

### 13. THE ANDHRA PRADESH EDUCATIONAL INSTITUTIONS (ESTABLISHMENT, RECOGNITION, ADMINISTRATION AND CONTROL OF SCHOOLS) RULES, 1988

[G.O.Ms.No. 524, Education (Rules), Dt. 20-12-1988]

**Authors' Note** :—These Rules to the extent applicable to the schools functioning under private managements (including those under minority) are superseded by G.O.Ms.No. 1, Edn., Dt. 1-1-1994. The said G.O. is printed at Page No. 271 of this Book.

In exercise of the powers conferred by Sections 8, 18, 20 and 21 read with Section 99 of the A.P. Education Act, 1982 (Act No. I of 1982) and in supersession of the rules issued in G.O.Ms. No. 60, Education, dated 28-1-1986 and published as Rules Supplement to Part-I of the Andhra Pradesh Gazette, dated the 5th February, 1986 and all such other rules in force on the subject, the Governor of Andhra Pradesh hereby makes the following rules relating to establishment, registration, recognition, administration and control of all categories of schools functioning under all categories of managements, namely Government, local bodies and private managements.

1. **Short title, extent and commencement** :—(1) These rules may be called the Andhra Pradesh Educational Institutions (Establishment, Recognition, Administration and Control of Schools) Rules, 1988.

(2) Unless otherwise specifically mentioned, these rules shall apply to all categories of schools functioning under the Government, Local Bodies and Private Managements (including those under minority communities) imparting the following classes of education in the State of Andhra Pradesh—

(a) **Pre-Primary Schools** :—These schools are classified as Nursery, Kinder-Garten (Lower and Upper), Montessory, Anganwadi, Balwadi and the like. They shall admit children who are in the age group of 3 to 5 years;

upgradation of the already existing school either under the management of the local body concerned or the Government;

(i) “*Recognition Authority*” means the authority competent to grant recognition simultaneously registering such of the schools for which permission has been accorded for the establishment or upgradation, as the case may be;

(j) “*School*” means unless otherwise specifically mentioned all the categories of the educational institutions mentioned under sub-rule (2) of Rule 1 and sponsored/managed/run by the educational agency;

(k) “*Tribal Locality*” means the localities wherein majority of the people living belong to tribal communities, as notified by the Government from time to time.

(2) Words and expressions used in these rules but not defined herein shall carry the same meaning as are assigned to them in the Act.

**3. Criteria for establishment of schools :—**The guidelines for the establishment of schools shall be such that they are in line with the National Policy of Education and increase literacy among the population. Accordingly the policy shall be to encourage establishment of more and more schools particularly in rural areas taking into account the educational needs of the localities. While doing so improvement in academic standards and excellence of education shall not be compromised. The following shall be the broad guidelines for the Permission Authority for taking decisions for according permission for the establishment of new schools or upgradation of the existing schools—

(1) Educational needs of the localities;

(2) Population of the School-going children in the locality; whether the existing schools in the locality are catering the educational needs of the population in the locality;

(3) Unhealthy competition among the schools in the locality *vis-a-vis* liability of the schools is a consequence of establishment of new schools or upgradation of existing schools. Upgradation of schools shall not be considered as a routine affair and shall be resorted to only when there is educational need;

(4) Distance between two similar category of existing schools in the locality;

(5) Discouraging parents to admit their wards in far away schools by improving educational standards in the nearby schools;

(6) Strength of students in various classes in the existing schools;

(7) The minority communities shall be free to establish their schools wherever they like, subject to fulfilment of the prescribed conditions.

**4. Competent Authorities for granting or withdrawal of permission :—**The Permission Authority which is competent to grant or withdraw permission for establishment of new schools or upgradation of existing schools and the Appellate Authority to whom appeal against the orders of Permission Authority can be made shall be as specified in the table below :

TABLE

<i>Category of Schools</i>	<i>Permission Authority</i>	<i>Appellate Authority</i>
[1. Pre-Primary and Primary Schools (all media)	District Educational Officer	Regional Joint Director of School Education.
2. Upper-Primary Schools (all media)	-Do-	-Do-
3. Oriental Schools and Hindi Patasalas (all languages/all classes)	Regional Joint Director of School Education	Director of School Education.
4. Secondary Schools (all media)	Director of School Education	Government
5. Hindi Vidyalayas	-Do-	Government
6. Permission for opening of parallel section	D.E.O.	R.J.D.S.E.
7. Permission to fill up vacant Aided posts in Aided Secondary Schools.	-Do-	D.E.O.
8. Creation of unaided posts of teaching staff in Private Secondary Schools.]	-Do-	-Do-

(Subs. by G.O.Ms. No. 17, Education, Dt. 23-1-1998)

5. Application seeking permission for establishment of new Schools or upgrading of the existing Schools :—(1) The educational agencies desirous of establishing institutions or upgrading their existing institutions shall make an application in the prescribed form (Form-I) in triplicate to the Recognition Authority concerned.

(2) Every application shall be accompanied with the following documents, etc.—

(a) A copy of the constitution and bye-laws of the educational agency registered with the respective Registration Authorities together with the list of office-bearers.

(b) In respect of institutions claiming minority status,—

(i) documentary evidence in support of their claim;

(ii) undertaking to the effect that it is prepared to comply with the criteria laid down for the recognition as minority institution;

(iii) undertaking to the effect that it is prepared to undergo the departmental action which may be imposed on the educational agency as per rules for failure to secure recognition as minority institutions by the Competent Authority.

(c) Evidence in support of payment of the following Application fees (to meet expenses on inspection).

<i>Category of School</i>	<i>Application fee (Inspection charge)</i>
(i) Pre-Primary and Primary Schools (all media) . . .	. . . Rs. 100
(ii) Upper-Primary Schools (all media) . . .	. . . Rs. 200
(iii) Secondary Schools (High Schools) (all media)	. . . Rs. 300

minority educational institution, subject to, however, fulfilling all the conditions prescribed in Rule 9. In such a case the order of permission shall clearly indicate that the institution will be treated provisionally as minority educational institution for one academic year only for the purposes of making admissions and appointment of staff, subject to obtaining certificate of recognition as minority educational institution from the competent authority prescribed for this purpose by the Government.

(b) Mere naming a private institution to mimic as of minority institution will not entitle the institution the status of minority institution. The composition of the educational agency, its aims and objects whether majority of students admitted in the institution belong to the concerned community as laid down in the criteria prescribed for this purpose, shall form the basis for the provisional declaration of the school as of minority institution.

(c) If the Permission Authority is of the opinion that an educational agency has fulfilled all the conditions prescribed for granting of permission but could not establish its claim for minority status by producing documentary evidence, the Permission Authority is competent to grant permission to the educational agency for establishment of the school without the minority status.

(8) (a) The educational agency to which permission to establish a new school or upgrade its existing school, has been accorded may open all the classes in the media for which permission has been accorded at a time or may open, depending upon the various facilities available, certain classes/media in the first instance and other classes/media in the subsequent years, with the prior permission of the Permission Authority.

(b) The educational agency shall open such number of classes and such number of sections for which infrastructural facilities have been provided.

(9) No educational agency shall establish new school or upgraded existing school in anticipation of orders of permission from the Permission Authority. Mere making of application and non-receipt of communication of rejection from the Permission Authority within the stipulated period, shall not entitle any educational agency to start functioning the school or upgrade the existing school for which permission has been sought for. Any educational agency violating these provisions shall be liable for penal action under the provisions of the Act.

**7. Establishment of new schools or upgradation of existing schools under the control of local bodies and/or Govt. as sponsored by Public Educational Committee :—**(1) Government may establish new schools or upgrade their existing schools on their own accord or on public demand as revealed by the applications made by the Public Education Committee formed for the purpose.

(2) The local bodies may establish new schools or upgrade their existing schools, either on their own accord or on public demand, as revealed by the applications made by the Public Educational Committee formed for the purpose.

(3) A group of responsible persons desirous of establishing a new school or upgrading the existing school under the control of the Government or concerned local body may constitute a 'Public Education Committee' (Registered or un-registered). The

Committee shall comprise of, among others, representatives of the S.C/S.T./B.C. and women candidates headed by a chairman.

(a) The Public Education Committee pursuing the cause of establishment of a new Government school or upgradation of existing Government school shall cease to exist, once the prescribed conditions for the purpose are fulfilled and the school is established/upgraded;

(b) The Committee pursuing the cause of establishment of new school or upgradation of existing school under the local bodies shall hold office for three years or until the prescribed conditions for the purpose are fulfilled and the institution is established/upgraded and handed over to the concerned local body.

(4) The procedure for establishment of new schools or upgradation of the existing schools either under the control of the Government or local bodies either on their own accord or as pursued by the Public Education Committee shall be the same, as prescribed in Rule 6.

(5) There shall be no need for creation of endowment fund (Public contribution fund) for establishing of new schools or upgradation of the existing schools under the control of Government or local body, provided own buildings are provided or necessary land is acquired and funds provided for the construction of buildings and/or when the proposals are emanated from the Government.

(6) When the Public Education Committee proposes to establish new school or upgrade the existing school either under the control of Government or local body, it must have mobilised all resources and be capable of fulfilling all the conditions laid down under Rule 9, except creation of the endowment fund (Public contribution fund). Among other things the Public Education Committee shall provide the following :

(a) shall acquire land for constructing the buildings for locating the school and for developing playground;

(b) shall construct buildings required for locating the school, without compromising on safety or quality;

(c) shall deposit the required amount with the concerned local body for payment of salaries to the staff appointed in the school for a period of three years (in respect of Public Education Committee pursuing the case of schools under local bodies only).

(7) In respect of establishment of new Government schools or upgradation of existing Govt. schools or opening of higher classes/additional sections in the existing schools, the Director of School Education shall send necessary proposals to the Government indicating the recurring and non-recurring expenditure involved and the budget provision under which the expenditure is to be met and the additional staff required. The Government, will then, taking into consideration the educational needs, backwardness of the localities and the financial resources at their command, take a decision and issue orders about the number of new Government schools to be established/existing Government schools to be upgraded higher classes and additional sections to be opened in the existing schools and also the localities where they are to be established. The Director of

School Education shall take action accordingly only after obtaining orders of the Government to that effect.

**8. Opening of Higher classes/additional sections in the already existing Schools under the control of local bodies and private managements :—**(1) Educational agencies need not have to obtain specific orders of permission from the Permission Authority for starting of higher classes/additional sections in the already existing schools since the permission accorded for establishment of pre-primary school shall be deemed as permission for conducting classes of Nursery, Kindergarten (lower and upper), Montessory and the like, permission accorded for establishment of primary schools shall be deemed as permission for conducting of classes I to V, permission for establishment of upper-primary school shall be deemed as permission for conducting of classes I to VII and permission for establishment of secondary school shall be deemed as permission for conducting of classes I to X and similar is the case with other categories of schools. However, formal approval of the Recognition Authority is required before the opening of the higher classes and/or additional sections.

(2) The educational agencies which have been accorded permission for establishment of a new school or upgrading their already existing school may open all the classes at a time or may open in the subsequent years depending upon the various infrastructural facilities available. Unless necessary infrastructural facilities are provided and additional staff required are appointed, the educational agency concerned shall not open higher classes and/or additional sections.

(3) (a) Educational agencies desirous of opening of higher classes or additional sections in the already existing schools may do so after providing necessary infrastructural facilities and appointing additional staff required and then shall make an application to the Recognition Authority in Form III in the month of February/March, that is 3 months before the commencement the academic year. The educational agency shall also deposit an amount of Rs. 100/- only towards inspection charges in the Treasury under Head of account indicated in clause (c) of sub-rule (2) of Rule 5 and the counterfoil of the challan shall be accompanied with the application.

(b) The Recognition Authority on receipt of the application shall inspect the school in question within a period of 3 months from the date of receipt of the application and satisfy himself about the infrastructural facilities provided and additional staff appointed/proposed to be appointed for starting of higher classes/additional sections in the already existing schools. The Recognition Authority is competent to order for the closure of the higher classes/additional sections, if already opened, in case he is of the opinion that the infrastructural facilities provided and additional staff appointed are not adequate to meet the needs of the higher classes/additional sections proposed.

(4) (a) If any school is upgraded, the school shall be required to get registered and recognised by the competent authority since the category of school has been changed;

(b) If the school is already recognised and registered with the competent authority, there is no need for the higher classes/additional sections to get further recognition and registration.

9. **Conditions for grant of permission** :—Permission to establish new schools or upgradation of existing schools under the control of local bodies or private management shall be accorded subject to the fulfilment of the following conditions relevant to the respective category of school.

(1) The criteria for granting of permission as laid down under Rule 3 should have been fulfilled.

(2) *Endowment Fund (Corpus fund)* :

(a) Endowment fund is created as a sort of security deposit to meet various exigencies. However there shall be no need for creation of endowment fund for establishment of any category of schools under all managements provided they have suitable buildings of their own.

(b) The endowment fund to be deposited by every private educational agency for establishment/upgradation of various categories of schools, subject to revision by every five years, shall be as specified in the table below :

TABLE

<i>Categories of Schools</i>	<i>Endowment corpus) fund</i>	
	<i>Schools to be established in Tribal Educationally backward localities of girls Schools</i>	<i>All other Schools</i>
(1)	(2)	(3)
	Rs.	Rs.
(i) Pre-primary schools (All media)	5,000	6,500
(ii) Primary schools or upgradation of existing pre-primary school into primary school (All media)	9,000	12,000
(iii) Upper-primary school or up-gradation of existing primary school into upper-primary school (All media)	15,000	18,000
(iv) Secondary school (High School) or upgradation of existing upper-primary school into Secondary School (All media)	40,000	50,000
(v) Oriental Schools (All classes in all languages)	8,000	10,000
(vi) Hindi Patasalas.	5,000	7,000
(vii) Hindi Vidyalayas.	8,000	10,000

(c) 50% of the endowment amount shall be deposited at the time of making the application for permission for the establishment of new school/upgradation of the existing school and the balance shall be deposited before making the application for grant of provisional recognition, that is before the opening of the institution for the academic year. Under no circumstances the provisional recognition shall be accorded unless the entire endowment fund prescribed is deposited;

(d) The endowment fund shall be deposited in the joint account of the District Educational Officer concerned and the educational agency as represented by its Secretary/Correspondent/Manager;

(e) In respect of schools proposed to be upgraded, the endowment fund to be deposited shall be only the difference of amount over and above the endowment already deposited if any, and if no endowment is already created, the amount of endowment to be deposited by such school shall be the same as for opening of a new school;

(f) No additional endowment need be deposited for opening of next higher classes or additional sections in any media in the already existing schools, if the entire endowment fund prescribed under Rule 9(2) has already been deposited. Unless the entire prescribed endowment fund is deposited, permission to open higher classes/additional sections shall not be accorded.

(g) Under no circumstances the endowment fund deposited shall be permitted to be withdrawn except when the educational agency proposes to close down the institution with the prior approval of the Permission Authority or Permission granted to the institution is withdrawn by the Permission Authority. The Government, however, may permit the educational agency to utilise the interest accrued over and above the prescribed endowment fund, for the development of the school at intervals of five to ten years;

(h) For establishment of schools under the local bodies/Government, the Local Body or the Public Education Committee as the case may be, shall provide adequate buildings of its own for locating the school. If the Public Education Committee is unable to provide the buildings, the permission authority may accord permission for establishment of the school, if necessary, funds for construction of the buildings and necessary land is provided.

(3) *Accommodation* :—(a) Each classroom shall be provided with one room of dimension of 15'x21'. If in any particular class there are more than one section, each section shall be provided with one such room. If the educational agency is unable to procure a building with rooms of the specified dimension, the Recognition Authority may satisfy himself with the accommodation provided, in which case the educational agency shall admit only such number of students to suit to the accommodation, as may be allowed by the Recognition Authority. Each student shall have 5 to 7 cubic feet space;

(b) It is desirable to provide separate rooms for the office, Head-master and the staff depending upon their strength;

(c) In the case of institutions (including pre-primary and primary schools) where the strength of staff is more than 10, it is desirable to provide one staff room, and a separate staff room for ladies when their strength is more than 10 in the institution;



(d) There shall be accommodation for locating the library;

(e) There shall be accommodation for locating the Laboratory and the equipment.

**(4) Sanitary facilities :**

(a) The surroundings and the premises of the proposed institution shall be hygienic.

(b) All the rooms of the buildings shall have proper ventilation and the roofing shall be such that there is proper protection from the heat of sun and rain.

(c) There shall be proper facilities for providing wholesome drinking water.

(d) Sufficient number of urinals and lavatories shall be provided. It is desirable to provide two urinals and one septic latrine for every 100 students. There shall be separate lavatories for boys, girls and the staff.

**(5) Playground :**

(a) It is desirable to provide atleast one to five acres of land for developing play-ground attached to various categories of the institutions, as detailed below—

(i) In respect of pre-primary and primary schools, it is desirable that the educational agency shall provide atleast one acre of land for developing playground;

(ii) In respect of upper-primary schools the educational agency shall provide two acres of land for developing it as playground;

(iii) In respect of secondary schools it is desirable to provide five acres of land. However, in deserving cases the Permission Authority may relax the conditions and the educational agency shall provide a minimum 3 acres of land for developing it as playground;

(iv) In respect of Oriental Schools and Hindi Patasalas not less than one acre of land shall be provided for developing it as playground;

(v) In respect of Hindi Vidyalayas not less than two acres of land shall be provided for developing it as playground.

(b) For the institutions proposed to be established in urban areas the need for providing land for developing the playground to the extent prescribed under clause (a) may not be insisted upon. However, sufficient land atleast to the extent allowed under urban land ceiling laws, shall be provided for developing playground, particularly in respect of Secondary Schools and Hindi Vidyalayas.

(c) In respect of institution, proposed to be established in metropolitan cities, a lenient view shall be taken in insisting land for developing playground. It is desirable to provide land atleast to the ceiling limit allowed under Urban Land Ceiling Laws, for developing playground. However, in case the educational agency is unable to procure even this extent of land:

- (i) it may construct an indoor stadium of atleast 130'x100' dimension and provide various sports material and Gymnastics; and
- (ii) it may enter into an agreement with the management of nearby institution to use playground facilities of that institution ;
- (iii) the Permission Authority is empowered to grant further relaxation to the provisions mentioned under sub-rule (5) in deserving cases.

**10. Competent authority for granting or withdrawing of provisional/permanent recognition :—**The Recognition Authority which is competent to grant or withdrawn provisional/permanent recognition to various categories of institutions shall be as detailed in the table below :

TABLE

<i>Category of School</i>	<i>Recognition Authority</i>
(a) Pre-primary, Primary Schools (All media)	District Educational Officer.
(b) Upper-Primary Schools (All media)	District Educational Officer.
(c) Secondary Schools (High Schools) (All media)	Regional Joint Director of School Education.
(d) Oriental Schools (All classes in all languages).	District Educational Officer.
(e) Hindi Patasalas (All classes)	District Educational Officer
(f) Hindi Vidyalayas (All classes)	Regional Joint Director of School Education.

**11. Procedure for granting of provisional recognition :—**(1) On receipt of orders of permission for the establishment of new school/upgrading of its existing school, the educational agency shall take immediate action to fulfil all the conditions prescribed for granting of provisional recognition under Rule 12 and also such of the conditions prescribed for granting of permission, if any yet to be complied with, within sixty days from the date of receipt of orders of permission. After fulfilling the conditions, the educational agency shall make an application in the prescribed form (Form II) in duplicate to the Recognition Authority concerned seeking provisional recognition for the new school/upgraded school. The application among other things, shall be accompanied with—

(a) the documentary evidence in support of depositing the prescribed amount of the endowment fund/Public Contribution Fund;

(b) list of the teaching and non-teaching staff, if already appointed in the school by following the procedure prescribed by the Government from time to time.

(2) On receipt of the application (in Form II) from the educational agency, the Recognition Authority shall inspect personally or may send an inspecting officer to the proposed school for further inspection so as to ascertain about the fulfilment of the various conditions prescribed for granting for provisional recognition.

(3) On the basis of the inspection report and/or his own assessment, if the Recognition Authority is of the opinion that the conditions prescribed have been fulfilled—

(7) The according of permission to the educational agency for the establishment of new school/upgradation of their existing school shall not entitle the educational agency for the grant of the recognition automatically unless the Recognition Authority is also satisfied that the conditions prescribed for granting of recognition have been fulfilled.

(8) In respect of institutions claiming the status of minority educational institution, the educational agency shall also make an application separately, to the Competent Authority fulfilling the criteria laid down for recognition of institutions as minority educational institutions. Institutions are eligible for minority status only when they have been issued a certificate by the Competent Authority confirming such a status.

**12. Conditions to be fulfilled for granting of provisional recognition :—**The Recognition Authority shall grant provisional recognition to the institutions functioning under the local bodies and private managements only when the educational agencies concerned have fulfilled the following conditions, relevant to the respective category of school.

(1) All the conditions for granting of permission specified in Rules 3 and 9 have been satisfied.

(2) **Sanitary facilities :—**Sanitary facilities as specified under sub-rule (4) of Rule 9 shall be provided. A sanitary certificate/Health certificate issued by the Municipal/Medical Authority of the local body regarding satisfactory sanitation and drinking water facilities must be produced. The institution shall have first-aid equipment and other precautionary measures against the outbreak of fire may also be provided.

(3) **Furniture :—**(a) Every classroom shall be provided with sufficient number of desks or long benches each of which accommodates not more than five students. The teacher shall be provided with a table and a chair. There shall be one blackboard (either wooden or roll up or walled one) in every classroom;

(b) In respect of pre-primary schools, small wooden chairs with suitable desks and sufficient number of mats or carpets for dining and sleeping shall be provided;

(c) There shall be sufficient number of racks for keeping the books in the library and laboratories;

(d) There shall be sufficient furniture in the office room for use of the non-teaching staff and furniture in the staff room for use by the teaching staff.

(4) **Library :—**Sufficient number of books in the language and non-language subjects catering the needs of various classes in the institution shall be provided. Reference books shall also be provided for the use of the teaching staff. The books shall be sufficient in number so as to enable to lend them to staff as well as to the students for home study.

(5) **Laboratory (equipment) :—**In respect of Upper-primary and Secondary Schools (High Schools), Science equipment such as apparatus, chemicals, physics equipment and specimens etc., for teaching the syllabi and for demonstration by the teacher, shall be provided in the institution. It is desirable to provide sufficient number of science equipment for providing opportunities to the students for doing practicals.

(6) *Teaching aids, etc.* :—(a) The institution shall be provided with teaching aids such as charts, maps, models, globes etc., for effective teaching and learning process.

(b) The institution shall have sufficient equipment required for introducing the socially useful productive works (S.U.P.W) and the vocational courses to be introduced.

(7) *Syllabus and text-books* :—(a) The text books, work books and the hand books shall be as prescribed for various classes by the competent authorities from time to time.

(b) The syllabus for various classes shall be as approved and prescribed by the competent authorities from time to time.

(8) *Play material* :—The educational agency shall provide the following play materials and equipment for use in the pre-primary schools—

- (a) Paper cutting equipment
- (b) Painting equipment
- (c) Words Ladder
- (d) Maths Device
- (e) Nutrition Diet
- (f) Health habits
- (g) Musical Games Box
- (h) Ball Bat
- (i) See saw
- (j) Colour crayons
- (k) Puppets (a set of ten)
- (l) Story of talking charts
- (m) Learning through play charts
- (n) Puzzle boxes
- (o) Toys for fun
- (p) Colour marbles
- (q) House marbles
- (r) Tricycles (6)
- (s) Riding horses (wooden)
- (t) Puzzle charts.

(9) *Appointment of staff and payment of salaries* :—(a) The staff pattern for each category of schools shall be as prescribed by the competent authorities from time to time;

(b) The teaching and non-teaching staff shall be appointed by following the procedure prescribed under Rule 15, and by following the roster of rule of reservation prescribed by the Government from time to time. The appointments so made shall be got approved by the competent authority concerned. A copy of the list of candidates appointed in the school, if any already made shall be sent to the Recognition Authority along with the application seeking recognition for the school. The Recognition Authority is competent to withhold issue of orders of recognition to the school, for failure to get the approval of appointments made;

purchase of library books, chemicals, specimens and other material required for the laboratory and expenditure involving the up-keep of the institution etc.);

(c) 15% of the fee collected shall be earmarked for the developmental activities of the institution (that is the expenditure involving opening of additional courses, classes, sections and upgradation of the institution, providing/construction of additional accommodation, acquiring costly equipment and furniture, purchase of land for the use of the institution and the like);

(d) 45% to 50% of the fee collected shall be earmarked towards payment of salaries to the staff;

(e) 15% of the fee collected shall be earmarked as management's contribution towards staff benefits like Gratuity, Teachers' Provident Fund, Group Insurance Scheme, etc.;

(f) It is open for the Governing Body to make marginal modifications to the percentages of allocation mentioned above, if necessary, with the prior permission of the Recognition Authority;

(g) (i) The educational agency shall maintain separate accounts in one or more banks, for the amounts allocated for various purposes mentioned above so that the amount allocated for a specific purpose shall not be diverted for another purpose. However, with the prior permission of the Recognition Authority, the Governing Body may divert the amounts for other purposes than the purpose for which it is meant, provided the amount is subsequently made good;

(ii) The accounts opened as specified above shall be operated through joint accounts in the name of the Secretary/Correspondent/Manager of the institution and the Headmaster/Principal of the institution.

(h) The amounts falling under items (b) to (e) above are subject to inspection and auditing by the auditors appointed for the purpose by the Governing Body whereas the amount under item (a) above being personal income for the management, shall not come under this auditing. However, it may attract the provisions of the Income Tax Laws and Rules.

**19. Registration of the existing recognised schools :—**(1) All the existing recognised schools either with provisional or with the permanent recognition shall be required to be registered with the Registration Authority and get the Registration Number.

(2) The educational agencies of all the existing recognised schools shall make application in the prescribed form (Form III) together with a copy each of the orders of permission and recognition to the Recognition Authority through the District Educational Officer for registration, within six months from the date of issue of these rules. The Director of School Education is competent to extend the date of registration, if necessary.

(3) There shall be no application fee or any formal inspection (unless circumstances so warrant) as a pre-condition for registration of these schools.

(4) (a) On receipt of the application, the Director of School Education shall scrutinise the particulars thereon with special reference to the particulars relating to the

orders of permission for establishment of the school and subsequent recognition and forward the same to the Recognition Authority with his recommendations only when he is satisfied that the school is a genuine one and deserve registration;

(b) If the District Educational Officer has any doubt about the orders of permission and for recognition, he may seek such material as he may require from the educational agency and/or he may also inspect the school in question, if necessary;

(c) The District Educational Officer is also competent to reject and return the application to the educational agency if the latter has failed to provide necessary documentary evidence in support of their claim for registration.

(5) On receipt of the application from the District Educational Officer the Recognition Authority shall register the school by entering necessary particulars in the 'Registration Register' maintained for the purpose and allot a registration number and communicate the same to the educational agency within sixty days from the date of receipt of the application by him.

(6) Separate 'Registration Registers' shall be maintained for each category of schools mentioned under Rule 1(3). Whenever a school is upgraded, the registration particulars of the school before its upgradation shall be cancelled and the upgraded school shall be registered afresh with a different registration number in the concerned 'Registration Register'.

(7) All the recognised schools shall invariably indicate their registration numbers in their correspondence with the departmental authorities, in the application meant for admission of students, etc.

**20. General instructions :—**The following conditions/instructions shall be scrupulously followed by the local bodies and the educational agencies of the private schools—

(1) All the rules (including Rules 16 to 19) as far as relevant, shall also be applicable to all the existing schools functioning under the local bodies and private educational agencies.

(2) The name board of the school, the transfer certificates issued by the school, the applications prescribed for admission of students and the advertisements calling for the applications shall invariably contain the particulars of the order under which the school has been permitted to be established and its registration number.

(3) Admission into various classes shall be made as per the rules of reservation prescribed and by following the procedure prescribed by the Government and/or competent authorities, from time to time.

(4) The minority educational institutions shall make admission of students belonging to the concerned community to which they claim to belong (religious/linguistic). However, if suitable and eligible candidates belonging to their community are not available, students belonging to other communities can also be admitted in which case the rule of reservation as prescribed by the Government from time to time shall be followed.

(5) The educational agency shall not deny admission to any student on the only grounds of religion, caste, race etc.

(6) In respect of pre-primary schools, the optimum strength of each classroom shall be 20 and economic strength shall be 10. In respect of other institutions mentioned under sub-rule (2) of Rule 1, the optimum strength of each class room shall be 40 and economic strength shall be 20 which may be relaxed to ten by the Recognition Authority in the case of minority educational institutions.

(7) The promotion from one class to the next higher class shall be made in accordance with the rules in force for similar schools, functioning under the Government and Local Bodies.

(8) The National Policy of Education, 1986 envisages for exclusion of corporal punishments to children in schools. Therefore the educational agency and the Headmaster/Principal of the school shall ensure that the students are not subjected to corporal punishments of any nature under any circumstances and the staff enforcing such punishments against the students shall be subjected to suitable disciplinary action.

(9) The educational agency shall not collect fee or donations either in cash or in kind other than the fee prescribed by the Government or Governing Body as the case may be, from pupils or parents or any other persons on their behalf, for any purpose whatsoever.

(10) Subject to revision by the competent authority from time to time, the teacher-pupil ratio in respect of the pre-primary schools shall be 1 : 20 to 25 and in respect of all other schools the ratio shall be 1 : 40 to 50.

(11) The educational agency shall not appoint any candidate as teacher whose certificate has been suspended or cancelled or who has been declared unfit to be a teacher in a recognised school or who has been convicted for offences involving moral turpitude or who has crossed the prescribed age limits or superannuated persons.

(12) The educational agency shall reinstate the teaching or non-teaching staff on receipt of orders from the competent authority for such reinstatement.

(13) The educational agency shall adopt Teachers' Provident Fund Scheme or any other scheme meant for the benefit of its employees as prescribed by the Government from time to time.

(14) The educational agency shall adopt the code of conduct prescribed for the teaching and non-teaching staff. However, the majority educational institutions may adopt their own rules in their regard, if they so desire.

(15) The educational agency may open additional classes/sections/ media with the prior approval of the Recognition Authority concerned before the commencement of the academic year and they shall be closed down if ordered to do so for want of economical strength and/or non-providing of prescribed additional infrastructural facilities.

(16) The educational agency shall also obtain permission from the Recognition Authority for closure of the additional classes/sections/media opened in the already existing schools, owing to uneconomical strength or otherwise, with one year notice but shall not close down in the middle of the academic year.

(17) When private aided schools are forced to be closed down irrespective of the reason or whenever the management of the school goes out of the way to remove any

sion of students, appointment of staff and also relating to other academic and administrative affairs, in the interest of academic standards and smooth functioning of the institutions, from time to time.

21. **Power to relax conditions :—**(1) Government or the Authority Empowered by the Government alone are competent authority for relaxing any of the conditions laid down in these rules. The Permission Authority shall be held personally responsible for according permission for establishment of the institution in case it is subsequently found that the same has been accorded without fulfilling the prescribed conditions.

(2) The orders of relaxation of conditions shall be issued in the proforma prescribed in the Annexure I(B), making necessary modifications to suit to requirements in individual cases, on the basis of which the Permission Authority shall issue orders of permission.

(3) The orders of permission shall invariably contain the Government reference under which the Permission Authority has been permitted to issue orders of permission in relaxation of the conditions.

### FORM I

[See Rule 5]

#### **Application for grant of permission for establishment of new schools or upgradation of existing schools**

1. Details of the amounts deposited as required under relevant rules :
  - (1) Details of the treasury challan through which application fee/inspection fee has been deposited (counterfoil of the challan will have to be enclosed) :
  - (2) Details of Public Contribution Fund/Endowment Fund deposited (documentary evidence to be enclosed) :
  - (3) Documentary evidence to indicate the Financial soundness of the educational agency (in the shape of bank balances, securities etc.) :
2. Details of the educational agency—
  - (1) Name and address of the educational agency :
  - (2) In the case of private managements—
    - (a) Is the educational agency a registered body, if so, the details along with the assets and liabilities shall be furnished
    - (b) Aims and objects of the educational agency (copy of the constitution and bye-laws as registered with the respective Registration Authorities shall be enclosed)
    - (c) In respect of educational agencies claiming minority status for their schools shall also produce the following—
      - (i) documentary evidence in support of their claim
      - (ii) undertaking to the effect that it will comply with the criteria prescribed for becoming eligible to get minority



status if permission is accorded and that it will not claim the privileges of minority institution in case of failure to obtain a certificate to that effect from the competent authority within the stipulated period

- (3) In the case of local body managements—
  - (a) whether the local body has fulfilled all the conditions prescribed
  - (b) whether the local body has provided necessary buildings for locating the proposed school and land for the use as playground
  - (c) if the remarks for (b) is "No" whether the local body is prepared to deposit the endowment fund (public contribution fund) in lieu of own buildings
  - (d) whether the proposal has the approval of the Standing Committee/Board (copy of the resolution passed to be enclosed)
- (4) In case of Public Education Committee sponsoring the establishment of the school—
  - (a) whether the proposed school will have to function under the Government or local body;
  - (b) list of the office bearers of the Committee (copy to be enclosed);
  - (c) whether the Committee is a registered body, if so, its aims and objects;
  - (d) details of statement about how far the conditions prescribed have been fulfilled.
3. Details of the proposed school—
  - (1) Name and address of the school
  - (2) Whether the proposal is for the establishment of a new school or for the upgradation of the existing school
  - (3) Details of the classes and the sections proposed to be started in the current academic year, if permission is accorded
  - (4) Medium of instruction proposed to be adopted in the school
  - (5) Details of the various facilities already provided, if any—
    - (a) Details of land provided for use as playground and garden
    - (b) Details of the accommodation provided and whether the accommodation provided is adequate enough to locate the proposed school and additional classes
    - (c) Furniture provided
    - (d) Equipment (including Audio-visual)
    - (e) Library facilities
    - (f) Laboratory and work-shop facilities
    - (g) Any other facilities provided

4. Whether the place where the proposed school is to be established lies in—
  - (1) Educationally backward locality/tribal area/other than these two
  - (2) City/town/village
  - (3) District headquarter/mandal headquarter/village panchayat
  - (4) Rural area not coming under any of the above categories
- 5.(1) Number and names of similar category of the schools already functioning in the locality.
- (2) Whether establishment of the proposed school in any way adversely affects to the viability of the school already existing in the locality
- (3) Distance of the proposed school from the nearest already existing school in the locality
6. Whether the educational agency has made application for the purpose in the earlier years also, if so, the references thereon
7. Details of the accommodation provided—
  - (1) Whether the building is owned/rented/rent-free
  - (2) Whether the building is pucca/semi-pucca/thatched/tiled
  - (3) Extent of area available for each classroom
  - (4) Is the building ready for occupation
  - (5) A rough sketch plan of the building in which the school is proposed to be established, to be enclosed
  - (6) If the school is proposed to be located in rented accommodation, documentary evidence to show the applicant's ownership or his right to be in exclusive possession of the site and the buildings atleast for a period of ten years
8. Whether the educational agency is prepared to fulfil the conditions prescribed for according of provisional recognition within the given time if permission for establishment of the new school/upgradation of the existing school has been accorded
9. If the educational agency (private management) is already running any other educational institution(s) the details thereof shall be given

#### DECLARATION

I,..... son/daughter/wife of Sri/Smt./  
 ..... representing the educational agency hereby declare that the particulars furnished in the application above are correct to the best of my knowledge and belief. I also hereby declare that the educational agency to whom I represent shall abide by the rules and regulations made by the Competent Authorities from time to time, if our request for the permission is agreed to.

Station :

Date :

*Signature of the  
 Secretary/Correspondent/Manager of  
 the Educational Agency  
 (with Official Stamp)*