

Number—89 / 68—3—2018—2041 /**2018** From,

Dev Pratap Singh,
Special Secretary,
Government of Uttar Pradesh.

To,

Director of Education
(Basic),
Uttar Pradesh, Lucknow.

Basic Education Section-3

Lucknow: Dated: 11 January,

2019 Subject: Instructions regarding the recognition of non-government aided Junior High Schools.

Sir,

With reference to the Director of Education (Basic), U.P., Lucknow's letter number—Shi.Ni.(Ba.) / 68381/2018-19, dated 19.12.2018, I have been directed to state that the standards and conditions for granting recognition to non-government primary and junior high school schools were determined by Government Order No. 937 / 15—6—90—18 S(7) / 89, dated July 02, 1990. In continuation of this, superseding the said Government Order dated July 02, 1990, and all other previous departmental instructions/orders regarding recognition, Government Order No. 418 / 79—6—2013—13 S (7) / 89, dated May 08, 2013, was issued. This was done in view of the provisions contained in the Right of Children to Free and Compulsory Education Act, 2009, and the Uttar Pradesh Right of Children to Free and Compulsory Education Rules, 2011, to determine the standards and conditions for recognition of non-government primary and junior high schools.

2- In view of the provisions mentioned in the Right of Children to Free and Compulsory Education Act, 2009, and the RTE Rules-2011 passed by the State Government, there is a need to update the rules and previous departmental instructions regarding the recognition of non-government aided schools in the state. Therefore, after due consideration, the Honorable Governor, exercising the powers conferred under Sub-section-1 of Section-13 of the Uttar Pradesh Basic Education Act-1972, is pleased to grant permission to formulate the current rules for granting temporary/permanent recognition to non-government junior high schools as follows:—

1— Standards and conditions for obtaining recognition for non-government primary and upper primary schools (New):—

- (1) The institution operating the school must be registered and renewed under the Societies Registration Act, 1860.
- (2) The school shall not be operated for the profit of any individual, group of individuals, or association.
- (3) For the smooth operation of every recognized school, adequate financial resources shall be made available by its management, and for the subjects for which recognition has been granted, arrangements for adequate facilities shall be made according to the standards specified by the Basic Education Board.
- (4) In a recognized school, neither education shall be imparted nor textbooks used that are different from the curriculum or textbooks prescribed by the Basic Education Board.
- (5) Arrangements for the singing of the National Anthem and National Songs shall be made in all schools.
- (6) An affidavit shall be submitted by the management of the recognized school stating that they will follow the government orders issued from time to time, departmental orders, and guiding principles.
- (7) It will be mandatory to follow the provisions made in the Constitution of India for achieving national unity, the National Flag and National Anthem, and the orders of the government issued from time to time on policies related to human values.
- (8) The school buildings and premises shall not be used for commercial and residential purposes in any condition day and night, but exemption will be granted for the residence of guards /personnel related to the security of the school.

- (9) The school building premises or playground shall not be used for any political or non-educational activities.
- (10) It will be mandatory to clearly mark the name of the school, year of recognition, school code, and the symbol/logo of the recognized providing institution/body on the front of the school building. It will be mandatory to paint the school building at most every two years.
- (11) The school may be inspected at any time by a government official or the local education officer.
The Block Education Officer and officers of higher level than them, or officers authorized by the District Magistrate, can inspect the school.
- (12) On being asked for information by the Basic Education Department's district/divisional/state level officer or any other competent authority, necessary reports and information shall be made available by the school as per instructions and instructions will be ensured to be followed.
- (13) Admission shall be given to children of the weaker section under Section-12(1)(C) of the Right of Children to Free and Compulsory Education Act-2009 by the school management as per the rules.
- (14) **Eligibility for Application**— Any legally registered society/trust having an interest in the field of education can apply for obtaining school recognition for the level of education prescribed by the government. Recognition will be provided to schools run by private management in the following forms:—
 (1) Primary School— (Primary level 5 classes),
 (2) Upper Primary School (Boys/Girls) (Junior High School level 3 classes).
- (15) **Medium of Education**— The medium will be Hindi/English and international forms of Indian numerals will be used. Hindi shall be taught as a compulsory subject.
- (16) Admission shall be given to children of all castes, religions, and classes in the school.
- (17) To fulfill the recognition of **primary and upper primary level** classes, it will be mandatory to fulfill the following conditions along with the above conditions:—
 (a) **Building**:— Consideration for recognition can be done only if the school has its own building as per the requirement of the society. In cases within the local body area or development authority area where land use is marked as "School" in the Master Plan/Sector Plan, it will be mandatory for the school to be registered in that name. The layout of the school must be approved by the competent authority.
 (b) A certificate regarding the school building being as per the standards of the National Building Code shall be obtained from the concerned Assistant Engineer. The quality of the building in the school shall be as per the National Building Code. It will be ensured by the School Management that for inspection an application shall be made to the Chief Development Officer in the prescribed format. The inspection of building construction shall be carried out by the Chief Development Officer through the Assistant Engineer of the Public Works Department, Irrigation Department, Urban Development Department, or Rural Engineering Department. The inspecting officer shall also ensure that the school building has complete strength of roof and walls and that adequate arrangements have been made for protection from dust and cold in the building. Classrooms shall be airy and well-lit. Stairs and ramps of buildings higher than one storey, which are being used as exit routes, shall be constructed in accordance with the prescribed standards of the National Building Code, so that in emergency situations no kind of obstruction is created in the exit of children.
 (c) Regarding easy access for differently-abled children in the school provisions of the building in accordance with laws and guiding principles issued from time to time by the Central Government/State Government are fully complied with shall be ensured. Full responsibility for the strength, safety, and maintenance of the school building shall be of the management.
 (d) A fire-fighting system as per prescribed standards shall be installed in the school.
 (e) For classroom standards—capacity: in primary and upper primary, in each classroom space of 09 square feet per student should be available, but the classroom area should

not be less than 180 square feet; that is, seating arrangement for at least 20 children in each classroom must be compulsory, so that children can conveniently conduct classroom educational activities. Only that many students shall be admitted in the school for whom seating arrangements are available as per prescribed standards.

- (f) There should also be a library and a reading room in the school.
- (g) Separate rooms should be available for the Headmaster, office, and staff.
- (h) Separate urinals, toilets, and proper hand-washing arrangements should be available for students and teachers/teaching staff.
- (i) Proper arrangement of clean (germ-free) drinking water should be available in the school.
- (j) **Playground**—For sports, adequate playground should be available within the school premises or near the school premises, which can be used by the students of the school.
- (18) **Library, furniture, and equipment**— In the school, books of various subjects useful for students should be available. In addition to this, sports equipment, maps, various educational charts, general knowledge books, textbooks, and newspapers/magazines etc. shall also be necessary. As per the curriculum, required scientific materials should be available in the school. For all teaching, required teaching aids, globes, subject-related charts should be available. Audio-visual instruments, etc., may be arranged by the school keeping in view its financial resources.
- (19) **Application Fee**:- For recognition at the Primary level, an application fee of Rs. 10,000/- and for the Upper Primary level Rs. 15,000/- shall be deposited in the concerned district's Government Treasury under the prescribed head of account.
- (20) **Security Deposit**:-For Primary schools, a security deposit of Rs. 1,00,000/- (Rupees One Lakh only) in the form of FDR/NSC, and for Upper Primary schools Rs. 1,50,000/- (Rupees One Lakh Fifty Thousand only) in the form of FDR/NSC shall be pledged in the name of the District Basic Education Officer.
- (21) **Recognition Committee**-For granting **recognition to Primary schools**, the following committee shall consider and take a decision—
- | | |
|--|----------|
| 1-District Basic Education Officer of the concerned district- | Chairman |
| 2-Block Education Officer posted at the district headquarters of the concerned district- | |
| Member/Secretary 3- Lecturer, nominated by Principal DIET of concerned district- | Member |
- Meetings of the Recognition Committee shall be held as per the prescribed time schedule, on the basis of which recognition orders of schools shall be issued by the District Basic Education Officer.
- For granting **recognition to Upper Primary schools**, the following committee shall consider and take a decision—
- | | |
|--|------------------|
| 1- Divisional Assistant Director of Education (Basic) — | Chairman |
| 2- District Basic Education Officer of the concerned district — | Member/Secretary |
| 3- Block Education Officer posted at the district headquarters — | Member |
- Meetings of the Recognition Committee shall be held as per the prescribed time schedule, and the proceedings of the meeting shall be safely kept in the office of the Divisional Assistant Director of Education (Basic). Copies of the proceedings shall be made available to the concerned District Basic Education Officer, on the basis of which recognition orders of schools shall be issued by the District Basic Education Officer.
- (22) **Staff**:-After recognition, the minimum staff as prescribed under the Right of Children to Free and Compulsory Education Act, 2009 must be available in the school.
- (23) **Salary payable to employees**:-Payment of salary to the employees of recognized Primary schools shall be made by the management from its own private sources.
- (24) **Qualification of teachers**:-The educational qualification of Primary teachers shall be the same as prescribed in the Uttar Pradesh Basic Education (Teachers) Service Rules, 1981 (as amended from time to time). The educational qualification of teachers of Upper Primary schools shall be as per the Uttar Pradesh Recognized Basic Schools (Junior High School) (Recruitment and Service Conditions of Teachers) Rules, 1978 (as amended from time to time).

- (25) **Textbooks:-**In recognized Primary and Upper Primary schools, the curriculum and textbooks prescribed by the Council shall be used.
- (26) Without **prior permission of the District Basic Education Officer**, the institution shall neither open nor close any class or section, nor shall it be merged or terminated and It shall not be shifted, nor shall it be relocated. No school shall be permitted to run a branch school.
- (27) The school shall comply with the levels and standards prescribed in Section-19 and the Schedule of the Right of Children to Free and Compulsory Education Act, 2009.
- (28) It shall be mandatory for the school to maintain the class-wise and subject-wise learning levels of students studying in the school as per the standards prescribed by SCERT.
- (29) All unaided non-government schools providing education at the Primary/Upper Primary (Junior High School) level shall be self-financed, to which no type of grant shall be sanctioned by the State Government, and no claim for grant approval shall be admissible.
- (30) The total monthly fee accepted from recognized school students by combining tuition fee and development fee shall be only that which is required for payment of staff salaries, maintenance, and other related expenses. Apart from this, from the annual income of the school from tuition fee and development fee, after payment of salaries, savings of more than 20 percent shall not be made. No increase in tuition fee shall be made for three years. When an increase in fee is made, it shall not be more than 10 percent. The school may charge fees under the following heads:-
1- Tuition fee, 2- Development fee, 3- Development fund, 4- Electricity, water etc., 5- Sports fee, 6- Examination / evaluation, 7- School functions / festivals, 8- Education of special subjects – computer / music etc.

Note:-No fee in the form of admission fee, building fee and capitation fee shall be taken from students.

The savings from the annual income by the school management shall be used for the development of the school.

II – Conditions for schools already granted recognition earlier:-

- (1) If a school was granted recognition and is being operated before the enforcement of the Right of Children to Free and Compulsory Education Rules, 2011, framed under the Right of Children to Free and Compulsory Education Act, 2009, and before the issuance of this Government Order, then such school shall, within one year, provide information regarding compliance with the conditions mentioned in the above paragraph to the concerned District Basic Education Officer in the prescribed format.
- (2) Such schools which, through the prescribed declaration form, declare that they have fulfilled the prescribed standards / conditions, their local inspection shall be conducted by the concerned District Basic Education Officer within 02 months.
- (3) Except in unavoidable circumstances, within 30 days of the date of local inspection of the school, the schools which have fulfilled all conditions shall be issued orders in this regard by the District Basic Education Officer. In disputed cases, orders of the Divisional Assistant Director of Education (Basic) shall be obtained and action shall be taken accordingly.
- (4) A list of such schools shall also be prepared by the concerned District Basic Education Officer which do not fulfill the prescribed conditions of recognition. Such schools shall be informed regarding deficiencies and the details of deficiencies shall also be published on the website. Removal of deficiencies shall be ensured mandatorily by the concerned management within the prescribed time period.
- (5) Even after providing opportunity as above, if the school does not fully comply with the prescribed standards and conditions, then after implementation of the Right of Children to Free and Compulsory Education Rules, 2010, restriction shall be imposed on the operation of such schools and proceedings for withdrawal of recognition of such schools shall be initiated, however, before taking action, an opportunity of hearing shall be provided to the concerned school.

III – Time Schedule regarding submission of application for recognition and grant of

recognition:- For granting recognition to the school, the application for recognition shall be submitted by the school management/competent authority in prescribed Form-1 along with self-

declaration to the office of the District Basic Education Officer of the concerned district, within the time schedule mentioned below, and disposal of the application for recognition shall be done as per the dates indicated in the time schedule:-

1	Submission of application in the office of the concerned District Basic Education Officer.	From 01 April to 30 September
2	Submission of application in the office of the District Basic Education Officer along with prescribed fee of Rs. 10,000/-.	From 01 October to 31 December
3	Inspection of the school applying for recognition.	Within 2 months from the date of application
4	Issuance of instructions to the institution by the District Basic Education Officer to remove deficiencies/fulfil conditions.	Within 15 days from the date of inspection
5	On the recommendation of the application after on-site inspection of the school by the District Basic Education Officer or an authorized Education Officer, decision to be taken by the Recognition Committee.	Within 1 month after receipt of inspection report
6	Issuance of recognition order by the District Basic Education Officer.	Within 3 days of the recommendation of the Recognition

Note:-Meetings of the Recognition Committee shall be convened every month. After inspection, the schools fulfilling the prescribed standards shall be placed before the meeting and, after inspection, approval shall be given by the Recognition Committee, thereafter recognition order shall be issued by the District Basic Education Officer. For the schools not fulfilling the prescribed standards and conditions, after giving time to complete deficiencies, the matter shall be placed again in the next meeting and after inspection, decision shall be taken and recognition order shall be issued by the District Basic Education Officer.

IV – Provisional / Permanent Recognition:-

As per the provisions mentioned in the rules, on the prescribed format, provisional recognition shall initially be granted for one year. After completion of one year, re-examination of the rules/conditions related to recognition shall be done and as per RTE, if the school is found to be functioning properly, then after one year, the school shall be granted permanent recognition.

V – Withdrawal of Recognition of School:-

- (1) Where, on the basis of suo motu or on the basis of a complaint received from any person, the District Education Officer has reason to believe, for the purpose of written satisfaction, that under Rule 11, the recognition granted to any school has been violated. If one or more conditions out of the conditions have been violated, or if it has failed to fulfil the norms and standards specified in the Schedule, then the following action shall be taken:-
 - (a) While specifying the violation of the conditions of recognition approval, the school shall be issued a notice and explanation shall be sought from it within one month;
 - (b) If the explanation is not found satisfactory or if no explanation is received within the prescribed time period, then the District Education Officer shall get the school inspected by a committee of three members, which shall include a Government representative and one educationist. The committee, after thorough examination of the school, shall submit its recommendation along with its report regarding continuation or cancellation of recognition, within a maximum period of 20 days from the date of inspection, to the District Education Officer. The constitution of the above committee shall be done by the District Magistrate and the District Magistrate shall have the right to change the members of the committee.
- (2) On the basis of the recommendations of the committee, the District Education Officer, while seeking explanation from the concerned school, shall send a letter within 10 days and shall give 30 days' time to the school to submit explanation, and after examination of the explanation received or in case the explanation is not received, on the basis of available records/documents, shall forward his recommendation to the State Education Department within a period of one month:

Provided that the District Magistrate shall have the authority to re-inspect before the recommendation of the committee is presented to the State Education Department.

- (3) On the basis of the recommendations referred to in sub-rule (2), the State Education Department shall take a decision within 30 days of receipt of the recommendations and shall communicate the same to the District Education Officer.
- (4) On the basis of the decision of the State Education Department, the District Education Officer shall pass a mandatory order for cancellation of the recognition granted to the school within 07 days from the date of receipt of the decision. The order of cancellation of recognition shall be effective from the immediately following academic session, and in it, such neighboring schools shall also be specified in which admission of the children of the schools whose recognition has been cancelled shall be made.
- (5) The order passed under sub-rule (4) shall also be communicated to the concerned local authority and shall be made public through display on the website.
- (6) In the above procedure relating to withdrawal of recognition, compliance of Section 18(5) of the Right of Children to Free and Compulsory Education Act, 2009 shall be ensured.

VI – Operation of Primary and Upper Primary Schools without Recognition is illegal:- If primary or upper primary schools are being operated without any recognition, then such operation shall be considered to be in violation of rules and illegal. While declaring the operation of schools as illegal, action under the relevant provisions shall also be ensured against the concerned management.

3— All the concerned officers are hereby directed to strictly ensure compliance of these rules and to make efforts to grant recognition in future only in accordance with these rules, while making them aware of the above rules.

Yours faithfully,
(Dev Pratap Singh)
Special Secretary

Number and Date as above.

Copy forwarded to the following for information and necessary action:- 1- Director, State Council of Educational Research and Training, Lucknow. 2- Additional Director, Basic Education Council, U.P., Prayagraj. 3- Secretary, Basic Education Council, U.P., Prayagraj. 4- Through all District Basic Education Officers to the Director, Basic Education. 5- Guard File.

By order,
(Umesh Kumar
Tiwari)
Under Secretary.

Appendix

Form – 1

(See sub-rule (1) of Rule – 11)

Application-cum-Self Declaration for Grant of Recognition to School

Under the Right of Children to Free and Compulsory Education Rules, 2011

To,

The District Education Officer,
(Name of District and State)

Sir,

I submit a self-declaration regarding compliance with the norms and standards specified in the Schedule of the Right of Children to Free and Compulsory Education Act, 2009, and submit an application in the prescribed form for grant of recognition to (name and address of the school)..... with effect from the beginning of the academic session.....

Enclosures:

Place:

Date:

Yours faithfully,

President / Manager of the Managing Committee

(a) Details of the School

1	Name of the School	
2	Academic Session	
3	District	
4	Postal Address	
5	Village / City	
6	Block and Tehsil	
7	PIN Code	
8	STD Code along with Phone Number	
9	Fax Number	
10	E-mail Address, if any	
11	Nearest Police Station	

(b) General Information

1	Year of Establishment			
2	Date of First Opening of the School			
3	Name of the Trust/Society/Managing Committee			
4	Whether the Trust/Society/Managing Committee is registered?			
5	Validity period of registration of the Trust/Society/Managing Committee (Attach attested copies of relevant documents as proof)			
6	Copy of the list of members of the Trust/Society/Managing Committee with addresses, and attested copy of the non-profit character certificate of the Trust/ Society/ Managing			
7	Name and office address of the Headmaster/Principal/ Manager of the School			
	Name			
	Designation			
	Address			
	Phone			Office Residence
8	During the last 3 years, total income and expenditure, surplus / deficit (The accounts should be audited by a Chartered Accountant and certified, and a summary statement of accounts should be			
	Year	Income	Expenditure	Surplus / Deficit

(c) Nature and Area of the School

1	Medium of Instruction	
2	Type of School (admission and progression classes to be specified) (a) Boys / Girls / Co-education (b) Aided / Unaided (c) Primary / Upper Primary	

3	If aided, then name of the authority and percentage of aid	
4	Whether the school is recognized?	
5	If yes, then by which authority?	
6	Whether the school has its own building or is it running in a rented building? (Attested copies of relevant documents to be	
7	Whether the school buildings or other built-up structures or playground are used exclusively for educational and skill development purposes?	
8	Total area of the school	
9	Built-up area of the school (with building plan)	

(d) Level of Enrolment

Sr. No.	Class	Number of Sections	Number of Students
1	Pre-Primary		
2	One to Five		
3	Six to Eight		

(e) Details of Basic Infrastructure and Cleanliness Related Facilities

Sr. No.	Room	Number	Average Size
1	Classroom		
2	Office room-cum-store room Room-cum-Headmaster's room		
3	Kitchen-cum-store room		

(f) Other Facilities

	Whether there is barrier-free access to all facilities?	
	Teaching-learning materials (attach list)	
	Sports and play equipment (attach list)	
	Library facilities	
	► Books (number of books) (attach list)	
	► Magazines / Newspapers	
	Type and number of drinking water facilities	
	Cleanliness related facilities (One) Type of toilets and urinals (Two) Number of separate toilets / urinals for boys (Three) Number of separate toilets / urinals	

(g) Details of Teaching Staff

1. Teaching exclusively at Primary / Upper Primary level (Details of each teacher separately)		
Name of Teacher (1)	Father's Name (2)	Date of Birth (3)
Educational Qualification (with subject) (4)	Professional Qualification (5)	Teaching Experience (6)
Class Taught (7)	Date of Appointment (8)	Trained or Untrained (9)

2. Teaching at both Primary and Upper Primary levels (Details of each teacher separately)		
Name of Teacher (1)	Father's Name (2)	Date of Birth (3)
Educational Qualification	Professional Qualification	Teaching Experience
(Subject-wise) (4)	(5)	(6)
Class Assigned (7)	Date of Appointment (8)	Trained or Untrained (9)
3. Headmaster / Principal		
Name of the Headmaster/ Principal (1)	Father's Name (2)	Date of Birth (3)
Educational Qualification (with subject) (4)	Professional Qualification (5)	Teaching Experience (6)
Class Assigned (7)	Date of Appointment (8)	Trained or Untrained (9)

(h) Curriculum and Syllabus Details

1	Details of curriculum and syllabus followed in each class (Classes 1–8)	
2	Evaluation system of students	
3	Whether students of the school are required to appear in any board examination up to Class 8?	

- (i) It is certified that the school has submitted information in the prescribed format of the District Education Information System along with this application.
- (j) It is certified that the school is available for inspection by the competent authority or any officer authorized by the competent authority.
- (k) It is certified that the school shall provide information and submit reports from time to time as required by the District Education Officer and shall comply with the directions of the District Education Officer which will comply exactly and keep the structure unchanged. Such directions shall be complied with which are issued to ensure continued compliance with the conditions of recognition or to remove deficiencies in the functioning of the school.
- (l) It is certified that the school related records connected with the implementation of this Act shall be made available at any time for inspection by the District Education Officer or the Director of Education or any officer authorized by the State Government, and the school shall produce all such information and records as required by the State Government or any officer authorized by it or the local authority / State Government / Municipal Corporation for the purpose of fulfilling their responsibilities.

Place:

Signature

President / Manager Managing Committee

..... School