

[*Authorised English Translation*]

HARYANA GOVERNMENT
SCHOOL EDUCATION DEPARTMENT
NOTIFICATION

The 3rd June, 2011

No: S.O. 49 /C.A.35/2009/S.38/2011.— In exercise of the powers conferred by sub-section (1) read with sub-section (2) of section 38 of the Right of Children to Free and Compulsory Education Act, 2009 (Central Act 35 of 2009), the Governor of Haryana hereby makes the following rules, namely : -

1. (1) These rules may be called the Haryana Right of Children to Free and Compulsory Education Rules, 2011.

Short title and
Commencement.

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

2. (1) In these rules, unless the context otherwise requires,—

Definitions.

- (a) "Act" means the Right of Children to Free and Compulsory Education Act, 2009 (Central Act 35 of 2009);
- (b) "Academic Authority" means the State Council of Educational Research and Training, Gurgaon;
- (c) "Anganwadi" means an anganwadi centre established under the Integrated Child Development Scheme of the Ministry of Women and Child Development, Government of India;
- (d) "Appendix" means the appendix annexed to these rules;
- (e) "Appropriate age for appropriate class" means the age for admission in class, which shall be, -
 - (i) for Class One : five years to six years;
 - (ii) for Class Two : six years to seven years;
 - (iii) for Class Three : seven years to eight years;
 - (iv) for Class Four: eight years to nine years;
 - (v) for Class Five : nine years to ten years;
 - (vi) for Class Six : ten years to eleven years;
 - (vii) for Class Seven : eleven years to twelve years;
 - (viii) for Class Eight : twelve years to thirteen years;

- (f) "Child belonging to weaker sections and disadvantaged group" means a child belonging to any of the following categories,—
- (i) a child of a family covered under the latest list of Below Poverty Line of both rural and urban areas issued and approved by the Government;
 - (ii) an orphan;
 - (iii) a HIV affected child;
 - (iv) a child with special needs;
 - (v) a child of war widow;
- (g) "Director" means the Director, Elementary Education Department and includes any other officer authorized by the Government in this behalf;
- (h) "District Elementary Education Officer" means the District Elementary Education Officer of the District in which a recognized primary/middle school is situated and includes any other officer authorized by the Government in this behalf;
- (i) "Form" means a form appended to these rules;
- (j) "Government" means the Government of the State of Haryana in the Administrative Department;
- (k) "Local Authority" besides the bodies defined in the Act, includes—
- (i) the School Management Committee;
 - (ii) the Block Education Officer, Block Elementary Education Officer, District Elementary Education Officer, Additional Deputy Commissioner and Deputy Commissioner;
 - (iii) 'Mewat Development Board' and 'Shivalik Development Board' in their respective jurisdiction;
- (l) "managing committee" means the body of individuals entrusted with the management of a recognized private school;
- (m) "municipality" means a municipality as defined in the Haryana Municipal Act, 1973 (24 of 1973);
- (n) "Neighbourhood area" means a ward declared as such under the Haryana Municipal Act, 1973, (24 of 1973), Haryana Municipal Corporation Act, 1994 (16 of 1994) in urban areas and Gram Panchayat under the Haryana Panchayati Raj Act, 1994 (11 of 1994), as the case may be;

- (o) "neighbourhood school" means a school which is attached with one or more neighbourhood area by the local authority with the approval of the Director;
- (p) "pupil cumulative record" means record of the progress of the child based on comprehensive and continuous evaluation;
- (q) "Right to Education Protection Authority" means an authority constituted under sub-rule (2) of rule 23;
- (r) "section" means the section of the Act;
- (s) "State Advisory Council" means the council constituted under sub-section (1) of section 34;
- (t) "school bag" means a bag that can sufficiently carry all the reading and writing material;
- (u) "School Management Committee" means the committee constituted under sub-section (1) of section 21;
- (v) "school mapping" means planning school location to overcome social barriers and geographical distances;
- (w) "textbooks" mean textbooks, supplementary readers and workbooks or any other reading material as may be specified by the Government;
- (x) "Uniform" includes all clothes and accessories as mentioned in appendix-III;
- (y) "writing material" means notebook, exercise book, pen, pencil, colour box, eraser or any other material as may be specified by the Government;

(2) Words and expressions used but not defined herein but defined in the Act shall have the same meanings respectively as assigned to them in the Act.

3. (1) The School Management Committee of a school owned and managed by the Government or a local authority shall identify children requiring special training and organise such training in the following manner, namely:-

Special Training.

- (a) the special training shall be based on specially designed, learning material, appropriate to the age as approved by the academic authority;
- (b) it shall be provided in classes to be held in the premises of the school;
- (c) it shall be provided by teachers working in the school;
- (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, for a maximum period not exceeding two years.

(2) The child shall, upon admission into the age appropriate class, after special training, continue to receive special attention by the teacher to enable him to successfully integrate with the rest of the class, academically and emotionally.

Area or limits of
neighbourhood school.

4. (1) The area or limits of neighbourhood within which a school is to be established by the Government shall be-

(a) from classes I to V, within a distance of one kilometre:

Provided that there are at least thirty children within the age group of five to six years;

(b) from classes VI to VIII, within a distance of three kilometre:

Provided that there are at least one hundred and fifty children in the primary school and minimum thirty children in class V.

(2) In areas 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 Government or the Local Authority shall consider locating the school in such a manner as to avoid such dangers by reducing the limits specified under sub-rule(1).

(3) For small hamlets as may be identified by the Government or the Local Authority, where no school exists within the area or limits of neighbourhood specified under sub-rule (1) above, the Government or the Local Authority shall make adequate arrangements, such as free transportation and other facilities, in relaxation of the limits specified under sub-rule(1).

(4) In area with high population density, the Government or the local authority shall consider establishment of more than one neighbourhood school, having regard to the number of children in the age group of six to fourteen years in such area.

(5) The local authority shall identify the neighbourhood schools where children can be admitted and make such information public for each habitation within its jurisdiction after the approval of the Director.

(6) In respect of children with disabilities which prevent them from accessing the school, the Government or the local authority shall endeavour to make appropriate and safe transportation arrangement.

(7) The Government or the local authority shall ensure that access of children to the school is not hindered on account of social and cultural factors.

(8) Before opening a new school, the Government shall undertake rationalization exercise within the existing primary and upper primary schools and take appropriate decisions including those relating to their merger or closure as may emerge from the rationalization exercise.

(9) In order to maintain the Pupil-Teacher Ratio in each school, the Government shall conduct a rationalisation and redeployment exercise of teachers. Such exercise shall be completed by 30th of June of every year and the deployment of the teachers shall be governed by the norms specified in the schedule.

5. (1) A child attending a school referred to in sub-clause (i) and (ii) of clause (n) of section 2, in accordance with clause (b) of sub-section (1) of section 12, and a child attending a school referred to in sub-clause (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 :

Responsibilities of Government and local authority.

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

Explanation: In respect of a child admitted in pursuance of clause (b) and (c) of sub-section (1) of section 12, the responsibility of providing the free education and other facilities shall be of the school referred to in sub-clause (ii), (iii) and (iv) of clause (n) of section 2, respectively.

(2) For the purpose of determining and for establishing neighbourhood school, the local authority in consultation with the Director shall undertake school mapping, and identify all children, including children in remote areas, children with disabilities, children belonging to disadvantaged groups, children belonging to weaker sections and children referred to in section 4, within a period of one year from the date of publication of these rules and every year thereafter.

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

(4) For the purposes of clause (c) of section 8 and clause (c) of section 9, the Government and the local authority shall ensure that a child belonging to a weaker section and 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.

(5) The Government and the local authority shall endeavour to provide pre-primary education to the children above three years and before their admission to class one.

6. (1) The local authority through Anganwadi worker shall maintain a record of all children, within its jurisdiction, through a household survey, from birth till they attain the age of five years.

Maintenance of records of children by the local authority.

(2) The District Elementary Education Officer shall, with the help of the local authority, maintain a record of all children, within his jurisdiction, through a household survey, from age of five years till they attain the age of fourteen years.

(3) The record, referred to in sub-rule (1) and (2), shall be updated each year.

(4) The record, referred to in sub-rule (2), shall be maintained transparently, in the public domain and used for the purposes of clause (c) of section 9 or any other purpose, as may be decided by the Director.

(5) The record, to be codified, referred to in sub-rule (1) and (2) shall contain such information as specified in Form 3.

(6) The Block Education Officer or the Block Elementary Education Officer, as the case may be, and the District Elementary Education Officer shall jointly ensure that the names of all children enrolled in a schools under their jurisdiction are publicly displayed in the school.

(7) 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. The required 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.

Admission of children belonging to weaker section and disadvantaged groups.

7. (1) The schools referred to in sub-clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in pursuance of clause (c) of sub-section (1) of section 12 are not segregated from the other children in the classrooms and their classes are not 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 pursuance of clause (c) to sub-section (1) of section 12 shall not be discriminated from the rest of the children in any manner pertaining to usage of academic and non academic facilities in the school such as classrooms, laboratories, library and Integrated computer training facilities, extra-curricular activities and sports.

(3) The areas or limits of neighbourhood specified in sub-rule (1) of rule 4 shall apply to admissions made in pursuance of clause (c) of sub-section (1) of section 12 :

Provided that the school may, for the purposes of filling up the requisite percentage of seats for children referred to in clause (c) of sub-section (1) of section 12, extend these limits with the prior approval of the Director.

(4) The schools referred to in sub-clauses (iii) and (iv) of clause (n) of section 2 shall ensure that at least twenty five percent of total seats of class one or previous classes, wherever applicable, are reserved in accordance with clause (c) of sub-section (1) of section 12 for the children belonging to weaker sections and disadvantaged groups :

Provided that five percent seats for children of Scheduled Castes, four percent seats for children of Backward Classes (A) and two and half percent for children of Backward Classes (B) category shall be reserved for weaker sections and disadvantaged groups :

Provided further that if the number of applicants for admission in a particular school is more than the number of seats for children belonging to weaker sections and disadvantaged groups, the admission shall be done by draw of lots.

Explanation: The admission to the seats mentioned above shall be given to the children to such schools connected to a neighbourhood area/ where their families normally reside not otherwise. The Director will issue the guidelines so as to confirm the residence of a family in a neighbourhood.

(5) The schools referred to in clause (ii) of clause (n) of section 2 shall reserve seats from class one or previous class, if any, to class eight in proportion to grants received by the school in any manner, and admit children in such proportion and provide free and compulsory education to them in accordance with clause (b) of sub-section (1) of section 12. Such admissions shall be made in the following manner:-

(a) (i) twenty five percent seats shall be reserved in class one or previous class, if any, to the children belonging to weaker and disadvantaged group. The distribution of such seats shall be made as per sub-rule (4) of rule 7; and

(ii) out of total reserved seats, remaining seats in class one or previous class, if any, shall be filled up from children residing in that neighbourhood area to which that school is attached.

(b) schools of such category shall reserve seats from class two to eight in proportion to grant received by these schools.

(6) The schools of such category shall ensure completion of elementary education of all children admitted therein under the provision mentioned above.

8. (1) The total annual recurring expenditure incurred by the Government, whether from its own funds, or funds provided by the Central Government or by any other authority, on elementary education in respect of all 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 Government.

Reimbursement of per-child expenditure by the Government.

Explanation : For the purpose of determining the per-child expenditure, the expenditure incurred by the 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) 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.

(3) The school in the month of July every year shall submit the list of names of the children admitted in a school to the District Elementary Education

Officer for verification. These names shall also be displayed in a manner as required by the Director .

(4) The schools mentioned in sub-clause (iv) of clause (n) of section 2 which have received land, building, equipments or other facilities for the establishment and operation of the schools free or on concessional rates and have while availing such facilities undertaken to provide free education to children in one or more classes, shall be bound by that commitment. Accordingly no reimbursement shall be made in such proportion under which the school has to provide free and compulsory education as per the commitment as detailed above.

(5) (a) The schools mentioned in sub-clauses (ii) of clause (n) of section 2 shall give admission in proportion to the grants received from the Government as per rule 7 and no reimbursement of expenditure shall be given to such schools.

(b) The expenditure shall be reimbursed to the schools mentioned in sub-clauses (iii) and (iv) of clause (n) of section 2 in proportion to the admissions given to the children of weaker sections and disadvantaged group.

(6) (a) The Government shall constitute a committee comprising of Financial Commissioner and Principal Secretary (Finance), Financial Commissioner and Principal Secretary (School Education), Financial Commissioner and Principal Secretary (Planning), Director of Elementary Education and State Project Director, Sarav Shiksha 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 instalments during the academic year. First instalment of fifty percent shall be reimbursed in the month of September and balance shall be reimbursed in the month of February. The second instalment shall be made after verification of the retention and attendance of such children subject to a minimum of eighty percent of attendance till January and the pupil cumulative record.

Documents as age
proof.

9. (1) Wherever a birth certificate under the Births, Deaths and Marriages Registration Act, 1886 (6 of 1886) is not available, any one of the following documents shall be deemed to be proof of age of the child for the purposes of admission in a school: -

- (a) hospital / auxiliary nurse and midwife register record;
- (b) anganwadi record; or
- (c) affidavit of the age of the child by the parent or guardian .

(2) The head teacher shall intimate the local authority concerned regarding admission of any child without birth certificate and the concerned authority

(Registrar, Births and Deaths) shall forward copy of the birth certificate within six months of such intimation.

10. (1) Extended period of admission shall be six months from the date of commencement of the academic year of a school.

Extended period for admission.

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

11. 'Hindi' shall be preferred medium of instruction in all schools. The institution willing to adopt any other medium of instruction shall take prior permission of Director. This permission shall be granted within forty five days of receipt of letter in the office of Director. In case the permission is not given within specified period, it shall be deemed to have been granted.

Medium of instruction.

12. (1) Every school, other than a school established, owned or controlled by the Government or local authority, established before the commencement of these Rules, shall make a self declaration within a period of three months of the commencement of these rules, in Form 1 to the concerned District Elementary Education Officer regarding its compliance or otherwise with the norms and standards specified in Appendix I and II and the following conditions, namely:-

Recognition of schools.

- (a) the school is run by any individual or association of individuals or firm or society registered under the Societies Registration Act, 1860 (21 of 1860), or trust created under the Indian Trusts Act, 1882 (2 of 1882), or a company registered under the Companies Act, 1956 (1 of 1956). The School authority shall follow the norms specified under these rules;
- (b) the school conforms to the values enshrined in the Constitution;
- (c) the school buildings or other structures or the grounds are used only for the purposes of education and skill development;
- (d) the school is open to inspection by any officer authorized by the State Government or the Local Authority;
- (e) the school furnishes such reports and information as may be required from time to time and complies with such instructions of the State Government or the Local Authority as may be issued to secure the continued fulfilment of the condition of recognition or the removal of deficiencies in working of the school;
- (f) the pupil-teacher ratio as specified in section 25 is maintained;
- (g) the school provides barrier free access and adapted toilets for children with disabilities.

(2) Every self declaration received in Form I shall be placed by the District Elementary Education Officer in public domain within fifteen days of its receipt.

(3) There shall be an inspection committee consisting of District Elementary Education Officer as Chairman and Block Education Officer, the Sarpanch of the concerned Gram Panchayat or Municipal Councillor of the ward in which the school is situated as member. The committee shall conduct on-site inspection of such schools which claim in Form I to have fulfilled the norms and standards and the conditions mentioned in sub-rule (1) within two months of the receipt of the self declaration.

(4) After the inspection referred to in sub-rule (3) is carried out, the inspection report shall be placed in public domain and schools found to be conforming to the norms, standards and the conditions shall be granted recognition by the Additional Director (Administration) / Joint Director (Administration) of the Directorate of Elementary Education within a period of forty five days from the date of inspection.

(5) Schools that do not conform to the norms, standards and conditions mentioned in sub-rule (1) shall be listed by the District Elementary Education Officer through a public order to this effect and such school may request the District Elementary Education Officer for an on-site inspection for grant of recognition at any time before 31st March, 2013.

(6) Every school, other than a school, owned or controlled by the Government or Local Authority established after the commencement of these rules shall conform to the norms and standards and conditions mentioned in sub-rule (1) and also satisfy the norms for the land and building specified in Appendix I and Appendix II in order to qualify for recognition. Before the grant of recognition the inspection shall be carried out by the committee as specified in subrule (3) and accordingly the decision with regards to grant of recognition shall be taken by authority as mentioned in sub-rule (4) within the time scheduled as specified in the said sub-rule.

Withdrawal of
recognition to
schools.

13. (1) Where the District Elementary Education 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 recognised under rule 11, has violated one or more of the conditions for grant of recognition or has failed to fulfil the norms and standards specified in the Schedule, he shall act in the following manner:-

- (a) issue a notice to the school specifying the violations of the condition of grant of recognition and seek its explanation within twenty-one days;
- (b) in case the explanation is not found to be satisfactory or no explanation is received within the stipulated time period, the District Elementary Education Officer may cause an inspection of the school to be conducted by a committee of

three to five members comprising of the following members to be nominated by the Deputy Commissioner of the district, namely;

- (i) Educationist - 1;
- (ii) Panchayati Raj Institution - 1;
- (iii) Media - 1;
- (iv) Government Representatives - 2.

The committee shall make due inquiry and submit its report, along with its recommendations for continuation of recognition or its withdrawal to the District Elementary Education Officer within one month.

- (c) The District Elementary Education Officer shall forward the report of the committee, along with his comments, to the Director within fifteen days.

(2) The Director shall, after due examination, pass a speaking order for withdrawal of recognition or otherwise, within a period of forty-five days from the date of receipt of the report from the District Elementary Education Officer.

(3) The Director shall, on the basis of the order referred to in sub-rule (2), convey its decision to the District Elementary Education Officer within fifteen days:

Provided that no recognition shall be so withdrawn without giving an opportunity of hearing to the managing committee of such school.

(4) The District Elementary Education Officer shall further execute the order passed by the Director within thirty days of its receipt.

(5) The order of de-recognition shall be operative from the immediately succeeding academic year and shall specify the neighbourhood schools to which the children of the de-recognised schools shall be admitted.

14. (1) A School Management Committee shall be constituted in every school, other than an unaided school, within its jurisdiction, within six months of the commencement of the rules, and reconstituted every two years. A School Management Committee (hereinafter in this rule referred to as 'SMC') shall consist of (excluding the Convener Member as provided in sub-rule (4)), members as detailed below:

- (i) Strength of students - 001 - 300 = 12 members;
- (ii) Strength of students - 301 - 500 = 16 members;
- (iii) Strength of students - 501 and above = 20 members.

Composition and functions of the school management committee.

(2) Seventy five percent of the strength of the SMC shall be from amongst parents or guardians of children. A meeting of all parents and guardians whose wards are studying in the school will be arranged in the school premises by the Head Teacher or the senior most Teacher of the schools for the constitution of the committee. The association of parents and guardians will unanimously nominate members as required to the SMC. In case of any dispute the matter shall be reported to the Block Education Officer / Block Elementary Education Officer and subsequently to the District Elementary Education Officer for resolving the matter.

(3) The remaining twenty five percent of the strength of the SMC shall be from amongst the following persons, namely:

- (a) one third members from amongst the elected members of the municipality or Gram panchayat as the case may be;
- (b) one third members from amongst teachers from the school, to be decided by the teachers of the school;
- (c) one third from amongst local educationists or children in the school, to be decided by the parents/guardians in the Committee.

(4) In the composition of SMC fifty percent members shall be women. At least one member each, from amongst the total member of the SMC shall belong to scheduled caste and backward class categories. At least one parent of the children with special needs shall be co-opted in SMC if not included already.

(5) The School Management Committee shall elect a Chairperson and Vice Chairperson from among the parent/guardian members. The Head Teacher of the school or where the school does not have a Head Teacher, the senior most teacher of the school shall be the ex-officio Member-Convener of the School Management Committee.

(6) The School Management Committee shall meet at least once a month and the minutes and decisions of the meetings shall be properly recorded and made available to the public by the Member - Convener.

(7) The School Management Committee shall, in addition to the functions specified in clauses (a) to (d) of sub-section(2) of section 21, perform the following functions, for which it may constitute smaller working groups from amongst its Members, 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 (c) of section 24 and of section 28;

- (c) monitor that teachers are not burdened with non academic duties other than those specified in section 27;
- (d) ensure the enrolment and continued attendance of all the children from the neighbourhood in the school;
- (e) monitor the maintenance of the norms and standards prescribed in the Schedule;
- (f) bring to the notice of the Local Authority any deviation from the rights of the child, in particular mental and physical harassment of children, denial of admission, and timely provision of free entitlements as per section 3(2);
- (g) identify the needs, prepare a Plan, and monitor the implementation of the provisions of section 4;
- (h) monitor the identification and enrolment of, and facilities for learning by disabled children, and ensure their participation in, and completion of elementary education;
- (i) monitor the implementation of the mid-day meal in the school;
- (j) prepare an annual account of receipts and expenditure of the school;
- (k) any other task entrusted by the Government.

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

(9) The accounts referred to in clause (j) of sub-rule (7) shall be signed by the Chairperson/ Vice-Chairperson and Convener of the School Management Committee and made available to the Deputy Commissioner within a period of one month of their preparation.

15. (1) The School Management Committee shall prepare a school development plan at least three months before the end of the financial year in which it is first constituted under the Act.

Preparation of school development plan.

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

(3) The School Development Plan shall contain the following details—

- (a) estimates of class-wise enrolment for each year;
- (b) requirement, over the three years period, of the number of additional teachers, including Head Teachers, subject teachers and part time teachers, separately for classes one to five and classes six to eight, calculated, with reference to the norms specified in the Schedule;

(c) physical requirement of additional infrastructure and equipments, over the three years period, calculated, with reference to the norms and standards specified in the Appendix I and II;

(d) additional financial requirement, over the three years period, year-wise, in respect of (b) and (c) above, including additional requirement for providing special training facility specified in section 4, entitlement of children, such as free text books and uniforms, and any other additional financial requirement for fulfilling the responsibilities of the school under the Act.

(4) The School Development Plan shall be signed by the Chairperson or Vice-Chairperson and Convener of the School Management Committee and submitted to the Additional Deputy Commissioner through the District Elementary Education Officer before the end of the financial year in which it is to be prepared.

(5) The Academic Authority in consultation with the Director shall provide training to Member-Convener and other members of the SMC in preparing School Development Plan.

Minimum qualification.

16. (1) The minimum qualifications for persons to be eligible for appointment as a teacher in an elementary school shall be such as notified by the academic authority in pursuance of sub-section (1) of section 23.

(2) The minimum qualifications laid down by the academic authority shall be applicable for every school referred to in clause (n) of section 2 and where the academic authority has not defined the minimum qualifications in respect of certain categories of teachers the Government shall specify the norms.

(3) The Government shall notify the agency authorized to conduct the Teacher Eligibility Test.

Acquiring minimum qualifications.

17. (1) The 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 such minimum qualifications within a period of five years from the commencement of the Act.

Conditions of service of teachers.

18. (1) The terms and conditions of service shall take into account the following, namely:-

(a) accountability of teachers to the School Management Committee;

- (b) adherence to the conduct rules and code of professional ethics for school teachers;
- (c) provisions enabling long-term stake of teachers in the teaching profession.

19. (1) In performance of the functions specified in sub-section (1) of section 24 and in order to fulfil the requirements of clause (h) of sub-section (2) of section 29, the teacher shall maintain a file containing the pupil cumulative record for every child which shall be the basis for awarding the completion certificate specified in sub-section (2) of section 30.

Duties to be performed by teachers Section 24(1)(F).

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

- (a) participation in training programmes;
- (b) participation in curriculum formulation, and development of syllabi, training modules and text book development;
- (c) maintaining a daily teacher's diary;
- (d) impart special training as mandated by section 4;
- (e) ensure that every child attains the minimum levels of learning outcomes specified by the academic authority for each subject and assess the levels achieved by him throughout the academic year;
- (f) 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.
- (g) ensure full utilization of school facilities like, library, laboratory and information and communication technology, sports and games, work education etc.

20. The Government shall specify an appropriate grievance redressal system for the teachers.

Grievance redressal of teachers.

21. (1) While laying down the curriculum and evaluation procedure, the academic authority shall,—

Functions of academic authority.

- (a) formulate the relevant and age appropriate syllabus and text books and other learning material;
- (b) develop in-service teacher training design;
- (c) prepare guidelines for putting into practice continuous and comprehensive evaluation;
- (d) prepare guidelines for award of certificates for the purpose of sub-section (2) of section 30; and any other work assigned to the academic authority by the Government or Director,

(2) The academic authority shall design and implement a process of holistic school quality assessment on a regular basis.

(3) The academic authority shall carry out the functions and take all decisions in consultation with the Director and the Board of School Education, Haryana.

Award of certificate.

22. (1) The certificate of completion of elementary education shall be issued by the Head Teacher or Headmaster and countersigned by District Elementary Education Officer within one month of the completion of elementary education.

(2) The certificate referred to in sub-rule (1) shall,—

- (a) certify that the child has completed all courses of study specified under section 29; and
- (b) contain the pupil cumulative record of the child and also specify achievements of the child in areas of activities beyond the prescribed course of study and may include music, dance, literature, extra-curricular activities, hobbies, sports, etc.

Constitution of Right
to Education
Protection Authority.

23. The Government shall specify the Right to Education Protection Authority for the purposes of performing the functions specified in sub-section (1) of section 31, within six months of the commencement of these rules.

Constitution and
functions of the State
Advisory Council

24. (1) The State Advisory Council shall consist of a Chairperson and fourteen members,—

- (i) Minister in-charge of the School Education Department shall be the ex-officio Chairperson of the Council;
- (ii) Financial Commissioner and Principal Secretary to Government Haryana, School Education Department, shall be the ex-officio Vice-chairman of the Council;
- (iii) Director, Secondary Education shall be the ex-officio member of the Council;
- (iv) State Project Director, Haryana Prathmik Shiksha Pariyojna Parishad shall be the ex-officio member of the Council;
- (v) Director, Women and Child Development Department, Haryana shall be the ex-officio member of the Council;
- (vi) Director, Elementary Education shall be the ex-officio member secretary of the Council;
- (vii) Secretary, Board of School Education, Haryana shall be the ex-officio member of the Council;
- (viii) other Members of the Council, shall be appointed by the 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, Backward Classes and Minorities;
- (b) at least two members 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 specialised 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;
- (e) one third of the members shall be women other than the ex-officio members.

(2) The Director shall provide logistic support for meetings of the Council and its other functions.

(3) The procedure for transaction of business of the council shall be as under—

- (i) The council shall meet regularly at such times as the Chairperson thinks fit but three months shall not intervene between its last and the next meeting; and
- (ii) the meeting of the council shall be presided by the Chairperson. If for any reason the Chairperson is unable to attend the meeting of the council, Vice-chairman of the council shall preside over such meeting. Quorum of the meeting of the council shall be considered complete if at least fifty percent of its members are present.

(4) The terms and conditions for appointment of members of the council shall be as under:—

- (a) every member appointed by the Government shall hold office for a term of two years from the date on which he assumes office :

Provided that no member shall hold office for more than two terms;

- (b) the member may be removed from his office by an order of the Government on the ground of proved misbehaviour or

incapacity, or on the happening of any one or more of the following events :—

- (i) is adjudged an insolvent; or
- (ii) refuses to act or become incapable of acting; or
- (iii) is of unsound mind and stands so declared by a competent Court; or
- (iv) has so abused his office as to render his continuance in office detrimental to the public interest; or
- (v) is convicted for an offence by a competent Court; or
- (vi) is without obtaining leave of absence from the Council, absent from two consecutive meetings of the council:

Provided that no member shall be removed from his office without being given an adequate opportunity of being heard;

- (c) if vacancy occurs in the office of Members, whether by reason of his death, resignation or otherwise, such vacancy shall be filled by making a fresh appointment;
- (d) members of the Council shall be entitled to reimbursement of travelling and daily allowances for official tours and journeys in accordance with the orders issued by the Government in relation to non-official members of the Committees and Commissions and such like categories of persons.

Removal of doubts

25. Where a doubt arises as to the interpretation of any of the provision of these rules or their applicability, the matter shall be referred to the Government, whose decision thereon shall be final.

APPENDIX I

(See Rule 12)

Minimum land / building standards for a school established before coming into effect of the Haryana Right of Children to Free and Compulsory Education Rules, 2011

Serial No.	Particulars	Primary School	Middle School
1.	Land	Land for building and playground	Land for building and playground
2.	Building	All weather building with Barrier free access	All weather building with Barrier free access
3.	Number of rooms	One room per teacher	One room per teacher
4.	Office room / Head teacher room / Store	As per requirement	As per requirement
5.	Kitchen-cum- Store (wherever applicable)	As per requirement	As per requirement
6.	Toilets	Separate for boys and girls	Separate for boys and girls
7.	Playground	As per requirement	As per requirement
8.	Boundary Wall / fencing	Of sufficient height	Of sufficient height
9.	Library	As per requirement	As per requirement

APPENDIX II

(See Rule 12)

Minimum land / building standards for a school to be established after coming into effect of the Haryana Right of Children to Free and Compulsory Education Rules, 2011

Serial No.	Particulars	Primary School	Middle School
1.	Land (Municipal Area)	0.5 acre (Single compact unit)	0.5 acre (Single compact unit)
2.	Land (Rural Area)	0.5 acre (Single compact unit)	1 acre (Single compact unit)
3.	Building	All weather earthquake proof building Barrier free access (slope of ramp in ratio of 1:12)	All weather earthquake proof building Barrier free access (slope of ramp in ratio of 1:12)
4.	Size of Classroom (minimum 12 sq. ft. per student as per IS: 8827 – 1978)	432 sq. ft.	432 sq. ft.
5.	Number of class rooms	One room per teacher	One room per teacher
6.	Office cum Head's room	432 sq. ft.	432 sq. ft.
7.	Library	432 sq. ft.	432 sq. ft.
8.	Laboratories (includes science / math / geography / computers / other labs)	600 sq. ft. (Optional)	600 sq. ft.
9.	Store	375 sq. ft.	375 sq. ft.
10.	Kitchen-cum-Store (wherever applicable)	270 sq. ft.	270 sq. ft.
11.	Activity Rooms (optional)	432 sq. ft.	432 sq. ft.
12.	Multimedia/EDUSAT rooms	600 sq. ft.	600 sq. ft.
13.	Toilets separate for boys and girls (including provision for special toilet with grab rails / low height commode for children with special needs)	432 sq. ft.	432 sq. ft.

14.	Boundary Wall	6 ft. height	6 ft. height
15.	Verandah	Width 8 ft.	Width 8 ft.
16.	Stairs (if any)	Width 8 ft.	Width 8 ft.

Note:

1. Each room shall have two doors and sufficient windows for ventilation and lighting.
2. Land ownership proofs, Building completion certificate, Structural safety certificate and fire safety certificate, permission about change of land use etc. from the appropriate authorities have to be submitted along with land / building documents.

APPENDIX III

[See Rule 2 (x)]

UNIFORM FOR CHILDREN

	Boys	Girls
Clothes	Shirt Pants	Primary - Salwar-Kameej or top and skirt combination
	Socks	Middle - Salwar-Kameej-dupatta or top and skirt
	Woollen full sleeves Jersey (winter)	Combination Socks Woollen full sleeves Jersey (winter)
Assessories	Belt Necktie Identity tag Shoes with laces	Belt Necktie Identity tag Shoes with laces

FORM I

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

[See Rule 12 (1)]

To,

The District Elementary Education Officer.

District _____ (Haryana)

Sir,

I forward herewith with 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 the rules framed thereunder and an application in the prescribed proforma for the grant of recognition to (Name of the school)

With effect from the commencement of the school year 20.....

Enclosures:

Yours faithfully,

Place:

Chairman of Managing
Committee/Manager

Date

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

B. General Information	
1. Year of Foundation	
2. Date of First Opening of School	
3. Name of Trust/Society/Managing Committee	
4. Whether Trust/Society/Managing Committee is registered	

5. Period up to which Registration of Trust/Society/Managing Committee is valid			
6. Whether there is a proof of non-proprietary character of the Trust/Society/Managing Committee supported by the list of members with their address on an affidavit in copy			
7. Name and official address of the Manager/President or 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
9. If land for the school is taken from Government or any other facilities in cash or kind is taken from Government.			

C. Nature and area of School	
1. Medium of Instruction	
2. Type of School (Specify entry and exit classes)	

3. If aided, the name of agency and percentage of aid	
4. If School Recognized	
5. If so, by which authority •Recognition number	
6. Does the school has its own building or is it running in a rented building.	
7. Whether the school building or other structures of the grounds are used only for the purpose of education and skill development?	
8. Total area of the school	
9. Built in area of the school	

D. Enrolment Status

Class	No. of Section	No. of Students
1. Pre-primary		
2. I- V		
3. VI-VIII		

E. Infrastructure Details and Sanitary Conditions

Room	Numbers	Average Size
1. Classroom		
2. Office room - cum - Store Room - cum - Headmaster Room		
3. Kitchen - Cum -Store		

F. Other Facilities

1. Whether all facilities have barrier free access	
2. Teaching Learning Material (attach list)	
3. Sports and Play equipments (attach list)	

4. Facility books in Library • Books (No. of books) • Periodical/Newspapers	
5. Type and number of drinking water facility	
6. Sanitary Conditions (i) Type of W.C. and Urinals (ii) Number of Urinals/Lavatories Separately for Boys (iii) Number of Urinals/Lavatories Separately for Girls	

G. Particulars of Teaching Staff		
1. Teaching in Primary/Upper Primary exclusively (details of each teacher separately)		
Teacher Name (1)	Father/Spouse Name (2)	Date of Birth (3)
Academic Qualification (4)	Professional Qualifications (5)	Teaching Experience (6)
Class Assigned (7)	Appointment Date (8)	Trained or Untrained (9)
2. Teaching in both Elementary and Secondary (details of each teacher separately)		
Teacher Name (1)	Father/Spouse Name (2)	Date of Birth (3)

Academic Qualification (4)	Professional Qualifications (5)	Teaching Experience (6)
Class Assigned (7)	Appointment Date (8)	Trained or Untrained (9)
3. Head Teacher		
Teacher Name (1)	Father/Spouse Name (2)	Date of Birth (3)
Academic Qualification (4)	Professional Qualifications (5)	Teaching Experience (6)
Class Assigned (7)	Appointment Date (8)	Trained or Untrained (9)

H. Curriculum and Syllabus	
1. Details of curriculum and syllabus followed in each class (upto VIII)	
2. System of Pupil Assessment.	
3. Whether pupils of the school are required to take any Board exam upto class 8?	

- I. Certified that the school has also submitted information in this data capture format of District Information System of Education with this application;

- J. Certified that the school is open to inspection by any officer authorized by the appropriate authority;
- K. Certified that the school undertakes to furnish such reports and information as may be required by the District Elementary Education Officer from time to time and complies with such instructions of the appropriate authority or the District Elementary Education Officer as may be issued to secure the continued fulfilment 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 District Elementary Education Officer or appropriate authority at any time, and the school shall furnish all such information as may be necessary to enable the Central and / or State Government/ Local Body or the Administration to discharge its or his obligations to Parliament / Legislative Assembly of the state/Panchayat/Municipal Corporation as the case may be

Sd./-

Place :

Chairman/Manager, Managing Committee

Date :

School

FORM II

[See Rule 12(4)]

OFFICE OF DIRECTOR, ELEMENTARY EDUCATION, HARYANA

No. Dated:

To

The Manager,
_____ School

Subject : — Recognition Certificate for the School under sub-rule (4) of rule 12 of Haryana State Right of Children to Free and Compulsory Education Rules, 2011 for the purpose of Section 18 of Right of Children to Free and Compulsory Education Act, 2009.

Dear Sir/Madam,

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

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

1. The grant for recognition is not extendable and does not in any way imply any obligation to recognize/affiliate beyond Class VIII.
2. The school shall abide by the provisions of Right of Children to Free and Compulsory Education Act, 2009 and the Haryana State Right of Children to Free and Compulsory Education Rules, 2011.
3. The school shall admit in class I, to the extent of _____% of the strength of that class, children belonging to weaker section and disadvantaged group in the neighbourhood and provide free and compulsory elementary education till its completion :

Provided, that in case of pre primary classes also, this norm shall be followed.
4. For the children referred to in paragraph 3, the school shall be reimbursed as per sub-section (2) of section 12. To receive such reimbursements school shall provide a separate bank account.
5. The school shall not collect any capitation fee and subject the child or his or her parents or guardians to any screening procedure.

6. The school shall not deny admission to any child for lack of age proof. If such admission is sought subsequent to the extended period specified for admission, the same shall not be denied and the child shall not be discriminated on the ground of religion, caste or race, place of birth or any of them.
7. The school shall ensure that:-
 - (i) no child admitted shall be held back in any class or expelled from school till the completion of elementary education in a school;
 - (ii) no child shall be subjected to physical punishment or mental harassment;
 - (iii) no child is required to pass any board examination till the completion of elementary education;
 - (iv) every child completing elementary education shall be awarded a certificate as laid down under rule 22;
 - (v) inclusion of students with disabilities/special needs as per provision of the Act;
 - (vi) the teachers are recruited with minimum qualifications as laid under section 23(1) of the Act. Provided further that the current teachers who, at the commencement of this Act do not possess minimum qualifications shall acquire such minimum qualifications within a period of 5 years;
 - (vii) the teacher performs its duties specified under section 24(1) of the Act; and
 - (viii) the teachers shall not engage himself or herself for private teaching activities.
8. The school shall follow the syllabus on the basis of curriculum laid down by academic authority.
9. The school shall enrol students proportionate to the facilities available in the school as prescribed in section 19.
10. The school shall maintain the standards and norms of the school as specified in section 19 of the Act. The facilities reported at the time of last inspection are as given under:-
 - (i) Area of school campus total built up area
 - (ii) Area of play ground
 - (iii) Number of class rooms
 - (iv) Room for Headmaster-cum-Office-cum-Storeroom
 - (v) Separate toilet for boys and girls
 - (vi) Drinking Water Facility
 - (vii) Kitchen for cooking Mid Day Meal
 - (viii) Barrier free Access
 - (ix) Availability of Teaching Learning Material/Play Sports Equipments/Library.
11. No unrecognized classes shall run within the premises of the school or outside in the same name of school.

12. The school buildings or other structures or the grounds are used only for the purposes education and skill development.
13. 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.
14. The accounts should be audited and certified by a Chartered Accountant and proper accounts statements should be prepared as per rules. A copy each of the statements of accounts should be sent to the District Elementary Education Officer every year.
15. The recognition Code Number allotted to your school is..... This may please be noted and quoted for any correspondence with this office.
16. The school furnishes such reports and information as may be required by the Director of Education/District Elementary Education Officer from time to time and complies with such instructions of the State Government/ Local Authority as may be issued to secure the continued fulfilment of the condition of recognition or the removal of deficiencies in working of the school.
17. Renewal of Registration of Society, if any, be ensured.
18. Other conditions as per Annexure III enclosed.

Yours faithfully,

Joint Director (Administration) /
Additional Director (Administration)
O/o Director Elementary Education, Haryana

FORM III
CHILD TRACKING FORM

[See rule 6(5)]

- (a) unique identification code, name, sex, date of birth (including Birth Certificate Number, wherever possible), place of birth;
- (b) parents' or guardians' names, address, occupation;
- (c) pre primary school/anganwadi centre that the child attends (up to age 5);
- (d) elementary school where the child is/was admitted;
- (e) present address of the child;
- (f) class in which the child is/was studying (for children between the age of five years and above but not having completed the age of fourteen years) ;
- (g) if education is discontinued in the territorial jurisdiction of the local authority, the cause and period of such discontinuance;
- (h) whether the child belongs to the weaker section and disadvantaged group (indicate the category of weaker section and disadvantaged group as defined in rule 29(1)(f);
- (i) details of children requiring special facilities or residential facilities on account of migration and sparse population, age appropriate admission and disability;
- (j) learning achievement (reading/ writing/ comprehension/ competency as per appropriate class/age).

SURINA RAJAN,

Financial Commissioner and Principal Secretary to
Government Haryana, School Education Department.

