

GOVERNMENT OF NAGALAND
SCHOOL EDUCATION DEPARTMENT

NOTIFICATION

Dated Kohima, the 21st March 2011

EDS/16-34/2009(PT-III): In exercise of the powers conferred by section 38 of the Right of Children to Free and Compulsory Education Act, 2009(35 of 2009), the State Government hereby makes the following rules, namely:-

1. Short title, extent and commencement.-

- (1) These rules shall be called the Nagaland Right of Children to Free and Compulsory Education Rules, 2010.
- (2) They shall come into force from the date of publication in the official Gazette
- (3) They shall extend to the whole State of Nagaland.

2. Definitions:- (1) In these rules, unless the context otherwise requires:-

- a "Act" means the Right of Children to Free and Compulsory Education Act, 2009;
- b "Anganwadi" means an Anganwadi Centre established under the Integrated Child Development Scheme of the Ministry of Women and Child Development of the Government of India;
- c "child" means any child of the age of 6 to 14 years and includes a child who will complete five years of age as on 1st September of the year of admission.
- d "Pupil Cumulative Record" means record of the progress of a child based on comprehensive and continuous evaluation;
- e "School Mapping" means planning of school locations for the purpose of section 6 of the Act to overcome social barriers and geographical distance;
- f "section" means a section of the Act.

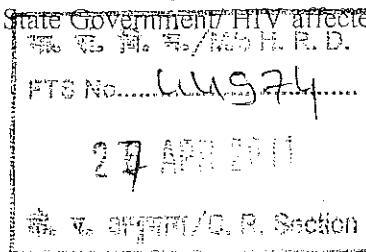
(2) All references to "forms" in these Rules shall be construed as reference to forms set out in Appendix hereto.

(3) 'Free Education' means no child shall be liable to pay admission, tuition, examination and any other fees which may prevent him or her from pursuing and completing elementary education and includes providing Text Books, one time Writing materials with minimum requirement in an academic year and uniforms as prescribed by the implementing authority from time to time.

(4) 'Implementing Authority of the Act' means department of School Education, Government of Nagaland including Nagaland State Project Office, Sarva Shiksha Abhiyan.

(6) 'A child belonging to weaker sections' means a child belonging to such parents' or guardians whose income does not exceed Rs.40000/-per annum.

(7) 'child belong to Disadvantaged group' means educationally backward tribes prescribed by the State Government/ HIV affected/infected children/ orphan.



(8). 'Walking Distance' means the distance covered by a child on foot from centre of his/her habitation to the school on the socially accepted path.

(9). 'Out of School Child' means a child in the age group of 6-14 who has not completed elementary education (who has either never been enrolled in a school or dropped out without completing elementary education). A student of an elementary school absent for more than one month shall also be considered to be an out of school child.

(10) All other words and expressions used herein and not defined but defined in the Act shall have the same meanings as assigned to them in the Act.

3. **Special Training.** (1) The School Management Committee/Village Education Committee of a school owned and managed by the appropriate or local authority shall identify children requiring special training and organize such training in the following manner, namely:

- a The special training shall be based on specially designed, age appropriate learning material, approved by the Academic Authority specified in section 29(1).
- b The said training shall be provided in classes held on the premises of the school or through classes organized in safe residential facilities.
- c The said training shall be provided by teachers working in the school, or by teachers specially appointed/ engaged for the purpose.
- 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.

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

4. **Areas or limits of neighbourhood:** (1) The areas or limits of neighbourhood within which a school has to be established shall be as under:-

- a More primary school(s) shall be established as per consideration of the State Government on need basis, taking into consideration the RTE Act, 2009.
- b Wherever required, the existing schools with classes I to V will be upgraded to include classes VI to VIII. In respect of schools which start from class VI onwards, endeavor will be made to add classes I to V, wherever required.
- c For children from small hamlets, as identified by the State Government, where no school exists within the area or limits of neighbourhood, adequate arrangements such as residential facilities/transportations shall be made, for providing elementary education in a school.
- d Local authority shall be responsible to relocate the school if school happens to be on the disaster prone area such as landslides, flood, difficult terrain etc which may endanger the life of the children.
- e In areas with high population density, establishment of more than one neighbourhood school may be considered, with regard to the number of children in the age group of 6-14 years in such areas.
- f Local authority shall be responsible for providing free land for establishment of schools.

- (2) The State Government/Local Authority shall identify the neighbourhood school(s) where children can be admitted and make such information public to each habitation within its jurisdiction.
 - (3) In respect of children with disabilities, which prevent them from accessing the school, the government shall endeavor to make appropriate and safe transportation arrangement to enable them to attend school and complete elementary education.
 - (4) No child shall be barred from attending school on account of social and cultural factors.
5. **Duties of State Government /Local Authority and Schools** (1) A child attending a school of the State Government or the Local Authority referred to in sub-clause (i) of clause (n) of section 2, a child attending a school referred to in sub-clause (ii) of clause (n) of section 2 in pursuance of 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 pursuance of clause (c) of sub section (1) of section 12 shall be entitled to free education.

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

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

- (2) For the purpose of determining and for establishing neighbourhood schools, the school mapping exercise and identification of all school children & out of school children, including children in remote areas, children with disabilities, children belonging to disadvantaged groups, children belonging to weaker sections shall be undertaken, within a period of one year from the appointed date, and every year thereafter updated as on 30th October of each year.
- (3) The State Government/Local Authority/School shall ensure that no child is subjected to caste, class, religious or gender abuse in the school and that no child is denied admission into any school public or private on the basis of caste/class/religion and gender.
- (4) No child belonging to a weaker section and/or disadvantaged group shall be 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, and in the cleaning of toilets or classrooms.
- (5) Admission of children belonging to weaker section and disadvantaged group;
 - (a) The school referred to in clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in pursuance of clause (c) to section 12 (1) shall not be segregated from the other children in the classrooms nor shall their classes be held at places and timings different from the classes held for the other children.

(b) The school referred to in clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in pursuance of clause (c) to section 12 (1) shall not be discriminated from the rest of the children in any manner pertaining to entitlements and facilities such as text books, uniforms, library and Information Communication and Technology (ICT) facilities, extra-curricular and sports.

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

Provided that seventy five per cent of clause (c) to section 12 (1) shall reserve for weaker section and remaining twenty five per cent for disadvantage group.

6. **Maintenance of records of children by Local Authority:** 1) The Local Authority shall maintain a record of all children, in its jurisdiction, through a household survey, from their birth till they attain 14 years.

(2) The record, referred to in sub-rule (1) of the above, shall be updated each year.

(3) The record, referred to in sub-rule (1) of the above, shall be maintained transparently, in the public domain, and used for the purposes of clause (e) of section 9.

(4) The record, referred to in sub-rule (1) of the above, shall, in respect of every child, include-

- (a) name, sex, date of birth, (Birth Certificate Number), place of birth;
- (b) parents'/ guardians' names, address, occupation;
- (c) pre-primary school/Anganwadi centre that the child has attended (up to age 6) or attending;
- (d) elementary school where the child is admitted;
- (e) present address of the child;
- (f) class in which the child is studying (for children between age 6 to 14 years), and if education is discontinued in the territorial jurisdiction of the Local Authority, the cause of such discontinuance;
- (g) whether the child belongs to the weaker section within the meaning of clause 2(6) of this rule;
- (h) whether the child belongs to a disadvantaged group within the meaning of clause 2(5) of this rule;
- (i) details of children requiring special facilities / residential facilities on account of migration and sparse population; age appropriate admission; disability.

(5) The Local Authority shall ensure that the names of all children enrolled in the school(s) under its jurisdiction are publicly displayed in each school.

(6) The Implementing authority of the act shall implement a child tracking system so as to monitor not only the academic progress of children in the schools but also their retention and transition. Appropriate arrangements for tracking children migrating from one district to another within the State or from/to other States shall be incorporated.

7. **Reimbursement of per-child expenditure by the State Government:**

(1) The total annual recurring expenditure incurred by the State 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 State Government.

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

The expenditure incurred in pursuance to clause (c) of sub-section (1) of section 12 shall be reimbursed to the extent of per-child-expenditure incurred by the State, or the actual amount charged from a child in the school, whichever is lower.

(2) Every school referred to in 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 subsection (2) of section 12.

(3) There shall be a committee at the state level comprising of Secretary (Finance), Government of Nagaland, Secretary, School Education, Government of Nagaland; Secretary (Planning), Government of Nagaland, Director, School Education, Nagaland and State Mission Director (Sarva Shiksha Abhiyan), Nagaland; for the purpose of assessing per child expenditure incurred by the state and the local authority for reimbursement of expenditure to the schools under section 12(2) of the Act.

(4) The Committee shall meet within six months after the commencement of the Act and thereafter every year in December to assess per child expenditure for the next academic session.

(5) The Director, School Education, Nagaland, on the basis of the decision of the Committee, shall communicate to the District Educational Officer of the District for the reimbursement of the expenditure against the reservation of child in the schools in accordance with sub-section (2) of section 12 of the RTE Act.

Provided that where such school is already under obligation to provide free education to a specified number of children on account of it having received any land, building, equipment, or other facilities, either free of cost or at a concessional rate, such school shall not be entitled for reimbursement to the extent of such obligation.

(6) The reimbursement will be made directly in the separate bank account maintained by the school in two installments during the academic year. First installment of 50% will be reimbursed in the month of September and balance will be reimbursed in the month of January.

(7) The school, shall in the month of July, submit the list of the students admitted in the school to the District Educational Officer for reimbursement to the school under section 12(2) of the Act. The District Educational Officer of the District shall verify or cause to be verified the enrolment of the children before making the

reimbursement of the first installment. He/she shall reimburse the final installment in the coming January again after verification of the enrolment of children and attendance of every child subject to a minimum of 80% attendance every month.

- (8) The school wise names of the students admitted in the private schools and the specified schools under section 12 shall also be maintained in the electronic form and will be displayed in a manner as determined by the Committee constituted under sub-rule 7 (3) above.

8. **Documents as age proof:** Wherever a birth certificate under the Births, Deaths and Marriages Certification 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 purpose of admission in schools-

- (a) Hospital / Auxiliary Nurse and Midwife (ANM) register record;
- (b) *Anganwadi* record;
- (c) Village / Ward / Churches register record duly signed by the head of the organization.
- (d) Declaration of the age of the child by the parent or guardian.

9. **Period of admission:** (1) Normal period of Admission into any school, for the purposes of this Act, shall be from January to April of each year.

(2) Extended period of admission shall be five months from the date of commencement of the academic year of a school.

(3) 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.

10. **Recognition of schools:** 1) Every school, other than a school established, owned or controlled by the State Government or Local Authority, established before the commencement of this Act shall make a self declaration within a period of one year of the commencement of the Act, in Form No.1 to the Director of School Education, Nagaland, regarding its compliance or otherwise with the norms and standards prescribed in the Act and the fulfilment of the following conditions, namely:-

- (a) 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.
- (b) The school is not run for profit to any individual, group or association of individuals or any other persons;
- (c) The school conforms to the values enshrined in the Constitution;
- (d) The school buildings or other structures or the grounds are used only for the purposes of education and skill development;
- (e) The school is open to inspection by any officer authorized by the State Government;
- (f) the school furnishes such reports and information as may be required from time to time and complies with such instructions of the State Government as may be issued to secure the continued fulfilment of the condition of recognition or the removal of deficiencies in working of the school;

(2) Every self-declaration received in Form No.1 shall be placed by the Director of School Education, Nagaland, in public domain within 30 days of its receipt.

(3) The Director of School Education, Nagaland or his authorized agent shall conduct

on-site inspection of such schools which claim in Form No.I to fulfill the norms and standards mentioned in sub- rule (1) within three months of the receipt of the self declaration.

- (4) After the inspection referred to in sub-rule (3) is carried out, the report shall be placed in public domain within a period of three months and schools found to be conforming to the norms, standards and the conditions shall be granted recognition by the Director of School Education, Nagaland in Form No.II within a period of 45 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 Director of School Education, Nagaland, through a public order to this effect and any time within the next two and a half years, such schools may request the Director of School Education, Nagaland for an on-site inspection for grant of recognition.
- (6) Schools which do not conform to the norms, standards and conditions mentioned in sub Rule (1) after three years from the commencement of the Act, shall cease to function.
- (7) Every school, other than a school established, owned or controlled by the State Government or local authority established after the commencement of this Act shall conform to the norms and standards and conditions mentioned in sub-rule (1) in order to qualify for recognition.

Explanation: Recognition shall be granted as per provision laid down under State Recognition Rules to be framed within three months of this notification.

11. Withdrawal of recognition to schools: (1) Where the Director of School Education, Nagaland on his own motion, or on any representation received from any person, has reason to believe, to be recorded in writing, that a school recognized under rule 10, has violated one or more of the conditions for grant of recognition or has failed to fulfill the norms and standards prescribed in the Schedule, the Director of School Education, Nagaland 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 one month;
- (b) In case the explanation is not found to be satisfactory or no explanation is received within the stipulated time period, the Director of School Education, Nagaland, may cause an inspection of the school which is to be conducted by a Committee of three to five members comprising of educationists, civil society representatives, media, and government representatives, which shall make due inquiry and submit its Report, along with its recommendations for continuation of recognition or its withdrawal, to the Director of School Education, Nagaland.
- (c) On receipt of the report and recommendations of the Committee, the Director of School Education, Nagaland may pass order for withdrawal of recognition. The order of de-recognition shall be operative from the immediately succeeding academic year and shall specify the neighborhood schools to which the children of the de-recognized schools shall be admitted:

Provided that the Director of School Education, Nagaland without giving the school adequate opportunity of being heard, shall pass no order for withdrawal of recognition.

Provided further that the Director of School Education, Nagaland without prior approval of the Nagaland Government, School Education, shall pass no such order.

12. Composition and functions of the School Management Committee: (1) A School other than an unaided school, shall be managed by the existing Village Education Committee (VEC) / Ward Education Committee (WEC) / Town Education Committee (TEC) / Common Education Committee (CEC) constituted under Nagaland Communitisation Act, 2002, where composition of its members shall be reviewed in line with the RTE Act, 2009.

(2) The VEC/WEC/TEC/CEC shall, in addition to the functions specified in clauses (a) to (d) of sub-section (2) of section 21, shall perform the following functions, for which it may constitute smaller working groups from amongst its Members:

- (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 (e) of sub-section (1) of section 24;
- (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 Education Department, Nagaland if 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) Monitor and implement the school development scheme or schemes for the welfare of the students as notified by the State Government from time to time.
- (k) Prepare an annual account of receipts and expenditure of the school.

(3) The VEC/WEC/TEC/CEC shall meet at least once in three months and the minutes and decisions of the meetings shall be properly recorded and made available to the public.

(4) Any money received by the VEC/WEC/TEC/CEC for the discharge of its functions under the Act, shall be kept in a separate account, to be made available for audit every year.

- (5) The accounts referred to in clause (k) to sub-rule (6) and sub-rule (4) should be signed by the Chairperson/ Vice-Chairperson and Convener of the VEC/WEC/TEC/CEC and made available to the local authority within one month of their preparation.

Sl.No12 of the above is subject to obtain approval from Govt. Of India

13. Preparation of School Development Plan: (1) The VEC/WEC/TEC/CEC shall prepare a School Development Plan at least three months (Nov/Dec) before the end of the financial year.

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

(3) The School Development Plan shall contain the following details, namely:

- (a) Estimates of class-wise enrolment for each year;
- (b) Requirement, over the three year period, of the number of additional teachers, including Head Teachers, subject teachers and part time instructors, separately for Classes I to V and classes VI to VIII, calculated, with reference to the norms specified in the Schedule;
- (c) Physical requirement of additional infrastructure and equipments, calculated with reference to the norms and standards specified in the Schedule;
- (d) Financial requirement over the three year period, year-wise, in respect of (b) and (c) above, including providing special training facility specified in section 4, entitlements 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 should be signed by the Chairperson/Vice-Chairperson and Convener of the VEC/WEC/TEC/CEC and submitted to the local authority before the end of the financial year in which it is to be prepared.

(5) Out-line for preparation of School Development Plan is provided in the **Annexure** for reference.

14. Minimum Qualification for appointment as a teacher & recruitment policy: 1) The Academic Authority notified in pursuance of sub-section (1) of section 23, shall, within three months of such notification, lay down the minimum qualifications for persons to be eligible for appointment as a teacher in an elementary school.

(2) The minimum qualifications laid down by the Academic Authority referred to in sub-rule (1) of the above, shall be applicable for every school referred to in clause (n) of section 2.

(3) Teacher Eligibility Test shall be conducted by the Academic Authority of the State in pursuance to clause b of sub-section II of section 1 of the NCTE Notification of clause.

(4) Recruitment policy;

- (a) No teacher shall be appointed on adhoc/temporary basis for school specified in sub-clause (i) of clause (n) of section 2, after the commencement of this Act. All appointment shall be done through the

recommendation of the teacher recruitment board as notified by the Government.

(b) Teacher appointed on adhoc/temporary basis prior to this Act, shall be regularised as notified by the P&AR, Government of Nagaland from time to time with effect from the date of the first appointment.

15. Relaxation of minimum qualification appointment as a teacher: (1) The teacher requirement shall be estimated as per the norms in the Schedule for all schools referred to in clause (n) of section 2 within the State, within nine months from the commencement of the Act.

(2) In case the State does not have adequate institutions offering courses or training in teacher education, or persons possessing minimum qualifications as laid down under sub-rule (2) of rule 14 are not available in sufficient numbers in relation to the requirement of teachers estimated under sub-rule (1), the State shall request, within one year of the commencement of the Act, the Central Government for relaxation of the prescribed minimum qualification.

(3) If the Central Government issues the Notification specifying the nature of relaxation and the time period, the teachers appointed under the relaxed conditions should acquire the minimum qualifications prescribed by the academic authority notified under sub-section (1) of section 23 within the time period specified in the Notification, but not beyond five years from the commencement of the Act.

(4) After issue of notification indicating minimum qualification as prescribed under rule 14(1), no appointment of teacher for any school can be made in respect of any person not possessing the minimum qualifications prescribed by the academic authority notified under sub-section (1) of section 23 without the notification from the Central Government for relaxation of minimum qualifications.

(5) A person appointed as a teacher within six months of the commencement of the Act, must possess at least the academic qualifications not lower than higher secondary school certificate or equivalent.

16. Acquiring minimum qualifications: 1) Adequate teacher education facilities shall be provided to ensure that all teachers in schools referred to in sub-clauses (i) and (iii) of clause (n) of section 2, who do not possess the minimum qualifications laid down under sub-rule (2) of rule 15 of the above, at the time of commencement of the Act, to acquire such minimum qualifications within a period of five years from the commencement of the Act.

(2) For a teacher, of any school referred to in sub-clause (ii) and (iv) of clause (n) of section 2, who does not possess the minimum qualifications laid down under sub-rule (2) of rule 15 at the time of commencement of the Act, the management of such school(s) shall enable such teacher(s) to acquire such minimum qualifications within a period of five years from the commencement of the Act.

17. Salary and allowances and conditions of service of teachers: (1) The State Government shall notify terms and conditions of service and salary and allowances of teachers in order to create a professional and permanent cadre of teachers.

(2) In particular and without prejudice to sub-rule (1), the terms and conditions of

service shall take into account the following, namely –

- (a) accountability of teachers to the VEC/WEC/TEC/CEC constituted under sub-section (1) of section 13 of the above;
 - (b) provisions enabling long term stake of teachers in the teaching profession.
- (3) The scales of pay and allowances, medical facilities, pension, gratuity, provident fund, and other prescribed benefits of teachers, including those of teachers appointed on adhoc/temporary basis prior to this notification and those employed for the purpose of imparting special training shall be that of regular teachers, and at par for similar works and experience.

In case of teachers of private schools, salary and allowances and their terms and conditions of service shall be decided by the school management subject to regulations, if any, being in force.

18. Duties to be performed by teachers: (1). In performance of the functions specified in sub-section (1) of section 24 and in order to fulfill 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 including the record maintained while implementing the Learning Enhancement Programme or any other Programme that may be in force, which will be the basis for awarding the completion certificate specified in sub-section(2) of section 30.

(2) In addition to the functions specified in clauses (a) to (e) of sub-section (1) of section 24, a teacher may perform the following duties assigned to him or her, without interfering with regular teaching:

- (a) Maintain a separate file for all his/her student containing the cumulative record like progress in academic performance, extra curricular activities, conduct or discipline.
- (b) Participate in any teacher-oriented program called by the Government.
- (c) Participate in curriculum formulation, development of syllabi, training modules and textbook development if called by the Government.
- (d) Perform all additional duties notified by the Government from time to time.

19. Manner of redressing grievances of teachers: (1) The School Managing Committee shall be the first level of grievance redress of teachers. The grievances of teachers which can not be redressed in this committee shall be placed before the District level committee for redressal of teachers' grievances along with the committee report and recommendation.

(2) The district level committee for redressal of teacher's grievances shall be constituted comprising of five or seven members. District Education Officer shall act as convener cum member secretary, concerned Nodal Officer of the Directorate, concerned Deputy Inspector of Schools, concerned Sub-inspector of schools, and other members nominated by the convener cum member secretary. All cases which can not be redressed in the District Level Committee shall be forwarded to State Level Committee along with the report of School Managing Committee and the report and recommendation of District Level Committee.

- (3) The State Level Committee for redressal of Teachers grievances shall be constituted under the Director or head of the Department (HoD) and Chairman and at least five to nine members comprising of Joint Directors, Nodal Officer of the particular district and other member(s) nominated by the Chairman. The State Level Committee for redressal of teacher's grievances shall be the highest and all decision taken by this committee shall be abided by one and all.
- (4) Where the committee of any level on its own motion or reported by the concerned officer or on any representation received from any person, has reason to believe, to be recorded in writing, has violated or not performed one or more duties specified under sub-section (1) of section 24 of the RTE Act, 2009, shall act prompt to redress the grievances.

20. Maintaining Pupil-Teacher Ratio in each school:

- (1) Sanctioned strength of teachers in every school shall be notified by the State Government and shall, within three months of such notification, redeploy teachers from schools having strength in excess of the sanctioned strength prior to the notification.
- (2) If any person of the State Government or the local authority violates the provisions of sub-section (2) of section 25, he or she shall be personally liable for disciplinary action.

21. Award of certificates: (1) The head teachers or the teacher in-charge of the school shall issue the certificate of completion of elementary education within one month of the completion of elementary education.

- (2) The certificate for completion of elementary education shall be duly filled up and signed by the concerned class teacher based on the student's cumulative record like progress in academic performance, extra curricular activities, conduct or discipline and submit to the Head Teacher for verification and signature within ten days of the completion of elementary education.
- (3) The Certificate referred to in sub-rule (1) shall—
 - (a) certify that the child has completed all courses of study prescribed under section 29.
 - (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, sports, etc.

Provided that school referred in sub-clause (iv) of clause (n) of section 2 shall prominently stamp the school recognition number issued by the competent authority on the certificate of completion of elementary education.

22 State Commission for Protection of Child Rights: (1) The State Government shall constitute State Commission for Protection of Child Rights, within a period of six months from the commencement of the Act.

- (a) State Commission for Protection of Child Rights, shall set up a child help line, accessible by SMS, telephone and letter, which would act as the forum for aggrieved child/guardian to register complaint regarding violation of rights under the Act, in a manner that records his/ her

identity but does not disclose it.

(b) All complaints to the helpline should be monitored through a transparent 'alert and action' online mechanism by the State Commission for Protection of Child Rights.

23. The State Government may, by notification, amend the rules by adding to, or omitting there from any norms and standards.

(IMKONGLEMBBA) IAS.

Commissioner & Secretary to the Govt. of Nagaland.

NO. EDS/ 16-34/2009(PT-III)

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Dated Kohima, the 21st March 2011

Copy to:-

1. The Additional Chief Secretary to the Chief Minister, Nagaland, Kohima.
2. The OSD to Minister, School Education & SCERT, Nagaland, Kohima.
3. All OSD/PPS/Senior PS to all Ministers/Parliamentary Secretaries, Nagaland, Kohima.
4. The OSD to Chief Secretary, Nagaland, Kohima.
5. The Secretary, Government of India, Ministry of Human Resource Development, Department of School Education & Literacy, New Delhi.
6. The Joint Secretary, RMSA, Government of India, Ministry of Human Resource Development, Department of School Education & Literacy, New Delhi.
7. The Joint Secretary, SSA, Government of India, Ministry of Human Resource Development, Department of School Education & Literacy, New Delhi.
8. The Director, NCTE, , Government of India, Ministry of Human Resource Development, Department of School Education & Literacy, New Delhi.
9. All Additional Chief Secretaries/Principal Secretaries/Commissioner & Secretaries/Secretaries.
10. The Commissioner & Secretary, School Education & SCERT, Nagaland, Kohima.
11. The Commissioner & Secretary, Higher Education, Nagaland, Kohima.
12. The Director of School Education, Nagaland, Kohima.
13. The Director of Higher Education, Nagaland, Kohima.
14. The Director of SCERT, Nagaland, Kohima.
15. The Chairman, NBSE, Nagaland, Kohima.
16. The Mission Director SSA
17. The Mission Director, RMSA
18. The Publishers, Nagaland Gazette for immediate publication.
19. All concerned.
20. Office copy/Guard file.

(IMKONGLEMBBA) IAS.

Commissioner & Secretary to the Govt. of Nagaland

APPENDIX

FORM I

SELF DECLARATION CUM APPLICATION
FOR GRANT OF RECOGNITION OF SCHOOL

See sub-Rule (1) of Rule 11 of the
Right of Children to Free and Compulsory Education Rule, 2009

To,

The Director
School Education,
Nagaland Kohima

Sir/Madam,

In pursuance to sub-section (1) of section 18 of the Right of Children to Free and Compulsory Education Act, 2009 and considering all norms, standards and provision stipulated in the RTE Act, 2009 and the notification issued by the Government of Nagaland in this regard, I have hereby duly filled the application and self declaration form (enclosed) for grant of recognition to _____ (Name of the school) with effect from the commencement of the school year 20.....

Yours faithfully

Enclosed :
Place :
Date :

Signature with seal

Name ()
Chairman of Managing Committee / Manager

SCHEDULE

NAME OF THE SCHOOL : _____
CLASS RUN : Lowest class _____ Highest class _____
VILLAGE/TOWN/CITY : _____
POSTAL ADDRESS : _____

PIN CODE _____
PHONE NO : _____
FAX NO : _____
EMAIL ADDRESS : _____
NEAREST POLICE STATION : _____

YEAR OF OPENING : _____
NAME OF TRUST/SOCIETY/ OWNER : _____

IF REGISTERED, REGISTRATION NO : _____
DATE OF REGISTRATION: _____ VALID UP TO _____

PROOF OF NON-PROPRIETARY CHARACTER OF THE TRUST/SOCIETY/ OR ANY
OTHER SUPPORTED BY THE LIST OF MEMBERS WITH THEIR ADDRESS :
: _____

OFFICIAL ADDRESS OF MANAGER / PRESIDENT / CHAIRMAN OF THE SCHOOL:

NAME _____

DESIGNATION _____

ADDRESS _____

CONTACT NO: _____ (M) _____ (O)
_____ (R) _____

NATURE AND AREA OF SCHOOL:

MEDIUM OF INSTRUCTION : _____

TOTAL AREA OF SCHOOL : _____

WHETHER AIDED OR NON-AIDED SCHOOL: _____

IF AIDED, NAME OF AGENCY : _____

MANNER OF AIDING : _____

INFRASTRUCTURE DETAILS & SANITARY CONDITIONS.

TYPE OF SCHOOL BUILDING : _____

NO OF CLASS ROOMS: _____

AVERAGE CLASSROOM SIZE _____

NO OF OFFICE, STORE & HEADMASTER ROOM _____

AVERAGE SIZE _____

DO THE SCHOOL BUILDING HAVE BARRIER FREE ACCESS: _____

NO OF SEPARATE BOYS TOILET : _____

NO OF SEPARATE GIRLS TOILET : _____

NO OF COMMON TOILET : _____

AVAILABILITY OF DRINKING WATER FACILITIES: _____

TYPE OF DRINKING WATER FACILITIES: _____

PLAY GROUND (YES/NO) _____

IF YES (AREA IN METERS) _____

SPORTS & PLAY EQUIPMENTS (ATTACH LIST)

TEACHING LEARNING MATERIAL (ATTACH LIST)

SCHOOL LIBRARY (YES/NO) : ____ IF YES, NO OF BOOK _____

PERIODICAL/NEWSPAPERS SUBSCRIBED TO : _____

WHETHER THE SCHOOL BUILDINGS OR OTHER STRUCTURES OR THE GROUNDS
ARE USED ONLY FOR THE PURPOSE OF EDUCATION AND SKILL
DEVELOPMENT(YES/NO) : _____

PARTICULARS OF TEACHING STAFF

S l o	Name of teacher	Father / spous e name	Dat e of Bir th	Acade mic qualifi cation	Profes sional qualifi cation	Cl ass ass ig ne d	Appoi ntmen t date	Ap poi nte d as	Trai ned/ Unt rain ed	Scal e of pay	Gro ss sala ry per mon th
1											
2											

*FURNISH SEPARATE DETAILS OF TEACHERS FOR ELEMENTARY AND SECONDARY.
CURRICULUM AND SYLLABUS AND OTHERS*

DETAILS OF CURRICULUM AND SYLLABUS FOLLOWED IN EACH CLASS UPTO
CLASS VIII (ATTACH DETAILS)

SYSTEM OF PUPIL ASSESSMENT _____

WHETHER PUPILS OF THE SCHOOL ARE REQUIRED TO TAKE ANY BOARD
EXAM UPTO CLASS VIII? : _____

SYSTEM OF MAINTENANCE OF CHILD RECORD: _____

MODE OF ADMISSION: _____

SYSTEM OF PUPIL TEACHER RATIO: _____

SYSTEM OF PUPIL CLASSROOM RATIO: _____

I do hereby declare that the information furnished in this "Self Declaration Form" is true to
the best of my knowledge.

If grant recognition, School shall;

- Abide by the norms and standards specified in Schedule of RTE Act 2009.
- Abide by the rules and regulation formulated by the State Rules.
- Abide to furnish all necessary information to the appropriate authority as and when required.
- Abide to furnish information pertaining to "District Information System of Education (DISE)" in time, which is collected annually.
- Open to any concerned officer assigned by the Government for inspection.
- Abide by all instructions/notification issue by the State government from time to time.

Place :

Date :

Signature with seal

Name ()
Chairman of Managing Committee / Manager

Form II

Gram :

Phone:

E-Mail:

Fax:

DIRECTORATE OF SCHOOL EDUCATION
NAGALAND KOHIMA

No.

Dated:

The Manager,

Sub: Recognition Certificate for the School under sub-rule (4) of rule 11 of Right of Children to Free and Compulsory Education Rules, 2009 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 fulfillment of the 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 the Right of Children to Free and Compulsory Education Act, 2009 (Annexure I) and the Right of Children to Free and Compulsory Education Rules, 2009 (Annexure II).
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, further 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 Section 12(2) of the Act. To receive such reimbursements school shall provide a separate bank account.
5. The Society/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 provided prescribed for admission on the grounds 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 23
 - (v) Inclusion of Students with disabilities/special needs as per the provisions 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 with in a period of 5 years;
 - (vii) The teacher performs its duties specified under section 24(1) of the Act.
8. The School shall follow the syllabus on the basis of curriculum laid down by appropriate authority.
9. The School shall enroll students proportionate to the facilities available in the school as prescribed in section 19 of the Act.
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:-
 - Area of school campus
 - Total built up area
 - Area of play ground
 - No. of class rooms
 - Room for Headmaster-cum-Office-cum-Storeroom
 - Separate toilet for boys and girls
 - Drinking Water Facility
 - Kitchen for cooking Mid Day Meal
 - Barrier free Access
 - Availability of Teaching material/ 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 purpose of 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 School is not run for profit to any individual, group or association of individuals

- or any other persons;
15. 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 DEO every year.
 16. The recognition Code Number allotted to your school is -----; This may please be noted and quoted for any correspondence with this office.
 17. The school furnishes such reports and information as may be required by the Director of Education/District 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 fulfillment of the condition of recognition or the removal of deficiencies in working of the school;
 18. Renewal of Registration of Society if any be ensured.
 19. Other conditions as per Annexure 'III' enclosed.
 20. The recognition shall be withdrawn if the contravention of the provisions of the Act, Rules and conditions of the recognition is found and proved.

Yours faithfully

()
Director

OUTLINE OF SCHOOL DEVELOPMENT PLAN

Our School Development Plan

1. **Our vision** of the school in the spirit of RTE – a statement (keeping in view the socio cultural context of the village/town)
2. **Our neighbourhood** – a. location, b. history, c. population with households, d. literacy level, e. major occupation, f. Social divides, g. major issues

(with a village resource map, if available)
3. **Educational facilities in the area** (Access to Anganwadi, primary, upper primary, secondary, higher secondary, nearby higher institutions, both government and private
4. **Teacher support system** (location of CRC, BRC, distance from the area, contribution to the school, training of teachers, issues)
5. **A profile of our school** – facilities (rooms, library, toilet, drinking water, playing material, major TLMs, kits, laboratories,...), teachers, children, picture of school
6. **Our children in 0 to 14 age group** (major findings of HH survey, age wise break up, social group wise break up, language,)

Sl.no	Age Group	Total no of children	Status	
			In School	Out of School
1.	Zero + age group			
2.	One + age group			
3.	Two + age group			
4.	Three + age group			
5.	Four + age group			
6.	Five + age group			

7.	Six+ age group			
8.	Seven+ age group			
9.	Eight+ age group			
10.	Nine+ age group			
11.	Ten+ age group			
12.	Eleven+ age group			
13.	Twelve+ age group			
14.	Thirteen+ age group			
	Total			

Enrolment in neighbourhood school:

Sl. No.	Classes	Present enrolment in school	Enrolment capacity of school as per RTE norm
1	Class A		
2	Class B		
3	Class I		
4	Class II		
5	Class III		
6	Class IV		
7	Class V		
8	Class VI		
9	Class VII		
10	Class VIII		
Total			

Why children did not come to school:

Eg:

- a. Working children:
- b. Children working at home/ taking care of siblings
- c. Migrating children:
- d. Children who left school:

7. **Our plan for enrolling all children:**

8. **Feedback from focused group discussion:** a. Parents of disadvantaged groups, b. Out of school children, c. Women, d. Teachers, e. Socio cultural leaders. f. Children (from school), g. Any other important groups/individuals

Points for discussion: What are major issues related to children's access, enrolment, retention, socio cultural issues, gender, and learning, their dreams for making school better.

9. **Additional physical requirements** with financial implications:

- e. Infrastructure (classrooms, Toilet, library, boundary wall, play ground, kitchen shed, etc.)
- f. teachers (primary and upper primary)
- g. equipment (teaching learning, musical, sports, library, ...)
- h. textbooks (class wise)
- i. uniforms (class wise)
- j. aids and appliances for CWSN
- k. MDM
- l. special training for OoSC
- m. Teacher training
- n. Any other:

10. **How much money, what results** (financial requirements and management) (in three years with year wise break up)

11. **Activities to be undertaken** (in three years with year wise break up)

12. **Time line** (in three years with year wise break up)

13. **Our school** - from today to tomorrow (picture of whole school development plan)

14. **Who will do what**

- a. SMC members (sub- groups on)
- b. Head Teacher
- c. Teachers
- d. Parent
- e. CRC
- f. BRC
- g. NGO
- h. Children
- i. Community members

15. We will ensure children's rights this way (monitoring and response to issues)

16. If anywhere children's rights are violated, we will act this way

Some points to remember.....

We are going to

1. Interact with school Headmaster, Teacher, Children and observe infrastructure of the school
2. Interact with backward parts of the village/ town: OoSC, members from disadvantaged groups
3. Interact with Local Authorities and VEC members

Please build in your creative ideas