

Govt. Of Uttarakhand
Education section-1(Basic)
No. 469 /XXIV(1)/2013-45/2008
Dehradun, Dated 02 July 2013

Notification

In exercise of the powers conferred by section 38 of the Right of Children to Free and Compulsory Education Act, 2009(Central Act No. 35 of 2009), the Governor of Uttarakhand hereby makes the following rules with a view to further amend the Uttarakhand Right of Children to Free and Compulsory Education rules, 2011, namely:-
THE UTTARAKHAND RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION (Amendment) RULES, 2013

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|---|----|--|
| Short Title and Commencement | 1. | (1) These Rules may be called the Uttarakhand Right of Children to Free and Compulsory Education (Amendment) Rules, 2013.
(2) It shall come into force at once. |
| Change in the name of Authorities | 2. | The words, 'Deputy Education Officer(Elementary Education)' in place of 'Deputy Block Education Officer', ' District Education Officer (Basic) ' in place of 'Additional District Education Officer (Basic)', ' Chief Education Officer ' in place of 'District Education Officer', ' Director Elementary Education ' in place of 'Director School Education' and ' Director, Academic, Research and Training ' in place of 'Additional Director, State Council of Educational Research and Training' shall be read in all rules of the Uttarakhand Right of Children to Free and Compulsory Education rules, 2011.(hereinafter referred to as Principal Rules)
The names of remaining authorities shall be as before. |
| Addition of new sub-rules (4) and (5) to rule 1 | 3. | The following new sub-rules (4) and (5) shall be inserted after sub-rule (3) of rule 1 of Principal Rules, namely:-
"(4) Subject to the provisions of articles 29 and 30 of the |

Constitution, the provisions of Principal rules shall apply to conferment of rights on children to free and compulsory education.

(5) Nothing contained in the Principal rules shall apply to Madrasas, Vedic Pathshalas and Educational Institutions primarily imparting religious instruction."

Substitution of sub-rule (g) of rule 2

4.

In the Principal Rules, for the existing rules set out in Column-1 below the rules set out in Column-2 shall be substituted namely-

Column-1 Present Rule	Column-2 Hereby Substituted Rule
2(g)- "Child belonging to disadvantaged group" means a child belonging to the Schedule Caste, the Schedule Tribe, Other Backward Classes as notified by the State Government(except creamy layer), an Orphan child, Child suffering from disability as defined in Persons with Disabilities (Equal Opportunities, Protection and Full Participation Act, 1995) (Act 1 of 1996), a child depending on widow or divorcee mother, whose annual income is less than R 80000/-, HIV+ child or child of HIV+ parents and a child belonging to parents with disabilities (including leprosy	2(g)- "Child belonging to disadvantaged group" means a child belonging to the Schedule Caste, the Schedule Tribe, Other Backward Classes as notified by the State Government(except creamy layer), children of Manual Scavengers family , an Orphan child, Child suffering from disability as defined in Persons with Disabilities (Equal Opportunities, Protection and Full Participation Act, 1995) (Act 1 of 1996), OR a child with "severe disability" as defined in clause (o) of section 2 of the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 , a child depending on widow or divorcee mother, whose

affected persons) defined in Persons with Disabilities (Equal Opportunities, Protection and Full Participation Act, 1995) (Act. 1 of 1996) whose annual income is less than R 4.5 Lakh and includes such disadvantaged children as defined by the State Government from time to time;

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

annual income is less than R 80000/-, HIV+ child or child of HIV+ parents and a child belonging to parents with disabilities (including leprosy effected persons) defined in Persons with Disabilities (Equal Opportunities, Protection and Full Participation Act, 1995) (Act. 1 of 1996) OR defined in clause (j) of section 2 of the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999, whose annual income is less than R 4.5 Lakh and includes such disadvantaged children as defined by the State Government from time to time;

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

Substitution of sub-rule (2) of rule 17

5. In the Principal Rules, for the existing rules set out in Column-1 below the rules set out in Column-2 shall be substituted namely-

Column-1
Present Rule
17(2) Every school other than a school established, owned or controlled by the State

Column-2
Hereby Substituted Rule
17(2) Every school, other than a school established, owned or controlled by the State Government or the

Government or the Local Authority, established before or after the commencement of the rules, shall make a self declaration-cum-application in the **Form No-1** as shown in the **Appendix-I** within a period of three months from the commencement of these rules to the concerned District Education Officer, who shall be the designated authority to issue certificate of recognition to the school under section 18 of the Act. The application addressed to the District Education Officer shall be submitted to him/her. The school shall get a receipt and registration number after submission of the application from the District Education Officer.

Local Authority, established or apply for new recognition after the commencement of RTE rules, 2011, shall make a self declaration - cum-application, in the **Form No-1** as shown in the **Appendix-I** to the concerned Chief Education Officer, who shall be the designated authority to issue certificate of recognition to the school under section 18 of the Act. The school shall get a receipt and registration number after submission of the application from the Chief Education Officer.

Addition of new rule 17(A)

6. In the Principal Rules, for the existing rules 17 (A) shall be added after rule 17 as followed namely-

17(A):-

- (1) Every school(where pre-primary/class-I to class-VIII are conducted), other than a school established, owned or controlled by the State Government or the Local Authority, recognized before the

commencement of the Uttarakhand Right of Children to Free and Compulsory Education rules, 2011, rules, shall make a self declaration to comply the norms and standards of the schedule of the Act under Section-19(2) of RTE Act, 2009 in the **Form No-1(a)** as shown in the **Appendix-One** within a period of 01 months from the commencement of these rules to the concerned Chief Education Officer, who shall be the designated authority to issue compliance certificate to the school under section-18 of the Act. The school shall get a receipt and registration number after submission of the declaration form.

- (2) Every self declaration received in **Form-1(a)** shall be placed by the Chief Education Officer in public domain within a week of its receipt.
- (3) The schools who have claimed that they have complied norms and standards of the schedule of the Act under Section-19 of the RTE Act, through prescribed self declaration **Form-1(a)** of these rules. Within 30 days of receipt of self declaration form, the Chief Education Officer shall issue a certificate, without physical verification, to the schools regarding compliance of norms and standards of the schedule of RTE Act in **Form-2(a)** as shown in the **Appendix-Two** of these rules.

If any time it is observed through any complaint or inspection by Authorized Officer that norms and standards are not maintained by the school, then the action of withdrawal of recognition/withdrawal of no objection certificate of the school shall be as per rule-18 of Uttarakhand Right of Children to Free and Compulsory Education rules, 2011.

Substitution of
sub-rule (10) of

7. In the Principal Rules, for the existing rules set out in Column-1 below the rules set out in Column-2 shall be substituted namely-

rule 20

**Column-1
Present Rule**
20(10)- The tenure of the members and elected members of the General Body shall be for one year in accordance to the academic year. Exceptionally the tenure of the elected members of the School Management Committee constituted for academic year 2010-11 shall be till 31st March 2012, provided that the ward of the elected members is studying till 31st March 2012.

**Column-2
Hereby Substituted Rule**
20(10)- The tenure of the members and elected members of the General Body shall be for **03 year in accordance to the academic year, provided that the ward of the elected members is studying in the school for above mentioned period of 03 years.**

Substitution of sub-rule (1) of rule 22

8.

In the Principal Rules, for the existing rules set out in Column-1 below the rules set out in Column-2 shall be substituted namely-

**Column-1
Present Rule**
 22(1) The School Management Committee shall accomplish the following works in accordance to the sub-section (2) of section 21 of the Right of Children to Free and Compulsory Education Act, 2009-
 (a) Monitoring of

**Column-2
Hereby Substituted Rule**
 22(1) The School Management Committee shall accomplish the following works in accordance to the sub-section (2) of section 21 of the Right of Children to Free and Compulsory Education Act, 2009-
 (a) Monitoring of school activities;
 (b) To prepare and

- school activities;
- (b) To prepare and approve the School Development Plan;
- (c) To monitor the utilization of the funds received from the Government or Local Authority or from any other sources;
- (d) To execute the policies and instructions laid down by the State Government/Department at different intervals;
- (c) approve the School Development Plan;
- (c) To monitor the utilization of the funds received from the Government or Local Authority or from any other sources;
- (d) To execute the policies and instructions laid down by the State Government/Department at different intervals;
- "Provided that the School Management Committee constituted under section 21(1) of the Act in respect of a school established and administered by minority whether based on religion or language; and all other aided schools as defined in sub-section (ii) of clause (n) of section 2 of the Act, shall perform advisory function only."**

Substitution of sub-rule (1) of rule 24

9. In the Principal Rules, for the existing rules set out in Column-1 below the rules set out in Column-2 shall be substituted namely-

Column-1
Present Rule
24(1)- In accordance to

Column-2
Hereby Substituted Rule
24(1)- In accordance to the

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

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

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

(ii) The School

sub-section (1) of section 22 of the Right of Children To Free and Compulsory Education Act, 2009 The School Management Committee **(Except the schools established and administered by minority whether based on religion or language; and all other aided schools as defined in sub-section (ii) of clause (n) of section 2 of the Act)** shall prepare a School Development Plan, which shall be the basis for the plans and grants to be made by the Central or State Government or Local Authority in accordance to the sub-section (2) of section 22 (as the case may be).

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

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

Development Plan shall be prepared for three years, accordingly Annual Plan in the form of sub plan shall be presented every year for the approval.

financial year;
(ii) The School Development Plan shall be prepared for three years, accordingly Annual Plan in the form of sub plan shall be presented every year for the approval.

Substitution of sub-rule (1) of rule 33

10. In the Principal Rules, for the existing rules set out in Column-1 below the rules set out in Column-2 shall be substituted namely-

Column-1

Present Rule

33(1) The sanctioned strength of teachers in a school shall be notified as per specification given in the Act, by the District Education Officer, within a maximum period of 3 months from the notification of these rules.

Column-2

Hereby Substituted Rule

33(1) The sanctioned strength of teachers in a school shall be notified as per specification given in the Act, by the **Chief Education Officer**, within a maximum period of **03 years** from the notification of these rules.

Addition of new rule 39

11. In the Principal Rule for the existing rules 38, the rule 39 shall be added as following namely:-

Rule 39:-

State Government shall have the right for changes regarding conditions, procedure and application fee etc for recognition of unaided schools by issuing Government orders.

By, 
(Manisha Panwar)
Secretary

APPENDIX - ONE

FORM-1(a) (FOR THE SCHOOLS RECOGNISED BEFORE THE COMMENCEMENT OF THE RTE RULES, 2011)

SELF DECLARATION FORM REGARDING COMPLIANCE OF NORMS AND STANDARDS OF THE SCHEDULE OF RTE ACT.

SEE RULE-17(A) OF UTTARAKHAND RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION (AMENDMENT) RULES, 2013

To, (place)
Date

The Chief Education Officer
District
Uttarakhand.

Sir,

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

Yours faithfully,

Place:
Date:
Enclosure:

**Name and Sign of
Chairman of School Management
Committee/Manager**

Self declaration format

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

B. General Information		
1.	Year of Establishment (Attach Certified Photocopy of recognition/No objection certificate)	
2.	Date of First Opening of School	
3.	Name of Trust/Society/Management Committee	
4.	Registration number of Trust/Society(enclose copy of document of registration)	
5.	Period up to which registration of Trust/Society is valid (enclose copy of registration document)	
6.	Official address of the Manager/President/ Chairman of the School	

	Name	
	Designation	
	Address	
	Phone	(O) (R)
	E-mail Address	

C. Nature and area of School				
1.	Medium of Instruction			
2.	Type of School (Specify entry & exit classes)			
3.	Does the school have its own building or is it running in a rented building?			
4.	Whether the school buildings or other structures or the grounds are used only for the purpose of education and skill development?			
5.	Total area of the school			
6.	Built up area of the school			
7.	The facilities/Structures available in the area/premises of the school.			
8.	Whether school is under obligation to provide free education to specified number of children on account of having received any land, building, equipment or other facilities, either free of cost or at a concessional rate from the State Government, Central Government and local authority? If yes, enclose copy of the document (No. of Enclosures)			
D. Enrollment Status				
	Class	No. of Sections	No. of Students	Pupil teacher ratio

1	Pre-primary			
	I			
	II			
	III			
	IV			
	V			
	VI			
	VII			
	VIII			

E. Infrastructure Details

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

F. Other Facilities

1	Whether all facilities have barrier free access?	
2	Whether Teaching Learning Material is available as per requirement of each class?	
3	Whether Sports & Play equipments are available as per requirement of each class?	
4	Whether facility of Library is in the school? If yes, then whether News paper, Magazines and Books on all subjects, including Story books are provided in the Library.	
5	Whether safe and adequate drinking water facility to all children is available in the school?	

6	Whether separate toilet for boys and girls are available?	
	(i) Number of Urinals/Lavatories Separately for Boys	
	(ii) Number of Urinals/Lavatories Separately for Girls	
7	Whether Ramp & railing and special toilets are provided to disabled children?	
8	Whether arrangements for fire safety are available in the school?	
9	Whether arrangements for securing the school building by boundary wall or fencing are available in the school?	

G. Curriculum and Syllabus											
1	Whether syllabus is followed by NCERT/SCERT Uttarakhand/CBSE/ICSE in school?										
2	Whether evaluation procedure of children is followed as per provisions of Section-29 of the Act?										
3	Whether pupils of the school are required to take any Board exam upto class 8?										
H. School Fee.											
Class	Pre-Primary			1	2	3	4	5	6	7	8
Maximum Tuition Fee											
Details of other fees in addition to tuition fee											

Note:- No extra charges other than above mentioned fees.

L. **Other Declarations:-**

- (1) Certified that the school shall provide information's in the DISE format every year, informations and records of the school pertinent to the implementation of this Act as may be required by the Chief Education Officer/Authorized Officer from time to time.
- (2) The school shall appoint teachers as per provisions of Section-23 of RTE Act, 2009, the teachers who are appointed before the commencement of the Act and they do not possess minimum qualification as per Act, they shall attain minimum qualification by March, 2015.
- (3) The school shall maintain the norms and standards specified under section-19 of the schedule of the RTE Act, 2009;
- (4) The school shall adhere/comply all provisions of RTE Act, 2009 and rules of notified Uttarakhand Right to Education rules, 2011, mainly the norms and standards of the schedule under section 19 and 25 of RTE Act.
- (5) The school (except minority schools) shall admit, minimum 25 percent in class I or in the lowest class of pre-primary classes, children of disadvantaged groups and children of weaker sections from the neighborhood area.
- (6) The school shall submit, every year before the commencement of academic session, fee to be charged from the children to the Chief Education Officer;
- (7) The school shall not collect any capitation fee and shall not subject the child or his or her parents or guardian to any screening procedure, while admitting a child;
- (8) I declare that school has completed the prescribed norms and standards of the schedule under Section-19 and PTR under section-25 of RTE Act, 2009.
- (9) I certify that the information mentioned above are true to my best knowledge and if above mentioned any fact is found false then the education department shall be free to take action for withdrawal of recognition/no objection certificate of the school under relevant rules.

Note:- Above self declaration form shall be presented on the notarized stamp paper of Rs. 100.00.

Date:-

Sd./-

**Chairman/Manger,
School Management Committee
Name of School & Address**

**APPENDIX-TWO
FORM-2(a)**

**SEE RULE 17(A) OF THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION
(AMENDMENT) RULES, 2013**

E-Mail:

Phone:

Fax:

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

Letter No.

Dated:.....

To,

The Manager,

----- (Name of the school & Address)

Sub: Regarding issue of compliance certificate of prescribed norms and standards of the schedule of the RTE Act under Rule 17(A) of The Right of Children to Free and Compulsory Education (Amendment) Rules, 2013 for the purpose of Section-19(2) of Right of Children to Free and Compulsory Education Act, 2009.

Dear Sir/Madam,

With reference to your school's declaration form received on dated _____, I convey the compliance certificate for prescribed norms and standards of the schedule of the Act under Section-19(2) of the Act to your school..... (name of the school with address). The registration number of your school is in District If prescribed norms and standards of schedule of the Act are violated in future, then action shall be taken for the withdrawal of recognition/no objection certificate according to rule-18 of Uttarakhand Right to Education rules, 2011.

Yours faithfully,

**Chief Education Officer
District.....
Uttarakhand.**