

**Draft**

**February 2008**

**RIGHT TO EDUCATIONAL BILL, 2008**

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## **Right to Education Bill 2008**

*An Act to put into effect the Right to Free and Compulsory Education  
to All children in the Age Group of Six to Fourteen Years*

### **PREAMBLE**

Whereas the Preamble to the Constitution resolves to secure to all citizens of India JUSTICE, social, economic and political; LIBERTY of thought, expression, belief, faith and worship; EQUALITY of status and of opportunity; and to promote among them all FRATERNITY, assuring the dignity of the individual and the unity and integrity of the Nation;

And whereas, despite the original Article 45 of Directive Principles of the Constitution having made it the duty of the State to provide free and compulsory education to all children up to age fourteen in ten years (1960), the number of out of school children particularly from the disadvantaged groups and those engaged in labour, and those receiving poor quality education has remained very large;

And whereas, the 86<sup>th</sup> Constitutional Amendment Act 2002 has provided for free and compulsory education of all children in the age group of six to fourteen years as a Fundamental Right under Article 21 A of the Constitution, in such manner as the State may, by law, determine;

And whereas the above Act also provides under Article 45 that the State shall endeavor to provide early childhood care and education for all children until they complete the age of six years.

And whereas the above Act further provides under Article 51-A (k) that it shall be a fundamental duty of every citizen of India who is a parent or guardian to provide opportunities for education to his child/ward between the age of six and fourteen years;

And whereas it is considered important and essential to create a humane and equitable society that incorporates the secular values and the ethnic, religious and cultural diversities of India;

And whereas it is recognized that the objectives of democracy, social justice, and equality can be achieved only through the provision of inclusive elementary education of equitable quality to all; and

And whereas it is also imperative to improve the present delivery system of elementary education by, inter alia, greater decentralization of its management and making it sensitive to the needs of children, especially of those belonging to disadvantaged groups.

Be it enacted by Parliament in the fifty ninth year of the Republic as follows:

## Chapter I

### PRELIMINARY

#### 1. Short Title, Extent and Commencement

- (1) This Act may be called the Right to Education Act, 2008
- (2) It shall extend to the whole of India except the state of J&K.
- (3) Provisions of this Act shall be subject to the provisions of Articles 29 and 30 of the Constitution.
- (4) It shall come into effect from the date of its notification in the Gazette of India.

#### 2. Definitions

- (1) In this Act, unless the context otherwise requires:-

(a) **“Academic Year”**

means a period of one year (including vacations), notified as an academic year by an Appropriate Government, or by a Local Authority or a school management committee empowered by such government in this behalf, for the transaction of the course of study prescribed for any grade of the elementary stage.

(b) **“Age-appropriate grade”, in relation to a child,**

means the grade in which the child should currently be studying if she was enrolled in Grade I at six years of age, and had thereafter participated in elementary education continuously.

*Explanation: Age-appropriate grade for children suffering from mental retardation or mental illness shall be determined keeping in view their mental development also, and not on the basis of their biological age alone.*

(c) **“Aided school”**

means a school, which received aid from a government or from a Local Authority, or both, to meet the whole or part of its recurring expenses.

(d) **“Appropriate Government”**

means:

- i) the state government in the case of territory comprised in a state;

- ii) the Government of a Union Territory, in the case of a Union Territory having its own legislature; and
- iii) the Administrator in the case of Union Territories without legislature.  
Provided that, in relation to schools and institutions run or funded by the Central Government, the Appropriate Government shall be the Central Government regardless of their location.

**(e) “Capitation fee”**

means any fee, donation or contribution other than a fee or any payment that an aided/unaided school publicly notifies at the time of announcement for admission as being payable by all children in the event of admission to the school.

**(f) “Child”**

means a person who is not less than six years and not more than fourteen years of age.

**(g) “Commission”:**

means the National Commission for Protection of Child Rights. .

**(h) “Competent Authority”**

means an authority designated by the Appropriate Government as a Competent Authority for the purposes of this Act.

**(i) “Competent Academic Authority”**

means an authority designated by the Appropriate Government as a competent academic authority for the purposes of this Act.

**(j) “Child in need of Care and Protection”**

shall have the meaning assigned to it in clause (d) of section 2 of the Juvenile Justice [Care and Protection of Children] Act, 2000 [56 of 2000].

**(k) “Compulsory Education”**

means an obligation on the State to take all necessary steps in terms of this Act to ensure that:

- (i) every child of the age of six years is enrolled in a school, participates in it, and completes elementary education.

(ii) every child over six years, but less than 14 years, who was not enrolled in a school at the commencement of this Act, is enrolled in a school, participates in it, and completes elementary education.

**(l) “Disability”**

shall have the meaning assigned to it in clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995; and shall include such other conditions as may be notified by the Competent Authority as a disability for the purposes of this Act.

**(m) “Disadvantaged Group”**

means scheduled castes, scheduled tribes, other socially and educationally backward classes, and such other groups disadvantaged due to economic, social, cultural, linguistic, gender, administrative, locational, disability or other factors, and notified as a disadvantaged group in relation to an area, in such manner as may be prescribed.

**(n) “Elementary Education”**

means education at the elementary stage in a school.

**(o) “Elementary Stage”**

means the stage of school education corresponding to Grades I to VIII as per courses of study prescribed by a Competent Authority.

**(p) “Equitable Quality” in relation to Elementary Education**

means providing all children opportunities of access to, participation in, and completion of elementary education in accordance with the provisions of this Act.

**(q) “Free Education”**

means freedom for the child and her parent/guardian from liability to:

- i) pay any fee or charges to the school where the child/ward is studying, or to an examining body or any other external body providing any service through the school and
- ii) incur such other expenses, as may be prescribed, which are likely to prevent the child from participating in and completing elementary education;

Provided that if textbooks and any other teaching learning material are supplied free to a non-disabled child under this clause, they shall be supplied free to a disabled child in such modified form as would meet her learning needs.

**(r) “First Generation Learner”**

means a child, neither of whose parents has completed elementary education.

**(s) “Fully-aided School”**

means a school, which receives grants from a government or Local Authority to meet its full recurring expenses, or such part, being not less than 90%, for the recurring expenses as may be prescribed.

**(t) “Grade”, in relation to the elementary stage,**

means any of its eight annual sub-stages.

**(u) “Guardian”, in relation to a Child**

means his natural guardian or any other person having the actual charge or control over the child and recognized by the Competent Authority as a guardian in course of proceedings before that authority.

**(v) “Juvenile in Conflict with Law”**

means a person who has not completed eighteenth year of age and is alleged to have committed an offence.

**(w) “Local area”, in relation to a Local Authority,**

means the area comprised within the territorial jurisdiction of the authority.

**(x) “Local Authority”**

means

- i) a Panchayat in respect or rural areas,
- ii) a Municipality in respect of an urban area, and
- iii) such other authorities as the Appropriate Government may, by notification, specify for the areas mentioned therein.

*Explanation: in case of rural area situated within scheduled areas, the Gram Sabha shall also be a Local Authority to the extent laid down in the*

*Provisions of the Panchayats (Extension to the Scheduled Areas) Act 1996.*

**(y) “Migrant Family”**

means a family that does not reside at any one location for at least such minimum number of days in a calendar year as may be prescribed.

**(z) “Minor Punishment”, in relation to a teacher,**

means any punishment other than dismissal or removal from service or reduction in rank.

**(aa) “Neighbourhood”**

means such area around the residence of a child as may be prescribed;

**(bb) “Neighbourhood School”, in relation to a Child,**

means any school located within the neighbourhood of the residence of the child.

**(cc) “Non-educational purpose”**

means any purpose not connected with elementary education, or with children’s access to, or participation in such education.

**(dd) “Out-of-School Child”**

means a child, who is either not currently enrolled in a school or, though enrolled, is not able to participate therein.

**(ee) “Parent”**

means the father or the mother of a child and includes an adoptive father or mother.

**(ff) “Participation” in Elementary Education, in relation to a Child,**

means her:

- i) regular attendance in school, and
- ii) effective participation in curricular and co-curricular activities of the school throughout the elementary stage.

**(gg) “Pre-primary Section”, in Relation to a School**

means an establishment, which meets the educational needs, with or without other services, of children before the elementary stage of education, either as a part of a school or as an independent entity collaborating with it.

**(hh) “Prescribed”**

means prescribed by rules made under this Act.

**(ii) “Pre-School”**

means a facility provided by a school to meet the educational needs of children at least between the ages of 3 and 6 years.

**(jj) “Recognized”, in relation to a School,**

means recognized by a statutorily empowered authority or an Appropriate Government, or by an authority empowered by such government, in accordance with a law, rules, or executive instructions governing recognition of schools.

**(kk) “Schedule”**

means the Schedule referred to in Section 21 of this Act.

**(ll) “School”**

means an institution or part of an institution, which imparts education at the elementary stage or any part of such stage, and is recognized as a School by a Competent Authority.

**(mm) “Screening Procedure” for Admission to a School**

means any procedure that is used to select one child in preference to another, except in a random manner, for admission to an elementary school or its pre-primary section.

**(nn) “Specified Category”, in relation to State Schools**

means the State schools known at the commencement of this Act as Kendriya Vidyalayas, Navodaya Vidyalayas, and Sainik Schools, and such other categories of State schools having a distinct character as may be specified at the commencement of this Act through notification by the Appropriate Government.

**(oo) “State School”**

means a school run by an Appropriate Government or a Local Authority.

**(pp) “Teacher”**

means a person who teaches full time in a school and includes the head teacher of such school.

**(qq) “Unaided School”**

means a school which is neither a state school nor an aided school

**(rr) “Ward”, in relation to a Child,**

means a child who is under guardianship of someone other than a parent.

**(ss) “Weaker Section”, in relation to a Child,**

means a child in need of care and protection, or a child, the annual income of whose parents or guardians is less than such minimum limit as may be notified by the Appropriate Government in this behalf from time to time.

**(tt) “Working Child”**

means a child who:

- i) works for wages, whether in cash or in kind, or
- ii) works for her own family in a manner which prevents her from participation in elementary education.

- (2) The female gender, wherever used in pronouns in relation to a child or young person, includes the male.
- (3) Words and expressions used but not defined in this Act, and defined in the Constitution, shall have the meaning assigned to them in the Constitution.

## Chapter II

### CHILD'S RIGHT TO FREE AND COMPULSORY EDUCATION OF EQUITABLE QUALITY

#### 3. Child's Right to Free and Compulsory Education of Equitable Quality

- (1) Every child who has attained the age of 6 years under Section 4 shall have the right to participate in full time elementary education and to complete it, and towards that end shall have the right, subject to the provisions of this Act, to:
  - i) be admitted to a neighbourhood school in accordance with the provisions of Section 17, and
  - ii) be provided free and compulsory education in such school, in the manner provided in this Act

*Provided a child with severe disability as defined by the Persons with Disabilities (Equal Opportunities, Protection and Full Participation) Act, 1996 shall have the right to be provided education as per the provisions of the said Act.*

- (2) A non-enrolled child who is in the age group 7-9 years, at the commencement of this Act, shall, in addition to the right specified in sub-clause (1), have the right to be admitted to an age appropriate grade in a neighbourhood school within one year from the commencement of this Act.
- (3) A non-enrolled child who is in the age group 9-14 years, at the commencement of this Act, shall, in addition to the right specified in sub-clause (1), have the right to be provided special programmes within the neighbourhood school to enable her to join, as early as possible, but in any case within three years from the commencement of this Act, the age appropriate grade.
- (4) A child who, though enrolled, is not able to participate in elementary education, shall, in addition to the right specified in sub cause (1), have the right to be provided with suitable conditions, as may be decided by the Appropriate Government, to enable her participation.
- (5) No child shall be held back in any grade until she completes elementary education and shall be assessed as per Section 32 (2) (vi).
- (6) No child shall be expelled from the school, until she completes elementary education.

**4 Entry Age for Elementary Education and Procedure for Computing Age of a Child**

- (1) A child shall be admitted to Grade 1 only if she has attained the age of five years and ten months before the beginning of the academic year.
- (2) Ordinarily the birth certificate and, in its absence, a declaration by the parent or guardian shall be treated as prima facie proof of the age of a child, unless the admitting authority has reason to disbelieve it. In case it is disbelieved, the admitting authority shall determine the child's age after making an enquiry in such manner as may be prescribed.

**5. Right of Transition till Completion of Elementary Education**

- (1) For every child studying in a school which provides education up to a level less than class VIII, the Local Authority shall specify a school, subject to the provisions of Section 17, where such child shall have the right of admission for free education till the completes elementary education.
- (2) Any child moving from one school to another, including outside the state shall, for the purposes of seeking admission to another school, be entitled to receive a transfer certificate issued by the Headmaster of the school in which she was last enrolled;

*Provided that the absence of such a transfer certificate shall not constitute grounds for delaying or denying admission to school.*

## Chapter III

### RESPONSIBILITY OF THE STATE AND PARENTS

#### 6. General Responsibility of the State

It shall be the responsibility of the State:-

- (1) To ensure the availability of a neighbourhood school for providing free and compulsory education for every child within a period of three years from commencement of this Act;

*Provided that in case of non-availability of neighbourhood school, the State shall provide free transportation arrangement to the nearest school or provide free residential school/facilities,*

- (2) To ensure that every child is provided free education in the school mentioned in sub section (1);

*Provided that parents/guardians who choose to admit their children to the non-free quota in a school shall not have any claim on the State for providing free education to their children,*

- (3) To institute and implement a mechanism for regular monitoring of enrolment, participation and attainment status of every child, and taking corrective steps wherever necessary, so that every child completes elementary education, and to make information in this regard available in the public domain, including on an on-line basis,

- (4) To ensure that children in schools receive education (a) of equitable quality, and (b) conforming to values enshrined in the Constitution, and,

- (5) To ensure that economic social, cultural, linguistic, gender, administrative, locational, disability or other barriers do not prevent children from participating in, and completing elementary education.

#### 7. Responsibility of the State towards the Non-enrolled Child

The Appropriate Government shall take necessary steps to ensure that:-

- (1) All non-enrolled children who are in the 7-9 years' age group at the commencement of this Act are enrolled in a neighbourhood school within one year of the commencement of this Act.

- (2) All non-enrolled children who are in the 9-14 years' age group at the commencement of this Act are enrolled in special programmes in a neighbourhood school, if available, and failing that, in another school to enable them to be admitted to an age appropriate grade in a neighbourhood

school as early as possible, but in any case within three years of the commencement of this Act.

#### **8. Provision of Facilities for Pre-School Education**

The Appropriate Government shall endeavour to provide facilities for pre-school education in State and fully-aided schools for children between the ages of 3 and 6 years, if such facilities are not already being provided, through Integrated Child Development Services (ICDS) or other government programmes, in proximity to such schools.

#### **9. Provision of Facilities to Young Persons to Complete Elementary Education**

If a young person has, for whatever reason, been unable to complete elementary education by the age of fourteen years but is continuing her education in a school at that age, shall continue to be provided free education in such school till she completes elementary education.

#### **10. Responsibility of the Central Government**

Provision of free and compulsory education shall be the concurrent responsibility of the Central and Appropriate Governments, with the Central Government's responsibility consisting of the following:

- (1) Provision of financial assistance to State Governments in accordance with such formula regarding sharing of cost of implementation of this Act, as the Central Government may determine from time to time in consultation with State Governments, provided that the State Government's annual contribution shall not be lower than its highest expenditure, expressed as a percentage of the total expenditure on Elementary Education, in the last five years for every year after the commencement of the Act.
- (2) Taking action through appropriate bodies to develop a national curriculum framework, and to develop and enforce standards for training and qualification of teachers for elementary education in a participatory and consultative manner.
- (3) Provision of technical resource support to the state governments, through appropriate institutions, for promotion of innovations and dissemination of best practices in the field of elementary education for related research, planning and capacity building.
- (4) Monitoring progress of implementation of various interventions, schemes and programmes for achieving the objectives of this Act, and taking appropriate steps in case of default.
- (5) Taking such other steps as the President may, by Order, specify.

## **11. Responsibility of the Appropriate Government**

- (1) Responsibilities in connection with provision of free and compulsory education, except those of the Central Government as defined in Section 10, shall be that of the Appropriate Government,
- (2) Without prejudice to the generality of sub-section (1), the Appropriate Government shall ensure:
  - (i) Provision of financial assistance to Local Authorities for implementation of this Act in accordance with such formula regarding sharing of costs of such implementation, as the Appropriate Government may determine from time to time.
  - (ii) That powers are conferred on the Local Authority to perform the functions in Section 13
  - (iii) An exercise is carried out every year to determine the requirement of schools, facilities and their appropriate locations for the implementation of this Act.
  - (iv) Additional schools are established as required and making them functional.
  - (v) Teachers are deployed in schools in accordance with the provisions of this Act.
  - (vi) Curriculum for elementary education and courses of study for each grade thereof is prescribed and periodically revised by the Competent Academic Authority.
  - (vii) Provision of a building, teaching aids and learning material of the prescribed specifications in accordance with the Schedule to every State school and fully aided school,
  - (viii) Timely provision of "elements of free entitlement" as prescribed under section 2 (1) (q), to eligible children.
  - (ix) Comprehensive database to facilitate implementation of this Act is developed and maintained.
  - (x) Adequate facilities for training of teachers and other personnel to meet the human resource requirement are created for the implementation of this Act.

**12. Responsibility of the Appropriate Government to Augment Teacher Training Capacity Wherever Necessary**

Every Appropriate Government shall, within six months of the commencement of this Act, assess the State's requirement of professionally trained teachers as prescribed under this Act, vis-a vis the capacity of existing training institutions, and shall in the event of a deficit, take steps to augment such capacity so as to match the requirement within such period not exceeding five years from the commencement of this Act, as the Central Government may notify.

**13. Responsibility of Local Authorities**

- (1) Subject to the responsibility of the Appropriate Government as laid down in Section 11, and subject to the provisions of Articles 243G and 243W of the Constitution, the Local Authority shall perform the following functions:-
- (i) Maintain the record of all children in its area, who are in the age group of 0-14 years, with special reference to children belonging to each disadvantaged group, and to weaker sections, in such manner as may be prescribed,
  - (ii) Ensure that every child in the age group of 6-14 years residing within its jurisdiction is enrolled in an elementary school, participates in it, and is enabled to complete elementary education,
  - (iii) Plan, budget and provide for additional schools, teachers and other facilities that may be required as a result of the gaps identified through the school mapping exercise for ensuring free and compulsory elementary education,
  - (iv) Monitor the provisioning of prescribed infrastructure, teachers and supporting facilities for free and compulsory education in all schools in its area imparting elementary education,
  - (v) Ensure sustained education of children of migrant families through special steps, including bridge courses, remedial teaching and such other interventions as may be required,
  - (vi) Decide on the academic calendar for schools and ensure its implementation
- (2) To the extent the above functions have not been devolved upon Local Authorities by law, the Appropriate Government will by rules determine the authorities at various levels, which will perform the above functions till such time as such functions are assigned by law.

#### **14. Planning for Provision of Free and Compulsory Education**

- (1) Every School Management Committee as constituted under Section 25 shall prepare School Development Plan to cater to the needs of the children residing in its neighbourhood in respect of their education of equitable quality, in such manner as may be prescribed.
- (2) School Development Plans, referred to in sub-section (1), shall be the basis for preparation of plans for provision of free and compulsory education for every local area, block, district, and metropolitan area, in such manner as may be prescribed.
- (3) Every Appropriate Government and Central Government shall prepare plans for provision of free and compulsory education in the State/UT and the country, taking into consideration the Plans referred to in sub-section (2) above.
- (4) The plans referred to in sub-section (3) shall be taken into consideration while preparing the annual demands for grants for elementary education presented by the Appropriate/Central Government to the respective Legislatures/Parliament.
- (5) The plans referred to in sub-section (3) shall also form the basis for monitoring the implementation of this Act, by the National Commission for Protection of Child Rights, referred under Section 36 of this Act.

#### **15. Responsibility of the Parent/Guardian**

It shall be the responsibility of every parent/guardian to enroll his child or ward, who has attained the entry age as defined in Section 4 of this Act, in a school, and to facilitate her completion of elementary education.

#### **16. Ensuring Participation in Elementary Education**

No person shall prevent a child from participating in elementary education;

*Provided that notwithstanding anything contained in the Child Labour (Prohibition and Regulation) Act, 1986 (No.61 of 1986), no person shall employ or otherwise engage a child in a manner that renders her a working child*

## Chapter IV

### SCHOOLS AND TEACHERS

#### 17. Responsibility of Schools to Provide Free and Compulsory Education

(1) Schools shall provide free and compulsory elementary education to children entitled under Section 3 to the extent and in the manner specified below:

- (i) State schools, except schools of specified categories, and fully aided schools – to all admitted children.
- (ii) Aided schools, other than fully aided schools – to at least such proportion of their admitted children as its annual recurring aid bears to its annual recurring expenses subject to a minimum of 25 per cent.
- (iii) State schools of specified categories, and unaided schools, to at least 25% children admitted to class 1 after the commencement of this Act, from among children belonging to weaker sections randomly selected by the school, and for the continued education of such children in the School thereafter till completion of elementary education or till they seek transfer from the school, whichever is earlier.

*Provided that if a school belonging to a category mentioned in clauses (ii) and (iii), has pre-primary section, provisions of sub-clauses (ii) and (iii) shall apply to the pre-primary section also.*

*Provided further that free seats in any school, shall be offered by the school first to eligible children for whom it is a neighbourhood school, and shall be offered to other eligible children only to the extent of vacancies remaining thereafter.*

(2) For every child admitted and educated in pursuance of (iii) of sub-section (1), the Appropriate Government shall reimburse to the school at a rate equal to the per child expenditure in state schools/fully aided schools and state funded preschools, or the actual amount charged per student by such school, whichever is less, in such manner as may be prescribed.

Provided that if a school is already under obligation, at the commencement of this Act, to either the Central Government or an Appropriate Government or any authority/agency representing or acting on their behalf to provide free education to a specified number of children as a consequence of having received land/building/equipment/other facilities either free of cost or at subsidized rates, such school shall not be entitled to reimbursement under the above provision to the extent of such obligation.

- (3) It shall be the duty of every school to supply to the Appropriate Government or to an authority designated by such government, such information as the Appropriate Government may direct to be furnished for the purposes of Section 6(3).

**18. Prohibition of Screening Procedures and Capitation Fees**

No child or her family shall be subjected to any screening procedure by a school while deciding about admission to the school at the elementary stage, nor shall the family be required to make any payment in the nature of capitation fee.

**19. Admission to Schools to be Generally done at the Commencement of the Academic Year but not to be Denied at Other Times**

Children shall be admitted to schools as far as possible at the commencement of the academic year, or within such period thereof as may be prescribed.

*Provided that a child entitled to be admitted to a neighbourhood school under section 3(1), read with Section 17 of this Act, shall not be denied admission to such a school at any time of the academic year;*

*Provided further that a child admitted under the preceding proviso within four months of the commencement of the academic year shall be enabled to complete the class to which she has been admitted along with the batch of students admitted at the beginning of the session. A child admitted late in the academic year, who has not come on transfer from another school, shall complete the class with the next batch of students, unless the school is of the opinion that the child has made sufficient progress in the remaining part of the academic year to merit promotion to the next class along with the regular batch of students.*

**20. Recognition of Schools**

- (1) All schools, other than State schools, recognized at the commencement of this Act, and all State schools, whether established before or after the commencement of this Act, shall be deemed to be recognized schools for the purposes of this Act.
- (2) No institution, other than State schools, which is intended to be run as a School, shall be established or run after the commencement of this Act, except after obtaining a certificate from a Competent Authority indicating that the latter has no objection to the establishment and operation of such an institution, or after obtaining recognition as a School from such Authority.

- (3) Every Appropriate Government shall, within three months from the commencement of this Act, notify rules governing grant of recognition to Schools, other than State Schools. Where rules in this behalf already exist, they shall be deemed to have been framed under this Act, but shall be reviewed and revised to the extent necessary, within six months from the commencement of this Act, so as to bring them in conformity with it, including *inter alia* the content and process of education, the fees and other charges, and the inclusive nature of the school, which includes the admission for neighbourhood children under Section 17(1) of this Act.
- (4) Every application for recognition shall be made in such form, in such manner and to such Competent Authority as may be prescribed, and the Competent Authority shall finally dispose of the application by an Order within a period not exceeding three months from the date of its receipt;

*Provided that in the event of rejection of an application, the Order shall state reasons for its rejection;*

*Provided further that if an application is not disposed of within the period of three months stated above, recognition shall be deemed to have been granted to the applicant school.*

- (5) Recognition of a school other than a State school, may be withdrawn for breach of conditions referred to in sub-section (4), after giving an opportunity to the management of the school being heard in such manner as may be prescribed, and from a date to be specified in the Order withdrawing recognition, which date shall not be later than 30 days from the date of passing of the Order;

*Provided that while passing an Order withdrawing recognition, the Competent Authority shall also give directions regarding other neighbourhood schools to which children studying in the derecognized school shall be admitted for purposes of their further education.*

- (6) No person shall run a school whose recognition has been withdrawn by an Order passed under sub-section (5), after the date specified in the order.

## **21. Norms and Standards for a School**

- (1) No State school shall be established, and no other school shall be recognized, by any Competent Authority, after the commencement of this Act, unless such school fulfils the norms prescribed in the Schedule.
- (2) All schools, which are deemed to have been recognised at the commencement of this Act under sub-section (1) of Section 20, but did not fulfill the norms prescribed in the Schedule at such

commencement, shall do so within a period of three years, therefrom.

- (3) Responsibility for compliance with the provisions of sub-section (2), shall be as follows:
- (i) In case of State/fully-aided schools of the Appropriate Government/ Local Authority, subject to the provisions of Sections 10, 11 and 12
  - ii) In case of other schools of the management of such schools;

*Provided that the Appropriate Government may provide financial assistance, in such manner as may be prescribed, to managements of schools mentioned in sub-clause (ii) above to enable them to discharge their responsibility under this sub-section.*

- (4) If a school other than a State or fully-aided schools, fails to comply with the provisions of sub-section (2), within the time limit specified therein, the Competent Authority shall, after giving the management of school an opportunity of being heard in such manner as may be prescribed, pass an Order declaring that the school has forfeited its recognition with effect from a date which shall be specified in the Order and shall not be later than 30 days from the date of passing of the Order;

*Provided that while passing the above Order, the Competent Authority shall also give directions regarding other neighbourhood schools to which children studying in the derecognized school shall be admitted for purposes of their further education.*

- (5) No person shall run a school after the date specified in an Order passed under sub-section (4).

## **22. Power to amend Schedule**

The National Commission for Protection of Child Rights may, in consultation with the Central and Appropriate Governments, at any time, amend the Schedule to this Act either with respect to the country as a whole or any part thereof.

## **23. Prohibition of Deployment of Teachers for Non-educational Purpose**

No teacher of a state or fully-aided school shall be deployed for any non-educational purpose except for decennial population census, election to Local Authorities, State Legislatures and Parliament, and disaster relief duties.

**24. Prohibition of Private Tuition by Teachers**

No teacher shall engage in any teaching activity for economic gain, other than that assigned by his employer or supervisor.

**25. School Management Committees**

(1) A School Management Committee (SMC) shall be constituted for every State school and aided school, consisting of elected members of the Local Authority and parents, teachers and community members.

*Provided that at least three-fourths of its members are parents/guardians of children studying in the school, with proportionate representation among them of scheduled castes, scheduled tribes and other socially and educationally backward classes;*

(2) Physical assets of every State school, including its building, appurtenant land and fixtures, and all equipment and furniture, etc., shall be transferred by the concerned Government/Local Authority to the SMC within three months of its constitution under this Act, subject to such terms, conditions and restrictions, and in such manner, as may be prescribed.

(3) The SMC shall perform the following functions, namely:

- (i) monitor and oversee the working of the school, and plan and facilitate its development;
- (ii) manage the assets of the school;
- (iii) ensure that teachers of the school diligently perform the duties prescribed for them under Section 29;
- (iv) utilize grants received from the Appropriate Government, Local Authority or any other source for the upkeep and development of the school, in accordance with the terms of such grant and the rules made in that behalf; and,
- (v) such other functions as may be prescribed by or under this Act.

(4) All moneys received by a School Management Committee for the discharge of its functions under this Act, shall be kept in a separate account, and shall be utilized in such manner as may be prescribed.

(5) Accounts of money received and spent by the SMC shall be maintained and audited in such manner as may be prescribed.

**26. Pupil Teacher Ratio to be maintained for each school**

(1) Six months from the date of the commencement of this Act Appropriate Governments and Local Authorities shall ensure that the minimum Pupil Teacher Ratio (PTR) as specified in the Schedule is enforced in each school and not maintained only as an average for the block, district or state; and that at least this ratio is maintained in each school thereafter.

(2) No teacher posted to a school shall be made to serve in any other school or office, in conformity to Section 23.

(3) In order to fulfill the requirement of sub-section (1), teacher re-deployment/transfer will be undertaken in a publicly notified and transparent manner

(4) In case of allegation of violation of sub section (1). (2) and (3) above, the Local Authority or Appropriate Government shall have the onus to prove otherwise.

**27. Teacher Vacancies in State Schools and Aided Schools not to Exceed 10% of Total Strength.**

(1) It shall be the duty of every appointing authority in relation to every State school and fully-aided school, to ensure that teacher' vacancies in the schools under its control do not at any time exceed 10% of the total sanctioned posts of teachers.

**28. Teacher Qualification and Terms and Conditions of Service**

(1) After the commencement of this Act, only such persons as possess the qualifications prescribed under the NCTE Act shall be appointed as teacher;

*Provided that in States which do not have adequate pre-service training capacity, Central Government/NCTE may grant relaxation in this provision for such period, and to such extent, as may be absolutely necessary, but not exceeding five years.*

(2) Teachers serving at the commencement of this Act who do not possess qualifications prescribed by the NCTE shall be enabled by their employer, to acquire the equivalent of such qualification within such period not exceeding five years from the commencement of this Act, as may be notified by the Appropriate Government.

*Provided that the fees payable by a teacher for acquiring such qualifications, and such other expenses connected therewith, as the Appropriate Government may notify, shall be borne by the employer*

(3) Terms and conditions of service of teachers serving in schools shall be decided from time to time, by the Appropriate Government, commensurate with prescribed professional qualifications and experience.

## **29. Duties of Teachers**

- (1) It shall be the duty of every teacher to :
  - (i) regularly attend school for its full duration,
  - (ii) transact and complete the curriculum in accordance with the principles laid down in section 32
  - (iii) transact the curriculum in accordance with the time schedule, decided by the school, subject to general guidelines of the Competent Academic Authority,
  - (iv) report every case of non-attendance to the parent or guardian concerned in the first instance, and in case it persists, to the SMC constituted under Section 25,
  - (v) regularly assess the learning level of each child, and to provide supplementary instruction needed by the child,
  - (vi) regularly apprise every parent/guardian about the progress of learning and development of his child/ward studying in the school, and to also regularly report about such progress to the SMC, in such manner as may be prescribed, and
  - (vii) perform such other functions as the Appropriate Government or the Appointing Authority may specify, consistent with the provisions of Section 23.
- (2) Default by a teacher in the performance of a duty stipulated in Sub-Section (1) shall amount to professional misconduct, and such teacher shall be liable to be punished in accordance with provisions of Section 30 of this Act and/or the disciplinary rules applicable.

## **30. Accountability of Teachers Employed in State Schools and Fully-aided School**

- (1) Notwithstanding anything contained in any other law, rules, regulation or contract for the time being in force, the following provisions shall apply to every teacher employed in State schools and fully-aided schools:-
  - i) Power to grant leave to teachers shall vest in the Head Teacher/ School Management Committee (SMC) to such extent and subject to such restrictions as regards nature and duration of leave, and in such manner as may be prescribed;

- ii) The SMC, Panchayat at the village level, or a municipal body, as the case may be, shall, where it is not itself the Appointing Authority for teachers serving in school (falling within its jurisdiction), furnish periodic assessment reports regarding performance of duties stipulated in Section 29 by such teachers, to the concerned Appointing Authority, in such manner as may be prescribed;
- iii) Unless the State legislature has by law otherwise provided, power to impose minor punishment on a teacher in a State School, who was appointed by an authority higher than, or different from the authority mentioned in column 3 of the table below, shall vest in the Local Authority specified in column 3, and having jurisdiction over the rural/urban/metropolitan area in which the school is situated:-

Competent Authority for Imposition of Minor Penalty		
1	2	3
A	For teachers in rural areas	Panchayat at the block or village level or SMC, as the Appropriate Government may notify
B	For teachers in Government Schools in urban areas	The Municipality or SMC as the Appropriate Government may notify
C	For teachers in Government Schools in metropolitan areas	Such authority or SMC as the Appropriate Government may notify

- (2) When an SMC considers a matter in exercise of its powers under sub-clause (iii) of sub-section (1), no teacher other than the Head Teacher, who is a member of the SMC, shall participate in its proceedings, and the Head Teacher shall also not do so when the SMC is considering a matter concerning him.

### **31. Redressal of Teacher' Grievances**

It shall be the duty of the SMC/ Local Authority to redress teachers' grievances to the extent they fall within its purview and to support the teacher in obtaining redressal of such grievances as do not fall within its purview.

## CHAPTER V

### CONTENT AND PROCESS OF EDUCATION

#### 32. Values, Content and Transaction of Elementary Education

Competent Academic Authorities while prescribing curriculum and evaluation procedures, and schools while transacting them, shall adhere to the following principles:

- (1) They shall conform to the values enshrined in the Constitution,
- (2) All schools shall function in a child friendly and child centered manner, and shall in particular:
  - (i) allow the child who is capable of forming her own views the right to express those views freely in all matters affecting the child, and allow the views of the child to be given due weight in accordance with the age and maturity of the child,
  - (ii) build on the child's knowledge, environment and cultural identity, particularly linguistic, and develop the child's personality, talents and mental and physical abilities to their fullest potential,
  - (iii) use the child's mother tongue as the medium of instruction as far as possible, at least during the first five years of the elementary stage,
  - (iv) would rely on activity, discovery, exploration, understanding and problem-solving.
  - (v) ensure that equitable facilities and learning opportunities are provided for children with disabilities
  - (vi) conduct learner evaluation in a continuous and comprehensive manner such that it tests the child's understanding and ability to apply knowledge rather than rote learning.
  - (vii) would be free of fear, trauma and anxiety to the child

#### 33. Certification of Completion of Elementary Education

- (1). No child shall be required to appear at a public examination during the elementary stage except, if at all, at the completion of such stage.

- (2). Every child who completes elementary education shall be awarded a certificate to that effect by the examining body holding public examination in terms of sub-section (1) above, or, in case no public examination is so held, by the school where she completes it.

### **34. Prohibition of Punishment**

- (1) No child shall be physically punished or subjected to mental harassment and abuse in any form in a school.
- (2) Violation of sub-section (1) by a teacher shall amount to professional misconduct, and such teacher shall be liable to be punished in accordance with Section 29 of this Act and / or the disciplinary rules applicable.

### **35. Teachers Training and Innovation**

- (1) NCTE while laying down norms, standards and guidelines in respect of pre-service training programmes for elementary school teachers shall be guided by the principles laid down in section 32.
- (2) The Appropriate Government in respect of teachers in State schools and fully-aided schools, and managements in respect of teachers in unaided schools, shall take all necessary steps to ensure suitable in-service training and regular academic support, including through the use of Information and Communication Technology (ICT), to teachers to enable them to implement the principles laid down in Section 32. In particular, all teachers shall be provided opportunities for peer interaction and encouraged to engage in innovation.

## **Chapter VI**

### **MONITORING THE IMPLEMENTATION OF THE ACT**

#### **36. Monitoring of Right to Education at the National Level**

- (1) Notwithstanding anything contained in the Commissions for Protection of Child Rights Act, 2005 the Commission constituted under Section 3 thereof shall, in addition to the functions assigned to it under Section 13 of that Act, also perform the following functions under this Act, namely:
- (i) To monitor implementation of this Act at the National level
  - (ii) To monitor all aspects, including quality, of elementary education, and recommend corrective measures;
  - (iii) To act as ombudsman for the purposes of this Act, and to direct appropriate authorities to redress grievances of parents/citizens relating to elementary education;
  - (iv) To render policy advice to Central Government/Appropriate Government/Local Authorities regarding effective implementation of this Act;
  - (v) To commission such surveys, studies and research as it considers necessary for the discharge of its functions, especially in regard to provision of free and compulsory education to disadvantaged groups, and to disseminate their findings; and
  - (vi) Such other functions as may be prescribed.
- (3) The Commission, in the discharge of the functions stated in sub section (1) above, shall have the same powers as assigned to it under section 14 of the Commissions for Protection of Child Rights Act, 2005, and may take the same steps as mentioned in Section 15 of that Act.

#### **37. Annual and Special Reports of the Commission on Right to Education**

- (1) The Commission shall in addition to the Annual Report envisaged in sub-section (1) of Section 16 of the Commissions for Protection of Child Rights Act, 2005, submit an Annual Report to the Central Government and the State Government concerned exclusively on the implementation of this Act, and may at any time submit Special Reports on any matter which in its opinion, is of such urgency or importance that it should not be deferred till the submission of the Annual Report.
- (2) Provisions of sub-section (2) and (3) of Section 16 of the Commissions for Protection of Child Rights Act, 2005, shall, mutatis mutandis, apply to the Annual and Special Reports submitted under Sub Section (1) above.

**38. Monitoring of Right to Education in States having a State Commission for Protection of Child Rights**

- (1) In States which have constituted State Commissions under Section 17 of the Commissions for Protection of Child Rights Act, 2005, the State Commission, so constituted shall, in addition to the functions assigned to it under Section 24 of that Act, perform the following functions under this Act, namely:
  - (i) To monitor implementation of this Act at the State level
  - (ii) To monitor all aspects, including quality, of elementary education, and recommend corrective measures;
  - (iii) To inquire, either on its own motion or on receipt of a representation, into grievances which remain unredressed even after taking recourse to the remedies under Section 40, and to direct appropriate authorities to redress grievances of parents/citizens relating to elementary education;
  - (iv) To render policy advice to State Government/Local Authorities regarding effective implementation of this Act;
  - (v) To commission such surveys, studies and research as it considers necessary for the discharge of its functions, especially in regard to provision of free and compulsory education to disadvantaged groups, and to disseminate their findings; and
  - (vi) Such other functions as may be prescribed.
- (2) The Commission, in the discharge of the functions stated in sub section (1) above, shall have the same powers as assigned to it under section 14 of the Commissions for Protection of Child Rights Act, 2005, and may take the same steps as mentioned in Section 15 of that Act.
- (3) The provisions of Sections 24 of the Commission for protection of Child Rights Act, 2005, insofar as they relate to the application of Sections 13,14,15 of that Act to a State Commission shall apply to such Commission for the purposes of this Act also, and subject to the same modifications as stipulated in the said Section24.

**39. State-Level Authority in States not having a State Commission for Protection of Child Rights**

- (1) In States which have not constituted the State Commissions under Section 17 of the National Commission for Protection of Child Rights Act, the Appropriate Government may, by notification in the Official Gazette, appoint a State-level Authority for discharging the functions envisaged for the State Commission for Protection of Child Rights in Section 38.
- (2) The composition of the Authority shall be such as the Appropriate Government may notify in its official Gazette.

- (3) The State Authority, in discharge of the functions mentioned in sub-section (1), shall exercise the same powers as envisaged for a State Commission in sub section (2) of section 38 of this Act.
- (4) The State Level Authority shall cease to exist once the State Commission under the Commissions for Protection of Child Rights Act, 2005 has been constituted by the State Government.

#### **40. Redressal of Grievances Regarding Non-Implementation of School-related Provisions of This Act.**

- (1) Anyone who has a grievance that provisions of Sections 13, 17-21, 23, 24, 29, 32, 34 and the Schedule of this Act, to the extent that they relate to establishment, provisioning, management of schools and conduct of activities therein, are not being complied with, may submit a written representation in that behalf to, as the case may be, the Local Authority or the School Management Committee concerned, which shall take appropriate action on it and inform the applicant within a period not exceeding seven days from the date of receipt of the representation.
- (2) If the person preferring the representation under sub-section (1) above is not satisfied with the action taken thereon by the Local Authority or SMC as the case may be, he may submit a representation in that behalf to such other authority as may be prescribed at the block and district level, which shall take appropriate action thereon and inform the applicant within a period not exceeding fifteen days from the date of receipt of the representation.
- (3) The Commission, the State level Regulatory Authority as defined in section 39 or the prescribed authority at the block and district level, or the Local Authority or concerned citizens may take suo moto cognizance of violation of the provisions of this Act and bring it to the notice of any of these Authorities for remedial action.

#### **(5) Penalty for contravention of Sections 16, 18, 20 and 21**

- (1) If any person contravenes the provisions of Section 16, he shall be punishable with a fine which may extent to Rupees Ten Thousand and in case of continuing contravention, with an additional fine not exceeding Rupees Five Hundred for each day during which the contravention continues.
- (2) If a school contravenes the provisions of Section 18 by charging capitation fee, its management shall be liable to fine which may extend to ten times the capitation fee charged.
- (3) If a school contravenes the provisions of Section 18 by conducting any screening procedure for admission of children, its management shall be liable to fine which may extend to Twenty Five Thousand Rupees for the first contravention and Fifty Thousand Rupees for subsequent contraventions.

- (4) If a person contravenes the provisions of sub-section (2) or (6) of Section 20 or of sub-section (5) of section 21, he shall be punishable with fine which may extend to Rupees One Lakh, and in case of continuing contravention, to a fine of Rupees Ten Thousand for each day during which such contravention continues.

## Chapter VII

### MISCELLANEOUS

#### **42. Power of Central Government, Appropriate Government and Local Authorities to Issue General Directions.**

- (1) Central Government may issue guidelines and give general direction to Appropriate Government regarding implementation of this Act.
- (2) Appropriate Government may issue guidelines and give general directions to Local Authorities and School Management Committees regarding implementation of this Act.
- (3) A Local Authority may issue guidelines and give general directions to School Management Committees regarding implementation of this Act.

#### **43. Power To Remove Difficulties.**

- (1) If any difficulty arises in giving effect to the provisions of this Act, Central Government may, by Order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may appear to it to be necessary for removing the difficulty;

*Provided that no Order shall be made under this sub-section after the expiry of two years from the commencement of this Act.*

- (2) Every Order made under sub-section (1) shall be laid, as soon as may be after it is made, before each House of Parliament.

#### **44. Protection of Action Taken In Good Faith**

No suit or other legal proceeding shall lie against the Central Government, an Appropriate Government, the Commission, a Local Authority, a School Management Committee, or any person acting under the direction of such Government/ Commission/Authority/Committee, in respect of anything which is in good faith done or intended to be done, in pursuance of this Act, or any rules or any order made thereunder.

#### **45. Act to be in Addition to, and not in Derogation of Certain Other Laws**

Provisions of this Act in relation to (i) children with disabilities, and (ii) children in need of care and protection, shall be in addition to, and not in derogation of the provisions, respectively, of (i) the Persons with Disabilities [Equal Opportunities, Protection of Rights and Full Participation] Act, 1995 (1 of 1996), and (ii) Juvenile Justice [Care and Protection of Children] Act, 2000 [56 of 2000].

#### **46. Power of Central Government to Make Rules**

- (1) Central Government may, by notification, make rules, within a period not exceeding three months from the commencement of this Act, to carry out the provisions of Chapter VI of the Act.
- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:
  - (a) Functions of the Commission under sub-clause (vi) of sub-section (2) of Section 36
  - (b) Every rule notified by the Central Government under this section shall be laid as soon as may be after it is notified, before each House of Parliament.

**47. Power of Appropriate Government to Make Rules**

- (1) The Appropriate Government may, by notification, make rules, within a period not exceeding six months from the commencement of this Act, for carrying out the provisions of the Act.
- (2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:-
  - (a) Notification of disadvantaged groups under clause (m) of sub-section (1) of section 2.
  - (b) Courses of study for the elementary stage under clause (o) of sub-section (1) of section 2.
  - (c) Expenses under sub-clause (ii) of clause (q) of sub-section (1) of section (1) of section 2.
  - (d) Notification of number of days in the calendar years in relation to migrant families under clause (y) of sub-section (1) of section 2.
  - (e) Notification of neighborhood in relation to a child under clause (aa) of sub-section (1) of section 2.
  - (f) Prescription and revision of curriculum under clause (vi) of sub-section (2) of section 11.
  - (g) Norms for building, teacher aids and learning materials under clause (vii) of sub-section (2) of Section 11.
  - (h) Identification and notification of elements of free entitlement under clause (viii) of sub-section (2) of Section 11.

- (i) The form and manner in which record of children shall be maintained by Local Authorities under clause (i) of sub-section (1) of Section 13.
- (k) Reimbursement of expenses to unaided schools and schools of specified categories under sub-section (2) of Section 17.
- (l) The manner in which management of a school shall be heard in the event that withdrawal of its recognition is contemplated under subsection (5) of Section 20.
- (m) Manner in which financial assistance will be provided by the Appropriate Government to schools other than state schools for complying with the provisions of Section 21 (2).
- (n) Functions of School Management Committees (SMCs) under sub-section (3) of Section 25.
- (o) Determining representation of sections of the community of sub-section (1) of Section 25.
- (p) Rules of procedure governing assignment of teachers to specific schools under Section 26.
- (q) The form and manner in which progress of children shall be reported to their parents/guardians and to the SMC under clause (vi) of sub-section (1) of Section 29.
- (r) Nature and duration of leave and the manner in which it may be granted to teachers under clause (i) of sub-section (1) of Section 30.
- (s) The form and manner in which periodic assessment reports of the performance of teachers shall be provided to the appointing authority under clause (ii) of sub-section 1 of Section 30.
- (t) Notification of authority competent to impose minor punishment on teachers in government schools in metropolitan areas under clause (iii) of sub-section (1) of Section 30.
- (u) The form and manner in which reports relating to implementation of this act and other issues pertaining to elementary education shall be made to Parliament by the National Commission for Protection of Child Rights under of sub-section (1) of Section 38.
- (v) Officer of an Appropriate Government or Local Authority to whom the State-level Regulatory Authority may refer representations for inquiry under sub-section (2) of Section 39.

- (w) the manner in which the age of a child may be computed or determined under sub-section (2) of Section 4.
  - (y) prescription of curriculum, specifications of classroom, teaching learning equipment, library, and play material and sports equipment under items 1, 4 (vi), 8, 9 and 10 of the Schedule.
- (3) Every rule notified by an Appropriate Government under this Section shall be laid, as soon as may be after it is notified, before the appropriate Legislature

**SCHEDULE**  
**(See Section 21)**

**Norms and Standards for a School**

<b>S. No.</b>	<b>Item</b>	<b>Norm</b>														
1.	Curriculum	As prescribed by the Competent Academic Authority														
2.	Number of teachers:															
	(a) Primary School (Classes 1-5)	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Enrolment</th> <th style="text-align: left; border-bottom: 1px solid black;">No. of teachers</th> </tr> </thead> <tbody> <tr> <td>Up to 60</td> <td>2</td> </tr> <tr> <td>61.90</td> <td>3</td> </tr> <tr> <td>91.12</td> <td>4</td> </tr> <tr> <td>121.200</td> <td>5</td> </tr> <tr> <td>&gt;150</td> <td>5+1 Head Teacher</td> </tr> <tr> <td>&gt;200</td> <td>Pupil teacher Ratio (excluding Head teacher) not to exceed 40</td> </tr> </tbody> </table>	Enrolment	No. of teachers	Up to 60	2	61.90	3	91.12	4	121.200	5	>150	5+1 Head Teacher	>200	Pupil teacher Ratio (excluding Head teacher) not to exceed 40
Enrolment	No. of teachers															
Up to 60	2															
61.90	3															
91.12	4															
121.200	5															
>150	5+1 Head Teacher															
>200	Pupil teacher Ratio (excluding Head teacher) not to exceed 40															
	(b) Upper Primary School (Classes 6-8)	<p>At least one teacher per class such that there is as far as possible at least one teacher each for</p> <ol style="list-style-type: none"> <li>1. Science and Maths</li> <li>2. Social Studies</li> <li>3. Languages</li> </ol> <ul style="list-style-type: none"> <li>• At least one teacher for every 35 children</li> <li>• As soon as enrolment crosses 100:               <ol style="list-style-type: none"> <li>(ii) A full time head teacher</li> <li>(iii) At least part time instructors for:                   <ul style="list-style-type: none"> <li>• Art Education</li> <li>• Health and Physical Education</li> <li>• Work Education</li> </ul> </li> </ol> </li> </ul>														
3.	Qualifications of teachers	As per Section 28 of the Act.														
4.	<ol style="list-style-type: none"> <li>i. Building</li> <li>ii. Class rooms</li> <li>iii. Toilets (Separate for boys and girls)</li> <li>iv. Drinking Water</li> <li>v. Kitchen (wherever mid day meal is cooked in the school)</li> <li>vi. Barrier-free access</li> </ol> Specifications of a classroom	<p>All-weather building consisting of;</p> <p>At least one classroom for every teacher and an office cum store cum head teacher's room in every school</p> <p>As may be prescribed</p>														
5.	Minimum number of working days /instructional hours in an academic year	<ol style="list-style-type: none"> <li>(i) 200 working days for Primary schools</li> <li>(ii) 220 working days for Upper Primary schools</li> <li>(iii) 800/1000 Instructional hours per academic</li> </ol>														

		year for primary /upper primary schools
6.	Minimum number of working hours per week for the teacher	45 (Teaching plus preparation hours)
7.	Teaching learning equipment	As may be prescribed
8.	Library	As may be prescribed
9.	Play material, games and sports equipment	As may be prescribed
10*.	Boundary wall or fencing	As may be prescribed
11*	Playground/space (with e.g. slides, swings, see-saw, gymnastic bars, sand pit etc.)	As may be prescribed

**B. Desirable**

1.	Facility for pre-school education in accordance with Section 8.	
2.	Electrification, telephone and at least one personal computer.	

\*Exemptions may be permitted in appropriate cases