall ensure compliance with the provisions of section 16 and 17 of the Act so that (a) no child admitted in a school shall be held back in any class or expelled from school till the completion of elementary education and (b) no child shall be subjected to physical punishment or mental harassment.

Disciplinary action shall be taken under the service rules applicable to a person who violates the above stipulations.

## **12. Reimbursement of per-child-expenditure by the State**

**Government** (1) 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 government and local authority schools referred to in sub-clause (i) of clause (n) of section 2, divided by the total number of children enrolled in all such schools, shall be the per-child-expenditure incurred by the State Government.

Explanation:- 1. 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.

(2) (a) The state government shall constitute a committee comprising of Secretary (Finance), Secretary (General Education), Secretary (Local Self Government), Director of Public Instruction and Director (Sarva Siksha Abhiyan). The committee shall meet three months after the notification of these rules, and thereafter every year in the month of September to assess the per-child expenditure for the next academic year.

(b) The reimbursement of expenditure incurred by a school under specified category and an unaided school, on the children admitted under sub clause (c) of clause (1) of section 12 shall be made directly through electronic transfer to a separate bank account maintained by the school in two installments during the academic year. The first installment of 50% will be reimbursed in the month of September and balance will be reimbursed in the month of January. The second installment will be made after verification of the retention and attendance of such children subject to a minimum of 80% and the pupil cumulative record.

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

(4) Every school shall provide relevant information under this rule as may be required by the state government or the local authority.

**13. Documents as age proof** (1) Wherever a birth certificate under the Births, Deaths and Marriage Certification Act, 1886 (6 of 1886) is not available, with respect to a child belonging to disadvantaged group or weaker section, any one of the following documents shall be deemed to be proof of age of the child for the purpose of admission in schools-

1. hospital or Auxiliary Nurse and Midwife (ANM) register record;
2. anganwadi record;
3. affidavit by the parent or guardian in the prescribed format.

(2) The head teacher shall intimate the local authority concerned regarding admission of any child without birth certificate and the local authority shall forward copy of the birth certificate within six months of such intimation.

**14. Extended period for admission** (1) Extended period of admission shall be three months from the date of commencement of the academic year of a school.

(2) Where a child is admitted in a school after the extended period, he/she shall be eligible to complete studies with the help of special training, as determined by the head teacher of the school.

**15. Recognition to school** (1) Every school, other than a school established, owned or controlled by the Central Government, State Government or the local authority, established before the commencement of this Act, and referred to under sub-clause (iv) of clause (n) of section 2 as an unaided school and which has obtained recognition under the Kerala Education Act and Rules or has obtained No Objection Certificate from the State Government for affiliation to other Boards of Education, shall make a self-declaration within a period of three months from the date of notification of the rules, in Form No. 1 to the Assistant Education Officer concerned, regarding its compliance or otherwise with the norms and standards stipulated in the Kerala Education Rules in addition to the norms 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 or an educational agency 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 complies with the provisions in the Kerala Education Rules relating to area, location and accommodation.
- e. Malayalam is taught as a compulsory language in all classes.
- f. the Pupil-Teacher Ratio as specified in section 25 is maintained.
- g. the school complies with the provisions under sections 13, 16, and 17 of the Act which prohibits actions like collection of capitation fee, screening procedure of child or parent or guardian, physical punishment and mental harassment of the child, detention in a class and expulsion from the school.

- h. the school provides barrier-free access and adapted toilets for children with disabilities.
- i. the bio-metric identification details along with the Unique Identification Number of each child is maintained in the school.
- j. the school buildings or other structures or the grounds are used only for the purposes of education and skill development;
- k. the school does not run any unrecognized classes within the premises of the school or outside in the same name of the school.
- l. the school is open to inspection by any officer authorized by the state government.
- m. the school furnishes such reports and such information as may be required from time to time and complies with such instructions of the State Government as may be issued to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in the working of the school;

(2) The school shall submit the declaration-cum application for recognition in Form I in electronic form in the web-site maintained for the purpose by the Assistant Education Officer and shall also submit the same in hard copy in his office and obtain acknowledgement thereof.

(3) Every self declaration received in Form 1 shall be placed by the Assistant Education Officer in the public domain within fifteen days of its receipt.

(4) A District level School Recognition Committee shall be constituted by the state government. The Committee shall comprise of the Deputy Director of Education as the chairman and District Education Officers and Assistant Education Officers of the revenue district as members.

(5) The District Education Officer and the Assistant Education Officer concerned shall, within three months of the receipt of the self declaration, inspect such schools which claim in Form No. 1 to fulfill the norms and standards and the conditions mentioned in sub-rule (1). After the inspection is carried out, the inspection report shall be placed before the District level School Recognition Committee and also in the public domain and the schools found to be



conforming to the norms, standards and the conditions in rule 15 (i) shall be granted recognition by the Deputy Director of Education Officer in Form No. 2 within a period of thirty days from the date of inspection.

Provided that recognized unaided schools that have been established before the commencement of the Act namely, before 1-4-2010, and have been presenting their students for the respective class 10 Board examinations continuously since 1-1-2000, shall be issued Certificate of Recognition under section 18 (1) of the Act based on the self declaration of the educational agency without site inspection.

(6) Schools that do not conform to the norms, standards and conditions mentioned in sub-rule (1) shall be listed by the Deputy Director of Education through a public order to this effect. Such schools may request the Deputy Director of Education for an on-site inspection for grant of recognition at any time within two years and nine months from the date of commencement of the Act so that such period does not exceed three years from the commencement of the Act;

A School which does not conform to the norms, standards and conditions mentioned in sub-rule (1) within three years from the commencement of the Act shall stop its functioning and running of such school shall be punishable under section 19 of the Act.

(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 this Act shall conform to the norms and standards and conditions mentioned in sub-rule (1) in order to qualify for recognition under this rule.

(8) (i) The existing unrecognized schools seeking recognition under this Act shall furnish the application in the prescribed format (Form No. 3) and shall conform to the norms and standards specified in the Schedule and those prescribed by the State Government from time to time. It shall also fulfill the educational need of the locality as revealed in the school mapping exercise

carried out by the authorized agency and the educational need shall be certified by the local authority and the Assistant Education Officer concerned.

(ii) A committee constituted by the State Government comprising of the Director of Public Instruction or his nominee, the District Collector and a representative of the local authority, shall verify the facts in the application with reference to the school mapping and the educational need of the locality. The report of the committee shall be forwarded to the Director of Public Instruction immediately thereafter. The Director of Public Instruction shall after examination of the report, forward the eligible cases to the State Government for grant of recognition in compliance with the relevant provisions.

(9) (i) An educational agency or society proposing to start a new school shall furnish the application in the prescribed format (Form No.3) and shall conform to the norms and standards specified in the Schedule and those prescribed by the State Government from time to time, and the locality in which the school is proposed to be started has a proven educational need as revealed in the school mapping exercise carried out by the authorized agency and such educational need shall be certified by the local authority and the Assistant Education Officer concerned.

(ii) A committee constituted by the State Government comprising of the Director of Public Instruction or his nominee, the District Collector and a representative of the local authority, shall verify the facts in the application with reference to the school mapping and the educational need of the locality. The report of the committee shall be forwarded to the Director of Public Instruction immediately thereafter. The Director of Public Instruction shall after examination of the report, forward the eligible cases to the State Government for issue of orders sanctioning the new school and granting recognition in compliance with the relevant provisions.

**16. Withdrawal of recognition to school** (1) Where the Deputy Director of Education (hereinafter in this rule referred to as the said Officer) on his own motion, or on any representation received from any person, has reason to believe, to be recorded in writing, that a school recognized under rule 15, has

violated one or more of the conditions for grant of recognition or has failed to fulfill the norms and standards prescribed under sub-rule (i) of rule 15, the said Officer shall act in the following manner:-

- a. issue a notice to the school specifying the violations of the conditions of grant of recognition and seek its explanation within one month.
- b. In case the explanation is not found to be satisfactory or no explanation is received within the stipulated time period, the said Officer may cause an inspection of the school, to be conducted by a Committee consisting of five members of which three are from the Education Department, the Ward Member of the local authority and an educationist. The Committee shall conduct due enquiry and submit its report along with its recommendations for continuation of recognition or withdrawal of recognition, to the said Officer.
- c. On receipt of the report of the committee, the Deputy Director of Education, after furnishing a copy of the enquiry report and giving the school adequate opportunity of being heard, shall within one month forward a report with his recommendation regarding withdrawal of recognition to state government through Director of Public Instruction. In cases where violation of conditions of recognition have been rectified or have not been substantially proved, the said Officer shall issue order for continuance of recognition within one month.

(2) The order of withdrawal of recognition passed by the state government shall be operative from the immediately succeeding academic year and the Deputy Director of Education shall make arrangements for the continuance of elementary education of the children in a neighbourhood school (s).

(3) Appeal against an order of withdrawal of recognition under rule 16 (1) (c) shall lie before the State Government.

## PART VI- TEACHERS

**17. Minimum qualifications** (1) The State Government shall, within two months of the date of notification of the rules, implement the minimum qualifications including Teacher Eligibility Test (TET) for a person to be eligible for appointment as a teacher based on the norms and standards laid down by the National Council for Teacher Education.

(2) The minimum qualifications laid down by the academic authority referred to in sub-rule (1) shall be applicable to all teachers in every school referred to in clause (n) of section 2. The minimum qualifications for appointment of Part Time Instructors in Art Education, Health & Physical Education and Work Education shall be as prescribed by the Director of Public Instruction.

(3) The State Government shall notify the agency that is authorized to conduct the Teacher Eligibility Test based on the norms prescribed by the National Council for Teacher Education.

(4) The Teacher Eligibility Test shall be conducted separately for teachers including language teachers, who are qualified to teach in classes 1 to 5 and 6 to 8.

**18. Relaxation of minimum qualifications** (1) The State Government shall within three months from the date of notification of the rules, estimate the teacher requirement as per the norms in the Schedule along with the prevailing Class Teacher system, for all schools referred to in sub clause (i) (ii) and (iv) of clause (n) of section 2.

(2) Where persons possessing minimum qualifications as notified in sub-rule (2) of rule 17 are not available in sufficient numbers in relation to the requirement of any category of teachers estimated under sub-rule (1) the State Government shall request within one year of the commencement of the Act, the Central

Government for relaxation of the prescribed minimum qualification for that category.

(3) On receipt of the request referred to in sub-rule (2), the Central Government may by notification, relax the minimum qualifications.

(4) After six months from the commencement of Act, no appointment of teacher for any school can be made in respect of any person not possessing the minimum qualifications notified in sub-rule (2) of rule 17, without the notification of relaxation referred to in sub-rule (3)

(5) A person appointed as a teacher within six months of the commencement of the Act, must possess at least the academic qualifications not lower than Higher Secondary School certificate or equivalent.

**19. Acquiring minimum qualifications** (1) The State Government shall provide adequate teacher education facilities to ensure that all teachers in schools referred to in sub-clause (i) (ii) and (iv) of clause (n) of section 2, who do not possess the minimum qualifications prescribed under sub-rule (2) of rule 17 at the time of commencement of the Act, acquire such minimum qualifications within a period of five years from the commencement of the Act.

(2) For a teacher, of a school referred to in sub-clauses (ii) and (iv) of clause (n) of section 2, who does not possess the minimum qualifications laid down under sub-rule (2) of Rule 17 at the time of commencement of the Act, the management of such school shall enable such teacher to acquire the minimum qualifications within a period of five years from the commencement of the Act.

## **20. Salary and allowances and conditions of service of teachers**

(1) The salary and allowances and terms and conditions of service of teachers of schools referred to in sub clause (i) and (ii) of clause (n) of section 2 shall be as laid down by the state government from time to time. In the case of teachers in unaided schools referred to in sub clause (iv) of clause (n) of section 2, the

salary and allowances and terms of conditions of service shall be in accordance with the regulations and guidelines on service conditions and salary and allowances issued by the State Government from time to time.

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

a) adherence to the conduct rules and code of professional ethics for school teachers in force

b) accountability of teachers to the School Management Committee;

c) provisions enabling long term stake of teachers in the teaching profession.

## **21. Duties to be performed by Head Teacher and Teachers**

(1) The Head Teacher shall

(i) have a minimum of twelve years of teaching experience.

(ii) pass the prescribed departmental tests(Higher or Lower) and test on Kerala Education Act and Rules.

Note : Teachers in service will be given time up to three years to pass the above tests.

(iii) undergo training in school management and administration conducted by the education department.

(2) (a) A school academic calendar covering all curricular and co-curricular activities shall be prepared, based on the calendar of the education department.

(b) The Head Teacher shall

(i) observe and assess the performance of the teachers based on the academic calendar including conduct of regular meetings of Class PTA and Mother PTA at least once in a term and provide the teachers with necessary guidance.

(ii) regulate the absence of teachers from their instructional duties in the school on account of their participation on other-duty in co-curricular activities outside the school.

(3) The teacher shall;-

a) the teacher shall assess the learning ability of every child and shall ensure that he/she attains the learning outcomes specified by the academic authority for each subject throughout the academic year.

b) act as a mentor to the children and shall adopt the tutorial system so as to ensure individual attention for the all-round development of the child.

c) ensure parent involvement by conducting meetings of Class PTA and Mother PTA at least once in two months.

d) maintain a file containing the pupil cumulative record for every child which may form part of the certificate issued at the completion of elementary education.

(4) A teacher, in addition to the functions specified in clauses (a) to (e) of sub-section (1) of section 24, shall perform the following duties;-

a) ensure full utilization of school facilities like, library, laboratory and ICT, sports and games, work education etc.

b) induction / participation in in-service training programmes.

c) participation in curriculum formulation, and development of syllabi, training modules and text book development under the academic authority.

(5) The Head teacher shall review the teacher performance on the duties under Rule 21(3) and (4) at the monthly Staff Council meeting. The review report shall be submitted to the Assistant Education Officer periodically.

**22. Grievance Redressal of Teachers** (1) The Head Teacher shall examine and redress the grievances of teachers at the school level in the first instance. Where a grievance remains unresolved, the School Management Committee shall constitute a sub-committee with the Head Teacher as chairperson and four other members of the SMC to redress the grievance. Service matters, orders of suspension from service, and all penalties under disciplinary proceedings initiated by the education department or the school management, will not be taken up before the sub committee.

(2) Priority shall be accorded to complaints relating to harassment of women teachers and staff members and these shall be redressed without delay in compliance with the guidelines in the judgement of the Supreme Court on prevention of sexual harassment in the work place.

(3) A committee constituted under the chairmanship of Assistant Education Officer / DEO shall be the next level of appeal against the order of the sub-committee of the School Management Committee. Subsequent level of appeal shall be at that of Deputy Director of Education of the District.

(4) Grievance Redressal Committees at levels of Assistant Education Officer / District Education Officer and Deputy Director of Education shall be constituted by the Director of Public Instruction

(5) Managements of schools referred to under sub clause (iv) of clause (n) of section 2 shall provide adequate mechanism for redressal of grievances of teachers.

**23. Maintaining Pupil-Teacher Ratio** (1) The sanctioned strength of teachers in a school based on the Pupil-Teacher Ratio notified by the State Government shall be published by the Assistant Education Officer with in a period of three months from the date of notification of the rules.



Provided that the State Government shall, within three 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), in a rational manner so as to ensure that the candidates selected by the State Public Service Commission in the respective rank lists are recruited against the majority of vacancies of teachers notified, before the commencement of the Act.

(2) Regular appointments of teachers shall only be to regular vacancies. Continuance of appointment shall be only against sanctioned posts. In case of delay in appointment of teachers and in short-leave vacancies not exceeding one academic year, the School Management Committee shall be permitted to engage qualified teachers from the panel of teachers maintained by the local authority, temporarily on consolidated remuneration prescribed by the State Government.

(3) If any person of the State Government or the local authority violates the provisions of sub-section section (2) of section 25, he or she shall be personally liable for disciplinary action.

(4) For efficient academic administration, schools having classes from 1 to 10 shall be bifurcated into Elementary and Secondary Schools in accordance with the devolution of powers to local self government institutions.

(5) To ensure effective implementation of the stipulations laid down in clause (d) and (e) of sub section (1) of section 24, the one class-one teacher system now followed shall continue.

(6) A minimum student strength of 100 children in a school having classes from 1 to 5, shall be ensured within a period of two years from the date of notification of the rules. Clubbing of schools with nearby schools shall be carried out in case of schools with student strength below 50, ensuring availability of neighbourhood school within the distance norms specified in Rule 6.

(7) For classes from 1 to 5, Pupil Teacher Ratio shall be 1:30. A second division shall not be sanctioned unless it retains a minimum strength of 20 children in a division as detailed below,

Up to 39 children - One Teacher

40 - 60 children - Two Teachers

61 - 90 children - Three Teachers

91-120 children - Four Teachers and so on

Above 150 children - A full time Head Teacher and five teachers.

Above 200 children - Pupil Teacher Ratio (excluding head teacher) shall not exceed forty.

In the case of classes from 6 to 8, the Pupil Teacher Ratio shall be 1:35. But a second division shall not be sanctioned unless it retains a minimum strength of 20 children in a class as detailed below,

Up to 39 children - One Teacher

40 - 70 children - Two Teachers

71 - 105 children - Three Teachers and so on

Above 100 children - A full time Head Teacher and part time Instructors for

(a) Art Education

(b) Health and Physical Education

(c) Work Education

Above 200 children – Pupil Teacher Ratio (excluding head teacher) shall not exceed forty.

(8) There shall be separate teachers for Science, Mathematics, Social Studies and Languages.

(9) The Assistant Education Officer shall ensure that the PTR as notified by the state government is applied in all the schools and shall also ensure the availability of Head Teacher in accordance with the Schedule in the Act including the posting of Head Teacher in the elementary schools attached to DIETs.

## **PART VII—CURRICULUM AND COMPLETION OF ELEMENTARY EDUCATION**

**24. Academic authority** (1) The State Government shall notify an academic authority for the purpose of section 29 within two months from the date of notification of the rules.

(2) While laying down the curriculum and evaluation procedure, the academic authority notified under sub-rule (1) shall,

a) ensure the implementation of the provisions in sub clauses (a) to (h) of clause 2 of section 29 of the Act namely,

(i) conformity with the values enshrined in the Constitution;

(ii) all round development of the child;

(iii) building up child's knowledge, potential and talent;

(iv) development of physical and mental abilities to the fullest extent;

(v) learning through activities, discovery and exploration in a child-friendly and child-centered manner;

(vi) medium of instruction shall, as far as practicable, be in child's mother tongue;

(vii) making the child free of fear, trauma and anxiety and helping the child to express views freely;

(viii) comprehensive and continuous evaluation of child's understanding of knowledge and his or her ability to apply the same.

b) formulate the relevant and age-appropriate syllabus and text books and other learning materials including learning material for imparting basic life skills.

c) define and prescribe minimum learning outcomes for each subject from class 1 to 8 and develop performance indicators for children along with accountability criteria of teachers for children's learning levels.

d) develop in-service teacher training material, based on the learning outcomes,

e) design training course for pre-service and in-service training of teachers for imparting education to children with disabilities in accordance with the provisions of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995.

f) prepare guidelines for putting into practice continuous and comprehensive evaluation and

g) commission and undertake research and studies on policies, programmes, curriculum and learning outcomes of children.

(3) The academic authority referred to in sub-rule (1) shall design and implement a process of holistic school quality assessment based on performance indicators on a regular basis.

(4) A continuous school rating system based on a five-point scale shall be developed on parameters like student achievement, physical infrastructure, teacher training, assessment and evaluation and co-curricular activities, to improve overall quality.

The schools falling in the last two categories on the five point scale shall be targeted for remedial measures within a definite timeframe. They shall also be given support to improve their rating.

**25. Award of certificate** (1) The certificate of completion of elementary education along with the student Health Card shall be issued at the school level within one month of the completion of elementary education.

(2) The certificate referred to in sub-rule (1) shall contain the pupil cumulative record of the child and his/her achievements in sports and in co-curricular activities.

## **PART VIII – PROTECTION OF RIGHTS OF CHILDREN**

**26. Performance of functions by the State Commission for Protection of Child Rights** The State Government shall provide resource support to the State Commission for Protection of Child Rights in performance of its functions under the Act.

**27. Performance of functions by the State Commission for Protection of Child Rights** (1) The State Government which does not have a State Commission for Protection of Child Rights, shall take immediate steps to set up such Commission under section 17 of the Commission for Protection of Child Rights Act 2005.

(2) The Commission shall perform the functions specified in clause (a), (b) and (c) of sub-section 1 of section 31 of the Act and provide a mechanism for redressal of grievances as prescribed in section 32 of the Act. It shall follow the procedures relating to inquiry into violation of child rights as stipulated in section 14 and 15 of the Commission for Protection of Child Rights Act 2005.

(3) Till such time as the State Government shall constitute the State Commission for Protection of Child Rights, it shall constitute an authority known as the Right to Education Protection Authority (hereinafter in this rule referred to as the REPA) for the purpose of performing the functions specified in sub-section (1) of section 31, within six months from the date of notification of the Rules.

(4) The Right to Education Protection Authority (REPA) shall consist of the following, namely-

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) Six members, of whom at least three shall be women, from the following areas, from amongst persons of eminence, ability, integrity, standing and experience in -

i) education;

ii) child health care and child development;

iii) juvenile justice or care of neglected or marginalized children or children with disabilities;

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

v) child psychology or sociology; or

vi) legal profession.

(5) The National Commission for Protection of Child Rights Rules, 2006 shall, so far as it pertains to the terms and conditions, mutatis mutandis apply to the chairperson and other members of the REPA.

(6) Immediately after the constitution of the State Commission for Protection of Child Rights, all records and assets of the REPA shall be transferred to it.

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

(8) The State Government shall provide resource support to the State Commission for Protection of Child Rights or the REPA, as the case may be, in performance of its functions under the Act.

**28. Manner of furnishing complaints before the State Commission for Protection of Child Rights or the Right to Education Protection Authority**

1) The State Commission for Protection of Child Rights, or the Right to Education Protection Authority (hereinafter in this rule referred to as REPA), shall set up a Child Helpline which would register complaints regarding violation of child rights and incidental thereto, which shall be monitored by it through a transparent on-line mechanism.

2) The local body shall ordinarily be the first level of redressal on complaints regarding violation of child rights and it shall provide suitable facilities for hearing and enquiring in to such complaints.

**29. Constitution 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 fourteen Members.

(2) The Minister in-charge of General Education 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 three members should be from amongst persons belonging to Scheduled Castes, Scheduled Tribes and minorities:

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

c) one member should be from amongst persons having specialized knowledge in the field of pre-primary education.

d) at least two members should be from amongst persons having specialized knowledge and practical experience in the field of teacher education, child health and nutrition.

e) the following shall be ex-officio members of the Council:-

- i. Secretary, General Education and Literacy
- ii. Director of Public Instruction
- iii. Head, Department of Education, from any university in Kerala (nominated)
- iv. Chairperson, Right to Education Protection Authority or Chairperson, State Commission for Protection of Child Rights
- v. Director, State Council of Education Research and Training
- vi. State Project Director shall be ex-officio Member Secretary and secretarial support will be provided by the SSA or an officer nominated by the state government

f) One third of the members shall be women.

(4) The Council may invite representatives of other related departments/ organizations as required.

**30. Functions of the State Advisory Council** (1) The State Advisory Council shall function in an advisory capacity.

(2) The State Advisory /Council shall perform the following functions, namely:-

a) advise the state government on implementation of the provisions of the Act in an effective manner.



- b) assess the levels of school education and analyse survey reports on student attainments.
  - c) review compliance with:-
    - i) norms and standards specified in the Schedule and in the KER
    - ii) provision of effective system of pre-service and in-service teacher training from pre-primary level upwards.
    - iii) delivery of quality education to children with special needs.
    - iv) implementation of section 29;
  - d) commission studies and research for the effective implementation of the Act
  - e) co-ordinate with the National Advisory Council.
  - f) act as an interface between the public and the media and the State Government in creating awareness, mobilization, and a positive environment for the implementation of the Act.
- (3) The State Advisory Council shall prepare reports relating to the reviews, studies and research undertaken by it and furnish the same to the State Government.

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**APPENDIX**

**FORM 1**

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

(See sub-rule (1) of rule 15)

To

The Assistant Education Officer,  
(Name of District and Sub District)

Sir,

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

with effect from the commencement of the school year .....

Yours faithfully,

Chairman of Managing  
Committee/ Manager

Enclosures: -----Nos.

Place:

Date:

<b>A. SCHOOL DETAILS</b>		
1.	Name of School with School Code	
2.	Academic Session Classes from -----to-----	
3.	School Timing	
4.	District	
5.	Postal Address	
6.	Grama Panchayath /Municipality/ Corporation	
7.	Taluk	
8.	Block	
9.	Name of Educational Sub District (AEO)	
10.	Name of Educational District (DEO)	
11.	Pin Code	
12.	Phone No. with STD Code	
13.	Fax.No	
14.	E-mail address	
15.	Nearest Police Station	

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

<b>C. NATURE AND AREA OF SCHOOL</b>		
1	Medium of Instruction	
2.	Whether Malayalam is taught as a language for all students?	
3.	Type of School (Specify entry & exit classes)	
4.	If aided, the name of agency and percentage of aid	
5.	Is the School Recognized	
6.	If so, by which authority <ul style="list-style-type: none"> <li>• Recognition Number</li> </ul>	
7.	Does the school have its own building or is it running in a rented building	
8.	Whether the school buildings or other structures or the grounds are used only for the purpose of education and skill development?	
9.	Total area of the School property (in sq meters) with Survey No./Village / Taluk / District	
10.	Built in area of the school (in sq meters)	
11.	Specify whether shift or sessional system is followed	

<b>D. ENROLLMENT STATUS</b>				
	<b>Class</b>	<b>No. of Sections</b>	<b>No of Students</b>	
			<b>Boys</b>	<b>Girls</b>
1.	Pre-Primary			
2.	I-V			
3.	VI-VIII			
4.	No. of students from weaker and disadvantaged section admitted under section 12(1) (c) in pre-primary and class 1			
5.	Whether the Unique Identification Number and biometric details of each student is maintained in the school?			

<b>E. INFRASTRUCTURE DETAILS &amp; SANITARY CONDITIONS</b>			
	<b>Room</b>	<b>Number</b>	<b>Average Size (in m<sup>2</sup>)</b>
1.	Classroom		
2.	Office room – cum – Store Room - Cum - Headmaster Room		
3.	Whether any classes are conducted in thatched buildings		
4	No. of rooms used for purposes other than teaching (different clubs and co-curricular activities)		

5	Resource Room		
6	Kitchen - Cum - Store		
7	Area of playground (in m <sup>2</sup> )		

<b>F. OTHER FACILITIES</b>		
1.	Whether all facilities have barrier free access	
2.	Teaching Learning Material (attach list)	
3..	Sports & Play equipments (attach list)	
4.	<p>Books in Library</p> <ul style="list-style-type: none"> <li>• Books (No. of books)</li> <li>• Periodicals/Newspapers</li> </ul>	
5.	<p>Laboratory Facilities</p> <p>1) Science</p> <p>2)Information and Communication Technology (computers, LCD etc)</p> <p>3. Language Laboratory</p>	
6.	Type and number of drinking water facility	
7.	Sanitary Conditions	
	(i) Lavatories and Urinals	
	(ii) Number of Urinals/Lavatories separately for boys with water supply	
	(iii) Urinals/Lavatories separately for girls with water supply	
8.	Specify facilities provided for disposal of waste (compost pit, biogas plant etc.)	

**G. PARTICULARS OF TEACHING STAFF**

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

	Teacher Name ( and UIN when available)	Father/Spouse Name	Date of Birth
	Academic Qualification	Professional Qualification	Teaching Experience
	Class/ Subject Assigned	Appointment Date	Trained or Untrained
	Basic knowledge/ in computer applications	Salary as signed	Whether the stipulations in Rule 21 (1) (2) are observed

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

	Teacher Name ( and UIN when available)	Father/Spouse Name	Date of Birth
	Academic Qualification	Professional Qualification	Teaching Experience
	Class /Subject Assigned	Appointment Date	Trained or Untrained
	Basic knowledge/ experience in computer applications	Salary as signed	Whether the stipulations in Rule 21 (3) and (4) are observed



<b>3. Head Teacher</b>			
	Teacher Name (and UIN when available)	Father/Spouse Name	Date of Birth
	Academic Qualification	Professional Qualification	Teaching Experience
	Class Subject Assigned	Appointment Date	Trained or Untrained
	Basic knowledge/ experience in computer application	Salary assigned	Whether the stipulations in Rule 21 (1) (2) and (5) are observed

<b>H. CURRICULUM AND SYLLABUS</b>		
1	Details of curriculum & syllabus followed in each class (upto VIII)	
2	System of Pupil Assessment	
3	Details of arrangements for remedial coaching and special training	
4	Number of academic inspections by Assistant Education Officer/District Education Officer/ other educational authority during the last academic year	

(l) Certified that the school has also submitted information in electronic form to the Assistant Education Officer and in the data capture format of District Information System of Education (DISE) of SSA along with this application.

(j) Certified that the school is open to inspection by any officer authorized by the State Government

(k) Certified that the school undertakes to furnish such reports and information as may be required by the Assistant Education Officer from time to time and complies with such instructions of the State Government and the Assistant Education Officer to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in the 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 Assistant Education Officer and the school shall furnish all such information as may be necessary to enable the State Government or the Local Body to discharge its obligations to State Legislature /Grama Panchayath / Municipal Corporation as the case may be.

### **Declaration**

I solemnly declare that all the information furnished above are true.

I further declare that this school which commenced functioning in the year.....has presented.....number of batches of students of Class 10 for the Board Examination conducted by the Kerala State Education Department/Central Board of Secondary Education/Indian Certificate of Secondary Education from .....(here enter year) onwards.

Chairman/Manager

Managing Committee

.....School

Place :

Date :

**FORM 2**

**OFFICE OF THE DEPUTY DIRECTOR OF EDUCATION**

(Name of Sub- District/ District)

**Gram:**

**Phone:**

**E-Mail:**

**Fax:**

To

The Manager,

(Name and address of school)

Sub:- Recognition Certificate for the School under sub-rule (5) of rule 15 of Right of Children to Free and Compulsory Education Rules 2010 for the purpose of section 18 of Right of Children to Free and Compulsory Education Act 2009.

Dear Sir/Madam,

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

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

1. The School shall abide by the provisions of Right of Children to Free and Compulsory Education Act, 2009 and the Right of Children to Free and Compulsory Education Rules, 2010.
2. The School shall admit in class 1 (or in pre-primary class, as the case may be), to the extent of at least 25% 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.
3. For the children referred to in paragraph 3, the school shall be reimbursed in accordance with the provisions of sub-section (2) of section 12 of the Act. To receive such reimbursements the school shall maintain a separate bank account.
4. The Society / School Management shall not collect any capitation fee and subject the child or his or her parent or guardian to any screening procedure.
5. The school shall not deny admission to any child for lack of proof of age and shall adhere to the provisions of section 15 of the Act. 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 25.
  - v. Inclusion of students with disabilities/special needs as per provisions of the Act.
  - vi. The teachers are recruited with minimum qualifications as laid down under section 23(1) of the Act. Provided further that the existing teachers

who, at the commencement of this Act do not possess minimum qualification shall acquire such minimum qualifications within a period of 5 years of commencement of the Act.

- vii. The teachers perform their duties specified under section 24 (1) of the Act and under rule 21.
  - viii. The teachers shall not engage himself or herself in non educational and private teaching activities.
6. The school shall follow the syllabus on the basis of curriculum laid down by State Government / educational authority.
  7. The school shall maintain the standards and norms of the school as specified in section 19 of the Act and Rule 9. The facilities reported at the time of last inspection are as given under:-
    - Area of school campus
    - Total built up area
    - Area of play ground
    - No. of class rooms
    - Room for Headmaster-cum-office-cum-Storeroom
    - Separate toilet for boys and girls with water supply
    - Drinking water facility
    - Kitchen for cooking Mid Day Meal
    - Barrier free Access

Availability of Teaching Learning Material/games and sports equipments/Library/ Laboratory, Information and Communication Technology, Language Laboratory.

8. No unrecognized classes shall run within the premises of the school or outside in the same name of the school.
9. The school buildings or other structures or the grounds are used only for the purpose of education and skill development.

10. The school is run by a society registered under the societies Registration Act 1860 (21 of 1860), or a public trust or an educational agency constituted under any law for the time being in force;
11. The school is not run for profit to any individual, group or association of individuals or any other persons;
12. 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 statement of Accounts should be sent to the Assistant Education Officer every year.
13. The school furnishes such reports and information as may be required by the Assistant Education Officer from time to time and complies with such instructions of the State Government to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in working of the school;
14. The recognition Code Number allotted to your school is .....This may please be noted and quoted for any correspondence with this office.
15. Renewal of Registration of school is to, be ensured as applicable.
16. This certificate of recognition granted under the provisions of Right of Children to Free and Compulsory Education Act, 2009 relates to classes 1 to 8. The recognition granted under the provisions of KER or other orders in force will continue in respect of standards above class 8.
17. Other conditions as per Annexure attached.

Yours faithfully,

Deputy Director of Education

**FORM NO. 3 A**  
**APPLICATION FOR RECOGNITION OF EXISTING UNRECOGNISED SCHOOL**  
**[(See Rule 15 Sub Rule 8 (1))]**

To

The Assistant Education Officer,  
(Name of District and Sub District)

Sir,

I forward herewith an application in Form No.3, in compliance with the norms and standards specified in the Schedule in the Right of Children to Free and Compulsory Education Act, 2009, for obtaining Recognition for the existing unrecognized School known as.....School having classes from.....to.....being run by .....educational agency since.....  
(year of starting the school)

Yours faithfully,

Chairman of Managing  
Committee/Manager

Enclosures:.... .....Nos.

Place :

Date :

**FORM NO. 3 B**  
**APPLICATION FOR PERMISSION TO OPEN NEW SCHOOL**  
**AND UPGRADATION OF EXISTING RECOGNISED SCHOOL**  
**[(See Rule 15 Sub Rule 9 (1))]**

To

The Assistant Education Officer,  
(Name of District and Sub District)

Sir,

I forward herewith an application in Form No.3, in compliance with the norms and standards specified in the Schedule of the Right of Children to Free and Compulsory Education Act, 2009 for obtaining permission to open a new school / for up-gradation of existing recognized school known as .....school having classes from.....to..... run by .....educational agency since.....(year of starting the school)

Yours faithfully,

Chairman of Managing  
Committee/Manager

Enclosures:... ..Nos.

Place :

Date :





6. Period until which registration of the Agency is valid													
7. Whether there is a proof of non proprietary character of the Trust / Society/Managing Committee / Educational Agency/Committee supported by list of members with their address on an affidavit in copy													
8. Number of schools under the Agency													
<p>9. Name- official address of the Manager/President/Chairman of the school</p> <p>(a) Designation</p> <p>(b) Address</p> <p>(c) Phone No. (Off)</p> <p style="text-align: center;">(Res)</p>													
<p>10. Location of the school</p> <p style="text-align: center;">(i) District</p> <p style="text-align: center;">(ii) Taluk</p> <p style="text-align: center;">(iii) Block</p> <p style="text-align: center;">(iv) Village</p>													
<p>11. Location with respect to neighbouring schools as per enclosed sketch plan of the locality with names of all the schools with in a radius of 3 kms of the proposed site and the distance from it. The distance from the nearest cemetery or cremation ground or slaughter house.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 20%;">Taluk</th> <th style="text-align: center; width: 50%;">Distance from the proposed site of school</th> <th style="text-align: left; width: 30%;">Village</th> </tr> </thead> <tbody> <tr> <td>LP</td> <td></td> <td></td> </tr> <tr> <td>UP</td> <td></td> <td></td> </tr> <tr> <td>HS</td> <td></td> <td></td> </tr> </tbody> </table>	Taluk	Distance from the proposed site of school	Village	LP			UP			HS		
Taluk	Distance from the proposed site of school	Village											
LP													
UP													
HS													
<p>12. Class and grade of school with highest standard of instruction intended</p> <p>(a) whether new or in continuation of the existing school</p> <p>(b) Date on which it is proposed to open the school</p>													

<p>13. Reason for opening the school</p> <ul style="list-style-type: none"> <li>• Here furnish details of child census conducted by the local authority / SSA</li> <li>• Justify educational need of the area concerned</li> <li>• Whether such educational need is certified by the AEO and the local authority</li> </ul>	
<p>14. Whether the school will be open to all the classes of the community</p>	
<p>15. (a) Nature of tenure of ownership of the property</p> <p>(b) Whether the applicant proposes to acquire the land for the school and if so when</p> <p>(c) Extent of land of the existing school which is proposed to be upgraded.</p> <p>(d) Does this school have its own building or is it running in a rented building</p> <p>(e) Whether the school buildings or other structures or the grounds are used only for the purpose of education and skill development</p> <p>(f) Total area of the school property (in Sq. meters) with Survey No/ Village/ Taluk</p> <p>(g) Built in area of the school (in sq. meters)</p> <p>(h) Specify whether shift or sessional system is followed</p>	
<p>16. Details of the guarantees, the applicant can give in support of his ability to conduct the school successfully from the financial point of view</p> <p>(a) Land</p> <p>(b) Landed property for school</p> <p>(c) Nature of accommodation</p>	

<p>(d) Cash-deposits</p> <p>(e) Other guarantees</p>	
<p>17. Whether the applicant is already the educational agency of any other recognized institution under the Education Department and if so the name of that institution</p>	
<p>18. Whether the applicant is prepared to furnish cash security required by the department</p>	
<p>19. Whether the applicant intends to run school as an aided or as a recognized school</p>	
<p>20. Whether the applicant or if corporate, any member has been convicted of an offence involving moral turpitude by a court of law, if so give details</p>	
<p>21. Whether the applicant is prepared to absorb qualified teachers/non teaching staff who are eligible for protection and who have been retrenched from any of the Govt. / Aided HSS/HS/UP/LP schools in the revenue district in which the applicant proposes to open/upgrade the school and if so whether an agreement to that effect has been furnished.</p>	

## PART II

<b>B. SCHOOL DETAILS</b>	
1. Name of the proposed school with school code (if any)	
2. Year and date of opening the school/proposed date	
3. Academic session classes from.....to.....	
4. School Timings	
5. District	
6. Postal Address	
7. Grama Panchayat/ Municipality/Corporation	
8. Taluk	
9. Block	
10. Name of Education Sub District (AEO)	
11. Name of Education District (DEO)	
12. Pin code	
13. Phone No. with STD code	
14. Fax No.	
15. E-mail address	
16. Nearest Police station	
17. Medium of Instruction	

18. Whether Malayalam is taught as a language for all students	
19. Type of school (specify entry & exit classes)	
20. If aided, the name of agency and percentage of aid	
21. Fees charged in each standard	

**PART III**

<b>C. ENROLLMENT STATUS</b>				
	Class	No. of Sections	No of Students	
			Boys	Girls
1.	Pre-Primary			
2.	I-V			
3.	VI-VIII			
4.	No. of students from weaker and disadvantaged section admitted under section 12(1) (c) in pre-primary and class 1			
5.	Whether the Unique Identification Number and biometric details of each student is maintained in the school?			

**PART IV**

<b>D. INFRASTRUCTURE DETAILS &amp; SANITARY FACILITIES</b>			
	<b>Room</b>	<b>Number</b>	<b>Average Size (in m<sup>2</sup>)</b>
1.	Classroom		
2.	Office room – cum – Store Room - Cum - Headmaster Room		
3.	Whether any classes are conducted in thatched buildings		
4	No. of rooms used for purposes other than teaching (different clubs and co-curricular activities)		
5	Resource Room		
6	Kitchen - Cum - Store		
7	Area of playground (in m <sup>2</sup> )		
8	Type and number of drinking water facility		
9	Sanitary Conditions		
	(i) Lavatories and Urinals		
	(ii) Number of Urinals/Lavatories separately for boys with water supply		
	(iii) Urinals/Lavatories separately for girls with water supply		
10	Specify facilities provided for disposal of waste (compost pit, biogas plant etc.)		

## PART V

<b>E. OTHER FACILITIES</b>		
1.	Whether all facilities have barrier free access	
2.	Teaching Learning Material (attach list)	
3..	Sports & Play equipments (attach list)	
4.	Books in Library <ul style="list-style-type: none"> <li>• Books (No. of books)</li> <li>• Periodicals/Newspapers</li> </ul>	
5.	Laboratory Facilities <ol style="list-style-type: none"> <li>1. Science (list of equipments)</li> <li>2. Information and Communication Technology (computers, LCD etc)</li> <li>3. Language Laboratory (equipments)</li> <li>4. Social Science (equipments, collections)</li> <li>5. Mathematics (equipments, collections)</li> </ol>	

## PART VI

<b>F. INCOME AND EXPENDITURE</b>				
<b>Total Income and Expenditure during last 3 years Surplus/Deficit</b>				
Year	Income	Expenditure	Surplus	Deficit



**PART VII**

<b>G. PARTICULARS OF TEACHING STAFF</b>			
<b>1. Teachers in Primary/Upper Primary exclusively (details of each teacher separately)</b>			
	Teacher Name ( and UIN when available)	Father/Spouse Name	Date of Birth
	Academic Qualification	Professional Qualification	Teaching Experience
	Class/ Subject Assigned	Appointment Date	Trained or Untrained
	Basic knowledge/ in computer applications	Salary assigned	Whether the stipulations in Rule 21 (1) (2) are observed
<b>2. Teachers in Both Elementary and Secondary (details of each teacher separately)</b>			
	Teacher Name ( and UIN when available)	Father/Spouse Name	Date of Birth
	Academic Qualification	Professional Qualification	Teaching Experience
	Class /Subject Assigned	Appointment Date	Trained or Untrained
	Basic knowledge/ experience in computer applications	Salary assigned	Whether the stipulations in Rule 21 (3) and (4) are observed

<b>3. Head Teacher</b>			
	Teacher Name (and UIN when available)	Father/Spouse Name	Date of Birth
	Academic Qualification	Professional Qualification	Teaching Experience
	Class Subject Assigned	Appointment Date	Trained or Untrained
	Basic knowledge/ experience in computer application	Salary assigned	Whether the stipulations in Rule 21 (1) (2) and (5) are observed

### PART VIII

<b>H. CURRICULUM AND SYLLABUS</b>		
1	Details of curriculum & syllabus followed in each class (upto VIII)	
2	System of Pupil Assessment	
3	Details of arrangements for remedial coaching and special training	
4	Number of academic inspections by Assistant Education Officer/District Education Officer/ other educational authority during the last academic year	

(l) Certified that the school has also submitted information in electronic form to the Assistant Education Officer and in the data capture format of District Information System of Education (DISE) of SSA along with this application.

(j) Certified that the school is open to inspection by any officer authorized by the State Government

(k) Certified that the school undertakes to furnish such reports and information as may be required by the Assistant Education Officer from time to time and complies with such instructions of the State Government and the Assistant Education Officer 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 Assistant Education Officer and the school shall furnish all such information as may be necessary to enable the State Government or the Local Body to discharge its obligations to State Legislature /Grama Panchayath/Municipal Corporation as the case may be.

(m) Certified that no unrecognized classes are being run within the premises of the school or out side in the same name of school.

(n) Certified that the school buildings or other structures or the grounds are used only for the purpose of education and skill development.

(o) Certified that 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.

(p) Certified that the school is not run for profit to any individual, group or association of individuals or any other persons.

(q) Certified that the accounts shall be audited and certified by a Chartered Accountant and proper accounts statements prepared as per rules. A copy of each of the statements of Accounts shall be sent to the Assistant Education Officer, every year.

## **Declaration**

I solemnly declare that all the information furnished above are true. On behalf of the management of the school, I hereby declare that the school fulfills all the conditions specified in the Right to Education Act 2009 and the Rules there under and I promise to comply with all the conditions relating to the recognition of schools affording public instruction and other matters which are laid down in the RTE Act and the Rules under it.

Place:

Educational Agency or Manager

Date :

**OFFICE OF THE DEPUTY DIRECTOR OF EDUCATION**

(Name of Sub- District/ District)

**Gram:**

**Phone:**

**E-Mail:**

**Fax:**

To

The Manager,

(Name and address of school)

Sub:- Recognition Certificate for the School under sub-rule 8 (ii) of rule 15 / sub rule 9 (ii) of Right of Children to Free and Compulsory Education Rules 2010 for the purpose of section 18 of Right of Children to Free and Compulsory Education Act 2009.

Dear Sir/Madam,

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

Yours faithfully,

Deputy Director of Education

**FORM 4**  
**AFFIDAVIT**  
**DATE OF BIRTH**

(To be sworn by the Parent/Guardian of the Pupil)

[See Rule 13 (1)]

I.....son/daughter of.....  
.....aged.....years and now residing  
at.....  
.....  
(give full address) here by solemnly affirm and declare that the date of birth of  
my ward.....is.....and  
the place of birth is.....

Place:

Signature

Date:

Name of parent/guardian

**FORM 5**

**CERTIFICATE OF ELEMENTARY SCHOOL EDUCATION**

(Rule 25 The Right of Children to Free and  
Compulsory Education Kerala Rules 2010)

This is to certify that.....  
having Unique Identification Number.....  
S/o / D/o Ward of Sri./Smt.....  
.....(H.E. Name  
and full address of parent or Guardian) with date of birth on.....has  
been evaluated in the school and has completed the elementary education  
course on .....(specify  
year & month).

The Pupil Cumulative Record and Health Card is attached. He/She has proven  
ability in.....

He/She is eligible to continue his/her studies in the next higher class.

Place:

Headmaster

Date:

Office Seal