

RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION RULES 2011 AMENDMENTS 25 MAY 2014

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AMENDMENTS In the said rules, 1. In rule 11, in sub-rule (4), after clause (b), the following clause shall be substituted, namely "(C) The Collector, at any time on its own motion or on the application made by the applicant school within 45 days of the decision of the District Education Officer, may call for the record of any case which has been decided by the District Education Officer to examine whether the authority has acted in exercise of his/ her jurisdiction illegally or with material irregularity. 428 (4) f?qiÄ5 26 20M In case the Collector is satisfied that the case has been decided illegally or with Material irregularity it may reverse the decision of the District Education Officer. shall reverse or annul any school before giving no adverse order shall be passed by the Collector. Provided that reasonable opportunity or being heard to the school. 2. For rule 12, the following rule shall be substituted, namely "12. School Management Committee : A School Management Committee shall be constituted in every school, other than an unaided (1) the publication of the rules and its jurisdiction, within six months of school, within reconstituted every two years. (2) (a) Constitution of the Committee :— The committee shall be 18 members for the primary school and 16 members for the middle school. Of them minimum three fourth members shall be from the parents that include both mothers and fathers, or guardians of the children enrolled in the school. The parents or guardians of the children belonging to disadvantaged group and weaker section shall be represented in the committee in proportion of the children to the total enrolment. Two members shall be the elected representatives of the local authority. The head teacher or the senior most teacher and senior in-charge teacher of the school shall be members of the committee. The head teacher or the senior most teacher shall be Ex-officio Member Secretary of the committee. Fifty percent of members of the committee shall be women. There shall be a Chairperson and a Vice-chairperson of the committee. They shall be elected from among the elected parents or guardians of the committee. Provided if the Chairperson is not a Woman the Vice-chairperson shall be a Woman. (b) [In the primary school, the committee shall be constituted as follows. 16 the 18 members of the committee 14 members including seven woman members shall be from the parents or guardians of the children enrolled in the school. At the beginning of the academic year, the member secretary of the committee shall fix the proportionate representative of 14 members of the parents or guardians of the children enrolled in the school belonging to disadvantage group and weaker section according to the provisions of sub-rule 2(a), he/ she, shall display the classification of number of parents/ guardians to be included in the committee as a member on the following manner on the notice board of the School Parent (female) Category Disadvantage group Weaker section Others Parent (male) Total Remaining Members of the committee shall be as follows :—

Councilor of the ward in urban areas and Panch of the ward in rural area, where the school is situated,	26 2014 428 (5) (b) (d) one woman councilor nominated by Mayor/ Chairperson or the urban local body in urban areas and one woman Panch nominated by Sarpanch of the Gram Panchayat in rural area where the school is situated;	head teacher of the school or the senior most teacher in absence of head teacher; and most senior teacher of the school. The member secretary, at the last date of admission or as directed by the Committee, Rajya Shiksha Kendra, shall convene the meeting of all the parents or guardians of the children enrolled in the school. He/ she shall then start process of election fourteen members from the parents or guardians includes seven female members. The member secretary shall
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draw lots seven members from among the female parents/ guardians of the children in class 11 to class V, who have scored A grade in annual evaluation or previous academic year. Similarly, he/ she shall draw lots for seven male members from among the male parents/guardians of the children from class 11 to class V, who have scored grade in annual evaluation of previous academic year. Proportion of disadvantaged group and weaker section male and female members shall be as per sub-rule 2(b)(i): Provided that the name of a female parent/ guardian of a child who has become a female member, the male parent/ guardian of the child shall not be considered in election of male members: Provided further that if the total number of children in A* grade from class 11 and class V are less than seven, the members shall be chosen by considering the names of the parents/ guardians of children that have scored a grade lower than after this process is over the member secretary shall start process of election of chairperson from among the member parents or guardians. He/ She shall seek nominations from the aspiring candidates and conduct election. After the election of the chairperson the member secretary shall conduct the election of the Vice-chairperson from among the member parents or guardians keeping the provision of sub-rule 2(a) (iv) Provided that elected representatives, Councilor/ Panch and the teachers including head teacher or the senior most teacher shall not be eligible for participating in election nor they shall have any voting right. (c) In Middle School the committee shall be constituted as follows In the 16 members committee, 12 members including six women members shall be from the parents or guardians of the children enrolled in the school. At the beginning of the academic year, the member secretary or the committee shall, fix the proportionate representatives of parents or guardians of the children enrolled in the school in 12 members belonging to disadvantaged group and weaker section as provided under sub-rule 2(a) against 12 members, then he shall make display for public, the classification of number of parents/ guardians to be included in the committee as members in the following manner on the notice board of the School Category Disadvantaged group Weaker section Parent (male) Parent (female) Total 428 (6) (b) (c) - 26 2014 Remaining of the committee shall be as follows:— area, where the school is in rural the ward in urban areas and Panch or Councilor school is situated, the urban local one won't be Councilor nominated by Mayor/ Chairperson of the Gram Panchayat in urban areas and one woman Panch nominated by Sarpanch or area where the school is situated; In case of absence head teacher; and head teacher of the school or the senior female teacher of the school. The member secretary, after the last date of admission or as may be directed by the (3) Commissioner, Rajya Shiksha Kendra, shall convene the meeting of the parents or guardians of the children enrolled in the school. He/ she shall then start process of election for twelve members from the parents or guardians includes six members. The member secretary shall draw lots for six members of the committee from among the female parents/ guardians of the children from class VI to class V III, who have scored he/ she shall draw A* grade in annual evaluation of previous academic year. Similarly, lots for six male members from among the male parents/guardians of the children from annual evaluation of previous class VI 10 class V III, who have scored A+ grade in academic year. Proportion of disadvantaged group and weaker section among male and female members shall be as sub-rule 2(c)(i); Provided that in case of the name of a female parent/ guardian of a child who has include a female member, the male parent/ guardian of the child will not be considered in election of male members Provided further that if the total number of children in A + grade from class VI and class VIII are less than six, the members shall be chosen by considering the names of the parents/ guardians of children that have scored a grade lower than A+. after this process is over the member secretary shall start process of election of chairperson from among the member parents or guardians. He/ she shall seek nominations from the aspiring candidates and conduct election. After the election of the chairperson the member secretary shall conduct the election of the Vice-chairperson from among the member parents or guardians keeping the provision of sub-rule 2(a) (iv) Provided that elected representatives, Councilor/ Panch and the teachers including head teacher or the senior most teacher shall not be eligible for participating in election nor they shall have any voting right. In case a child whose parent or guardian is the member of the committee leaves the school the seat shall be deemed to vacant from the date of leaving the school and the vacant seat shall be filled up in the manner as provided under sub-rule 2(b)(iii) and sub rule 2(c)(iii); Provided that the vacant seat shall be filled from the same category, such as woman, person from (4) disadvantaged group and weaker section, it has originally been filled. The tenure of the member will be the remaining period of the committee. The School Management committee shall meet at least once a month and the minutes and decisions of the meetings

shall be properly recorded. In absence of Chairperson the Vice- chairperson of the committee shall chair the meeting of the committee. In absence of the Chairperson and Vice-chairperson, Members of the committee shall elect one of them, to chair the meeting of the committee. 26 2014 428 (7) (5) (6) (x) (xi) "The committee may invite person/ persons, from the neighbourhood, if services of such person/ persons are School The School Management committee shall, addition to the functions specified in clauses (a) to (d) or sub-section (2) of Section 21 perform the following functions, for which it may constitute smaller working groups amongst its members, Communicate in simple and creative ways to the population in the limit of neighbourhood of the school, the rights of the child as enunciated in the Act, as also the duties of State Government, local authority, school, parent and guardian; the implementation of clauses (a) and (e) of Section 24 and Section 28; Monitor that teachers are not burdened with non academic duties other than those specified in Section 27; ensure the enrolment and continued attendance of children in the neighbourhood in the school; the children from the limit of monitor the maintenance of the norms and standards prescribed in the Schedule of the Act, 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 sub-section (2) of Section 3; identify the needs, prepare a plan and monitor the implementation of the provisions of Section 4; Monitor the identification and enrolment of children and facilities for learning of disabled children and ensure completion of their elementary education; monitor the implementation of the mid-day in the school; prepare an annual account of receipts and expenditure of the school; monitor regularity and punctuality of the teachers of the school. (7) any money received by the committee shall be credited in the account of the committee. The account shall be the joint account of the chairperson and the member secretary of the committee. The account shall be made available for audit whenever is required. 6,

