

From

Sunil Kumar
Principal Secretary
U. P. Government

To

Director of Education (Basic)
Uttar Pradesh
Education Section—6

Lucknow Dated 08 May 2013

**Subject :Revised Norms and Conditions for granting recognition to
Non-Governmental English medium, Nursery/ Primary/ Junior High Schools**

Sir,

Regarding the subject above, Government Order No – 437/79- 6- 2011 dated 19 May 2011 and in reference to your letter dated 15-12-2012, 12-02-2013 and 30-04-2013, I have been instructed to tell you that under the act -2009 for the Right of the Children to Free and Compulsory Education and the subsequently under the provisions of rules-2011 passed by the State Government and in light of the orders of Honourable Supreme Court and Honourable High Court from time to time, after due consideration, Honourable Shri Governor after cancelling the earlier provisions takes pleasure in approving the following Standards and Conditions for the English medium Non-Governmental Nursery/ Primary/ Junior High Schools.

1. After the issue of this order, recognition will be granted to only those schools, who fulfill the prescribed standards and conditions.
2. The schools already granted the recognition earlier will also take necessary steps to fulfill these standards and conditions under their own financial resources within three years of the enforcement of the U.P. Right of the Children to Free and Compulsory Education Rules-2011, otherwise the competent authority will initiate action necessary to cancel the recognition granted to the school. Once derecognized, such schools in any case will not be allowed to function.
3. Fire fighting Appliances will have to be installed as per the required standards.
4. Arrangements are to be made to keep the Inflammable and Poisonous substances away from the reach of the students/teachers and they be used only by the trained teachers/workers.
5. The school management will have to obtain the certificate from the concerned authority/ engineer regarding the strength of the school building according to the standards of the National Building Code and produce it during the review from time to time. The responsibility of the security and the maintenance of the school building solely lies with the management. The engineers of Public of Works Department, Irrigation Department, Urban Development Department and the R.E.S who will inspect the quality of the Primary School building according to the National Building Code are as follows :--

1. Schools built on Ground Floor: Junior Engineer
2. Schools with more than one floor: Assistant Engineer

The inspecting officer will also ensure that the walls and the roof of the school building are strong and sufficient provision for sunlight and safety from cold is made. The class-rooms are airy and properly lighted.

The stairs which would be used for exit from the building which has more than one floor are constructed in accordance with the National Building Code 2005 so that there is no hurdle in the evacuation of the children in case of emergency.

6. The teaching/non-teaching staff should be trained free of cost for the use of the fire fighting appliances and the security equipments through the district level crisis management committee/ fire officer so that in case of fire or any other emergency children could be safely removed.
7. All unaided schools imparting education of Nursery/ Primary/Junior High School level will be self-financed and no grant from the state government shall be approved.

2. Norms and conditions for the schools already recognised.

In case the school is recognized since prior to the enforcement of U.P. Right of the Children for Free and Compulsory Education Rules 2011 issued under the Right of the Children for Free and Compulsory Education Act 2009, it will present the information in the prescribed format to the concerned District Basic Education Officer within three months and it will be compulsory for the school to fulfill the following standards-

- a) The organization running the school must be registered under Society Registration Act, 1860.
- b) The school will not be run for giving profit to any person, group of persons or association.
- c) It will be compulsory for the school to follow the Committes of National Unity, National Flag, Secularism and Human values prescribed in the Indian Constitution as also instructions issued by the Government from time to time.
- d) The school buildings will not be used for commercial and residential purposes under any circumstances in day or night but there is relaxation for personnel related to security guarding.
- e) The school buildings will not be used for political or non-academic purposes. The external colour of the building should be of white colour and the school building should be compulsorily painted within maximum two years.
- f) The school can be inspected by any Government officer or local Education officer.
- g) The school can be inspected only by the section Education Officer and higher grade officers of the Education Department or an officer authorized by the District Magistrate.
- h) If asked by the district/divisional/ state level officer or any other recognized official, the school will have to supply the required details and information and ensure compliance of their instructions.
- i) Such schools who inform through the prescribed Declaration letter that the prescribed standards/conditions have been completed by them, will be inspected within 03 months by District Basic Education Officer.
- j) Barring unavoidable circumstances, the District Basic Education Officer will pass orders on such schools, which have fulfilled the conditions within 60 days of physical inspection. In the disputed cases, action will be taken after getting orders from the Education Director (Basic).
- k) A list of such schools that do not fulfill the prescribed norms for recognition shall be prepared by the Basic Education Officer. Such school shall be informed about their shortcomings and school-wise list of shortcomings will be displayed on the website also.
- l) The removal of shortcomings shall be compulsorily carried out by the concerned management within the prescribed period.

If the schools do not complete the prescribed standards and conditions in spite of the above relaxations then these schools will have to face closure within 03 years of the date of enforcement of Right of the Children for Free and Compulsory Education rules and action shall also be taken to cancel the recognition of such schools.

(3) Recognition Committee (Samiti):

For recognition of English Medium Schools, a Committee will be formed at Divisional level which will be as follows:

1. Concerned Assistant Education Director (Basic) President
2. Concerned District Basic Education Officer Member Secretary
3. Senior-most District Divisional Education Officer Member

The District Basic Education Officer will produce all the documents along with his comments after obtaining the required information and local inspection report before the recognized Samiti and according to the decisions taken by Samiti, the concerned District Basic Education Officer will issue instructions for recognition of the school in the prescribed format (Annexure 2).

(4) Amended criteria and rules regarding recognition of English Medium non-governmental Nursery/prathamik (primary)/higher prathamik (junior high school):

Application Procedure

Persons interested in the field of education or educational institutions run by lawfully created registered societies/trusts can apply for recognition:

- (1) Pre-primary and primary level (2 classes before primary level and classes I to V)
- (2) Primary level (Classes I to V)
- (3) Pre-primary, and Junior High School level (2 classes before primary level and classes I to VIII).

(5) Procedure for giving Application form for Recognition:-

- (1) Application must be made in a given format along with an application letter and the required fee (in the form of a bank draft addressed to the concerned Basic Education Officer, which is to be deposited by chalan in the treasury of Basic Education Department by the Basic Education Officer). The format of the given Application form can be obtained (enclosure 1) along with the Set of Rules and Regulations under Right of the Children to Free and Compulsory Education Act.

The above mentioned Serial No. 4 under which point (1) and (2) are placed can seek recognition by depositing a fee of Rs. 2000/- and Serial No-3, by depositing fee of Rs. 3000/- as draft addressed to Basic District Education Officer who will deposit the amount as Sangat Lekha Title.

- (2) An amount of Rs. 10,000 (Rs Ten Thousand) will be placed safely in the name of the District Education Office in the form of National Saving Certificate (NSC).
- (3) After obtaining the application form the District Basic Education Officer will do the necessary inspection and investigation and the concerned schools will be informed accordingly. During the inspection, the officer on duty will ascertain that at the time of inspection, the Gram Pradhan/Panchayat member representative are present so that it may be confirmed at local level that the inspection has actually taken place. The shortcomings found in the inspection must be conveyed to the management of the concerned school by the Basic Education Officer within 15 days. Within 2 months of being informed about the shortcomings (lack in prescribed standards) the school management must send proof of having fulfilled the needed conditions (in 3 copies) making the letter available to the Basic Education Officer. Then the District Basic Education Officer, will inspect the report and produce it before the recognized committee for their consideration.

(6) Financial terms and Conditions:

Besides the conditions for recognition it would also be compulsory for the High Primary School to fulfill the terms and conditions given below:

- (a) The school must have a deposit (Sandaan) of Rs. 20,000/-. This amount can be kept as deposit or in cash as
 - (i) Cash money
 - (ii) Government Security
 - (iii) Immovable property

Note: If it is kept as Sandaan cash money or Govt. Security, then it must be in the name of Basic Education Officer. If it is in the nature of immovable property, then the manager or an officer who is entitled to write a legal paper (D.D) or sell the property, must write a commitment to the Basic Education Officer that this property will not be transferred without written permission of authorised officers and will not be bound in any way. In this regard, a pledge will also be taken. The assessment of this property and any income generated by it must be certified by a state official, whose status is no less than the Tahsildar. In areas where municipalities operate, the executive officer of the Nagar Nigam/Nagar Palika and Deputy Nagar Officer will give the certification.

A fixed fund starting with Rs.5000/- will be constituted by the institution in the name of the District Basic Education Officer. The State and Central Govt. Boards as well as Military Ordinance factories running organizations need not conform to the conditions of Sandaan and fixed fund however to run any such organization, due permission must be taken from concerned authority and provision must be made for fixed and running expenses.

(7) Recognition:

- (1) The school will be recognized only when there is a minimum student population residing in the catchment area. The minimum student population requirement is as follows:-
 - (a) Pre-primary and primary 200 (07 classes)
 - (b) Primary 150 (05 classes)
 - (c) Pre-primary, primary and junior high school 275 (10 classes)
 - (d) Primary and junior high school 225 (08 classes)

The minimum student population of schools in educationally and economically backward and in rural areas will be decided according to regional conditions.

Schools following the English Medium are expected to teach according to the syllabus approved by Basic Shiksha Parishad or prescribed by the NCERT/SCERT. Education must be imparted from the recommended books only and no pressure must be put upon students to buy stationery items from any particular publisher. Practice work books must not carry the school's name and be forced for purchase by the students, otherwise the recognition of such school may be withdrawn.

(8)Physical Infrastructure

1. Building:

- a. The recognition of School society can be considered in case of the school having own building or availability of building for minimum 10 years on rent/lease as per their requirement. In case of having a rented building, the lease should be registered.

- b. The space should be available @ 09 sq ft per student in every class of the primary school but the area of the class room shall not be less than 180 sq ft i.e. Seating arrangement of minimum 20 students so that academic activities can be run comfortably in the class. Only so many Boy/ Girl students shall be admitted in the school whose proper seating arrangement is available as per the prescribed format. There should also be library and reading room in the school.
- c. There should be separate rooms for the principal, office and staff.
- d. There should be provision of separate urinals and toilets for male and female teachers and also for male and female students.
- e. Appropriate arrangements have to be made for safe and germs free drinking water in the school.
- f. Exterior of school building should be painted in white colour and arrangements must compulsorily be made to paint the building every two years.

2. Sports Complex:

It is mandatory to have sports ground, as far as possible within the school campus or near to the school complex where facilities and space should be there for games like Kabaddi, Volleyball, Badminton, Basket Ball, Kho-kho which could be utilised by the students.

Important: Exemption of sports ground may be given for exclusive girls' schools. Similarly for boys' schools located in densely populated areas of cities where there is lack of space, such exemption of sports ground could also be given. No school can be deprived of recognition because of lack of sports field.

3. Decoration and Equipments

Arrangements of chairs, stools, benches and tables for the students (according to enrolment and ages) must be made of all ages to sit and chairs and tables for the teachers should be made available.

4. Library

Books of different subjects useful for the pupils of primary schools upto class V and upto class VIII for junior schools should be made available. Besides, the books of general knowledge, educational books and magazines may also be arranged.

5. Science Apparatus

As per the syllabus of the school, science apparatus should be available.

6. Teaching Tools

Required teaching tools should be available for effective teaching.

(9) Human Resources

Staff Salary, Service Conditions

- a) According to U.P. Right of the Children to Free and Compulsory Education Rules 2011, Article -6, Para-15, qualified male/female teachers should be available. It must also be taken into consideration that the concerned teachers for each science, mathematics, social science higher elementary class should be provided. Besides, one experienced teacher each should be there for child education, health and physical education.

- b) The school should appoint clerks as per its requirement and a fourth class employee. Part time appointment of the guard, maid servant and cleaning employee may be approved. Other appointments of teachers, non-teaching staff and fourth class employee should be for full time.
- c) The management shall provide a service rule for the school employees clearly mentioning the type of appointment, probation period, confirmation and punishment related rules and the legal procedures.

The Service Rule should clearly mention leaves, gratuity, insurance policy, P.F. and other employees welfare schemes.

Legal Service Contract between the management and all the employees of the school (Head Master, Teachers, Non-teaching Staff, fourth class employee) shall be made, that should be countersigned by the respective District Education Officer and its one copy will be saved in the office of the District Education Office.

Charges/ Fees

The recognized schools will collect that Tuition fee and dearness fee from students on monthly basis which is sufficient to maintain teacher/employee welfare scheme contribution. Besides out of above Tuition fee after payment of teachers' salary and Dearness Allowance, the balance saving should not exceed 20% of the income.

There can be no increase in Tuition fee for 3 years and after 3 years when it is increased, it will not be by more than 10%. The school may further charge under following heads.

- 1) Education Fee
- 2) DA
- 3) Development Fee
- 4) Electricity and Water
- 5) Library and Reading room
- 6) Science Fee
- 7) Others
- 8) Sports
- 9) Exams/Evaluation
- 10) School Function/ Festival
- 11) Special Subjects - computers/Music etc.

Note:

1. Charging Registration fee, Building Tax and Capitation Fee from students is strictly prohibited.
2. Recognized schools will have 25% seats for imparting free education to poor children belonging to disadvantaged group. This prohibition is however not applicable to unaided minority schools.
3. The school will regulate as per the norms of Right of Children to Free and Compulsory Education Sec-19 and list attached to it.

(10) Time schedule for granting recognition for the academic session 2013-14

In view of the new recognition conditions, the recognition committee will take decision in a time bound schedule by 30th June' 2013 on those applications which have been forwarded by Manager/Competent Authority on Form I with the self -declaration cum application and are pending in the office of the District Basic Education Officer.

Note: Recognition Committee will consider for recognition for the academic session only after the discrepancies, in respect of following of guidelines have been removed by the respective schools.

- (11) Time Table in respect of according recognition for academic session 2014-15 and beyond:**
To get recognition of the school, Form I will be submitted by the Manager/Competent Authority of the school with self-declaration cum application in the office of District Basic Education Officer as per time schedule indicated and application for recognition will be disposed of as per dates indicated in the Time Table.

1.	Submission of application in the office of District Basic Education Officer	1 July to 31 August
2.	Information to general public in respect of forms received.	First week of September
3.	Inspection of applicant school	15th September to 31st October
4.	Information to school regarding discrepancies by respective District Basic Education Officer.	November to December
5.	To accept applications after removal of discrepancies by applicants.	January- February
6.	To take decision on the application of recommendation by the Recognition Committee after the local inspection of the school by District Basic Education Officer or any other Education Officer authorized by him.	March
7.	Issuance of Recognition order by District Education Officer.	by 31 st May

Note: Meeting of Recognition Committee will be convened two times in March and November in one year. Recognition Order will be issued in the month of December in respect of those schools who have fulfilled laid down standard and have been properly inspected by the Recognition Committee. After getting the discrepancies rectified by those colleges, who did not fulfill laid down norms, after the meeting in the month March, Recognition Order will be issued by District Basic Education by 31st May.

(12) Process in respect of recognition

From the session 2014-15 process for recognition will be held on-line; the address of website and procedure for the same will be issued separately.

(13) Withdrawal of recognition of school

Where District Basic Education Officer is self satisfied on the basis of representation received from an individual that one or more rules in respect of recognition have been flouted, he will act as under:

- (a) Notice will be issued to call for explanation indicating the specific condition which has been flouted, within one month.
- (b) If no reply is received from the school within the stipulated period, then District Basic Education Officer will constitute a three member committee consisting of government representatives and one educationist and the committee will inspect the school. The committee will submit its recommendations to continue or revoke the recognition of school within fifteen days from the date of the report. Constitution of the above committee will be done by the District Magistrate and he will have the right to change the members of the committee.
- (c) On the basis of the report of committee, District Basic Education Officer, within 15 days will call for an explanation from the school and allow them 30 days' time to submit reply and after

examining their reply or facts based on records will seek orders of Recognition Committee within 45 days.

- (d) Within 7 days of the receipt of decision of Recognition Committee District Basic Education Officer will issue Speaking Order to cancel the recognition of the school. The cancellation order will be effective from following academic session and will mention names of nearby schools where children of derecognized school will be nominated. Local Officer will also be apprised of the above order and the same will be published in local and national dailies for information of general public and the same will be uploaded on the website.
- (14) The amendments made under Article 1A(4) of Basic Act 2009 will not be applicable on unaided minority schools.
- (15) According to designated rules and provisions, firstly, a provisional recognition will be given for three years. During this period in case no fact is established to contradict the rules of recognition, then after the completion of three years period, it will be deemed that the school has got permanent recognition.

Kindly ensure that the above rules/regulations are strictly followed.

Encl: As above

Yours,
-Sd
Sunil Kumar
Principal Secretary

No. and Date

Copy forwarded for information and necessary actions.

1. All Commissioners, U.P.
2. All District Magistrates, U.P.
3. Addl. Director of Education (Basic) U.P., Education Directorate, Allahabad
4. Secretary, Basic Shiksha Parishad, U.P. Allahabad
5. All Divisional Asstt. Education Directors (Basic) U.P.
6. All District Basic Education Officers, U.P.
7. All Officers of Department of Education/Secretary.
8. Guard File

By order of
-Sd
Mamta Srivastava
Joint Secretary