

പതിനാലാം കേരള നിയമസഭ
പതിമൂന്നാം സമ്മേളനം
നക്ഷത്ര ചിഹ്നമിടാത്ത ചോദ്യം 3207 10/12/2018 ൽ മറുപടിയ്ക്ക്

സ്വകാര്യ സ്കൂൾ അധ്യാപകരുടെ വേതനം

ചോദ്യം

ശ്രീമതി. ഗീതാ ഗോപി

(എ) സംസ്ഥാനത്ത് സ്വകാര്യ സ്കൂളുകളിലെ വിദ്യാർത്ഥികളിൽ നിന്നും അമിത ഫീസ് ഈടാക്കുന്നത് നിയന്ത്രിക്കുന്നതിന് എന്തെങ്കിലും നടപടി സ്വീകരിച്ചിട്ടുണ്ടെങ്കിൽ ആയതിന്റെ പകർപ്പ് നൽകാമോ;

ഉത്തരം

പ്രൊഫ. സി. രവീന്ദ്രനാഥ്
(പൊതു വിദ്യാഭ്യാസ വകുപ്പു മന്ത്രി)

(എ) സംസ്ഥാനത്ത് പ്രവർത്തിക്കുന്ന സംസ്ഥാന പാഠ്യ പദ്ധതി പിന്തുടരുന്ന സ്കൂളുകൾക്ക് സംസ്ഥാനത്തിന്റെ അംഗീകാരം ലഭിക്കുന്നതിന് 10.6.2013 ൽ പുറപ്പെടുവിച്ച ജി.ഒ.(എം.എസ്) നമ്പർ 184/2013/പൊ.വി.വ. പ്രകാരമുള്ള മാർഗ്ഗ നിർദ്ദേശത്തിലും സി.ബി.എസ്.ഇ/ ഐ.സി.എസ്.ഇ സ്കൂളുകൾക്ക് എൻ.ഒ.സി. നൽകുന്നതിന് 07/10/2011ൽ പുറപ്പെടുവിച്ച ജി.ഒ.(എം.എസ്) നം. 202/11/പൊ.വി.വ ഉത്തരവ് പ്രകാരമുള്ള മാർഗ്ഗ നിർദ്ദേശത്തിലും സ്കൂളുകളിലെ ഭൗതിക സൗകര്യത്തിനും കുട്ടികൾക്ക് ലഭിക്കുന്ന സൗകര്യങ്ങൾക്കും ആനുപാതികമായ റ്റൂഷൻ ഫീസ് മാത്രമേ വാങ്ങാവൂ എന്ന് നിഷ്കർഷിച്ചിട്ടുണ്ടായിരുന്നു. ആയതിന്റെ പകർപ്പുകൾ അനുബന്ധമായി ചേർത്തിട്ടുണ്ട്.


സംസ്ഥാനത്തെ അൺ-എയ്ഡഡ് സ്കൂളുകളിലെ പ്ലസ് വൺ വിദ്യാർത്ഥികളിൽ നിന്നും ഈടാക്കുന്ന ഫീസ് സംബന്ധിച്ചും വ്യക്തമായ മാനദണ്ഡം നിശ്ചയിച്ചിട്ടുണ്ട്. അൺ-എയ്ഡഡ് സ്കൂളുകളിൽ പ്രവേശനം നേടുന്ന വിദ്യാർത്ഥികൾക്ക് ടൂഷൻ ഫീസ് പ്രതിമാസം 500/- (അഞ്ഞൂറ്) രൂപയും മറ്റു ഫീസുകൾ പ്രതിവർഷം 1000/- (ആയിരം) രൂപയും കോഷൻ ഡിപ്പോസിറ്റ് 1000/- (ആയിരം) രൂപയും നൽകേണ്ടതാണ്. ഇതിൽ കൂടുതൽ തുക വാങ്ങിയതായി പരാതി ലഭിച്ചാൽ ടി സ്കൂളിലെ ഹയർ സെക്കന്ററി കോഴ്സ് റദ്ദാക്കുവാൻ സർക്കാരിന്

അധികാരമുണ്ട്. എന്നാൽ ഇതു സംബന്ധിച്ച് നാളിതുവരെ പരാതിയൊന്നും ലഭിച്ചിട്ടില്ല.

(ബി) സ്വകാര്യ സ്കൂളിലെ അധ്യാപകർക്ക് നൽകേണ്ട എത്രയാണെന്ന് ഉത്തരവുകൾ ഇല്ലെങ്കിൽ പുറപ്പെടുവിക്കുന്നതിന് ഉദ്ദേശിക്കുന്നുണ്ടോ വ്യക്തമാക്കാമോ?

(ബി) ഉണ്ട്. 14/02/2011-ലെ ജി.ഒ.(എം.എസ്) നമ്പർ 36/11/പൊ.വി.വ പ്രകാരം അൺ എയ്ഡഡ് സ്കൂളിലെ അധ്യാപകരുടെ ശമ്പളം നിർണ്ണയിച്ചിരുന്നു. ഇത് പുതുക്കി ഉത്തരവൊന്നും ഇതുവരെ പുറപ്പെടുവിച്ചിട്ടില്ല. സംസ്ഥാനത്ത് പ്രവർത്തിക്കുന്ന സംസ്ഥാന പാഠ്യ പദ്ധതി പിന്തുടരുന്ന സ്കൂളുകൾക്ക് സംസ്ഥാനത്തിന്റെ അംഗീകാരം ലഭിക്കുന്നതിന് 10.6.2013 ൽ പുറപ്പെടുവിച്ച ജി.ഒ.(എം.എസ്) നമ്പർ 184/2013/പൊ.വി.വ പ്രകാരമുള്ള മാർഗ്ഗ നിർദ്ദേശത്തിലും സി.ബി.എസ്.ഇ/ഐ.സി.എസ്.ഇ സ്കൂളുകൾക്ക് എൻ.ഒ.സി. നൽകുന്നതിന് 07/10/2011 ൽ പുറപ്പെടുവിച്ച ജി.ഒ.(എം.എസ്) നം. 202/11/പൊ.വി.വ ഉത്തരവ് പ്രകാരമുള്ള മാർഗ്ഗ നിർദ്ദേശത്തിലും സർക്കാർ മേഖലയിലെ അധ്യാപകർ വാങ്ങുന്ന ശമ്പളം തന്നെയാണ് അൺ എയ്ഡഡ് സ്കൂളുകളിലെ അധ്യാപകർക്കും നൽകേണ്ടത് എന്ന് നിഷ്കർഷിച്ചിട്ടുണ്ട്.

സംസ്ഥാനത്തെ അംഗീകാരമുള്ള അൺഎയ്ഡഡ് വിദ്യാഭ്യാസ സ്ഥാപനങ്ങളിലെ അധ്യാപകർ നേരിടുന്ന തൊഴിൽ ചൂഷണവും തൊഴിൽ സുരക്ഷിതത്വമില്ലായ്മയും പരിഹരിക്കുന്നതിന് അധ്യാപകർക്ക് മിനിമം വേതനമെങ്കിലും ഉറപ്പുവരുത്തുക എന്ന ലക്ഷ്യത്തോടെ ഒരു പുതിയ നിയമ നിർമ്മാണം നടത്തുന്നതുമായി ബന്ധപ്പെട്ട് തൊഴിൽ വകുപ്പ് ലഭ്യമാക്കിയ "കേരള പെയ്മെന്റ് ഓഫ് മിനിമം വേജസ് ടു ടീച്ചേഴ്സ് ഓഫ് അൺ എയ്ഡഡ് ഇൻസ്റ്റിറ്റ്യൂഷൻ" എന്ന പേരിലുള്ള കരട് ബിൽ സർക്കാർ പരിശോധിച്ചു വരികയാണ്.


സെക്ഷൻ ഓഫീസർ





GOVERNMENT OF KERALA
Abstract

General Education - The Right of Children to Free & Compulsory Education Act, 2009 and Rules 2011 - Guidelines for granting recognition to unrecognized schools following State Syllabus - Approved - orders issued.

GENERAL EDUCATION (F) DEPARTMENT

G.O (MS.) 184/2013/G.Edn. Dated, Thiruvananthapuram, 10th June 2013

- Read: - 1) G.O. (P) No. 100/2011/G.Edn. dated 30.04.2011
2) G.O. (MS.) No. 202/2011/G.Edn. dated 07.10.2011

ORDER

The State is in the process of implementing the provisions of the Right of Children to Free & Compulsory Education Act, 2009 and thereby the Right to Education Rules formulated by Government of Kerala vide Government order read as 1st paper above. There are many unaided schools following the State Syllabus that have been functioning in the State without recognition. As per Rule 14 of the Right to Education Rules, all unrecognized schools were to apply for recognition/upgradation within three months from 30.04.2011 as per the norms specified thereunder. Since the State needs to be fully compliant with Right of the Children to Free & Compulsory Education Act, 2009, the process of recognition has to be initiated as all schools that are compliant with the norms and standards specified in the Right to Education Rules are to be recognized and those schools which are non compliant are to be closed down. Recognition will be granted to those schools fulfilling the norms under the existing Kerala Education Rules and Right to Education Rules and as per the procedure laid down under Rule 14 of the Right to Education Rules 2011.

2) The Government have already issued guidelines for giving No Objection Certificate to CBSE/ICSE schools vide order read as 2nd paper above. The following guidelines are approved and issued for granting recognition to unrecognized schools that follow State Syllabus:-

- 1 The school must be run by a society registered under the Societies Registration Act, 1860 (21 of 1860), or a public trust or an educational agency constituted under any law for the time being in force;
- 2 Each school must have a properly constituted Governing Body.
- 3 The Society or Trust should have financial stability. It should have permanent source of income to meet running expenses of the school, to maintain it at a reasonable standard of efficiency and to pay the salaries of teachers regularly and in time.
- 4 It should have suitable equipments and furniture as may be prescribed from time to time.
- 5 The school is not run for profit to any individual, group or association of individuals or any other persons;
- 6 The school conforms to the values enshrined in the Constitution;
- 7 The school must comply with the provisions in the Kerala Education Act and Rules issued thereunder relating to area, location and accommodation;
- 8 Malayalam is taught as a compulsory language in all classes.
- 9 The pupil-Teacher ratio shall be 30:1 for LP (I-V) and 35:1 (VI-X)
- 10 The school complies with the provisions under sections 13, 16 & 17 of the RTE Act;
- 11 The school provides barrier-free access and adapted toilet for children with disabilities;
- 12 The bio-metric identification details along with the Unique Identification Number of each child is maintained in the school

- 13 The school buildings or other structures or the grounds are used only for the purposes of education and skill development;
- 14 The school does not run any unrecognized classes within the premises of the school or outside, in the same name of the school;
- 15 The school is open to inspection by any officer authorized by the Government.
- 16 The rate of tuition and other fees charged shall be commensurate with the facilities provided and a yearly return on the fee charged (all fees) shall be filed before the District Educational Officer concerned and in the school website.
- 17 The school shall appoint only qualified and eligible teachers
- 18 The salary of the teachers should be that paid in the Government sector.
- 19 The school should have been functional for at least five years as on 01.06.2012
- 20 The admission to the school shall be open to all without any discrimination on the ground of religion, caste, or race, place of birth or any of them. All schools shall strictly comply with RTE Act and Rules and shall provide admission for students belonging to category to be notified by Government to 25% of seats. The fee payable by such students shall be fixed by Government from time to time.
- 21 The school furnishes such reports and such information as may be required from time to time and complies with such instructions of the Government as may be issued to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in the working of the school.

22 A class should have minimum strength of 30 students. In case there are no 30 students in a class, the overall strength of students as indicated below will apply.

1) Lower Primary school	-	150
2) LP & Upper Primary School	-	250
3) Stand alone UP	-	100
4) High School (1-10)	-	350
5) Stand alone High School	-	100

23 The schools shall comply with the provisions in the Kerala Education Act and Rules issued thereunder relating to area, location and accommodation. The distance norms and area norms would apply for considering the recognition except for schools which have been functioning for at least 10 years as on 01.06.2012.

24 Clause (I) & (II) of the guidelines are not applicable for schools run by individual management and in existence for more than 10 years as on 01.06.2012.

(By Order of the Governor)

DR. K. ELLANGOVAN,
SECRETARY TO GOVERNMENT

To

The Director of Public Instructions, Thiruvananthapuram
All the Deputy Directors of Education
The General Admn. (S.C.) Department
Information & Public Relations Department
The Stock file/Office Copy.

Forwarded/By Order

Chitra
Section Officer

BC/102



GOVERNMENT OF KERALA

Abstract

General Education Department - Guide Lines for issuing No Objection Certificate to Schools for getting CBSE/ICSE affiliation - approved - Orders issued.

GENERAL EDUCATION (N) DEPARTMENT

G.O.(MS)No.202 /11/G.Edn.

Dated, Thiruvananthapuram, 07.10.2011.

Read-

1. G.O.(MS) No.18/88/G.Edn dated 12.01.1988.
2. G.O.(MS) No.137/2011/G.Edn dated 10.06.2011.
3. Order dated 08.03.2011 of the Hon'ble Supreme Court of India inSLPC No.11666-11667/2009.

ORDER

No Objection Certificate was being issued to the schools for getting CBSE/ICSE affiliation up to the academic year 2006 as per norms contained in the G.O read as 1st paper above. But in the last 5 years NOC was not issued to schools for getting CBSE/ICSE affiliation. Aggrieved by this, many applicants filed cases for granting of NOC for CBSE/ICSE affiliation in Hon'ble High Court and Hon'ble Supreme Court. In the meantime Government changed its policy and decided to issue NOC for getting CBSE/ICSE affiliation subject to the total fulfilling of the norms and conditions prescribed by CBSE/ICSE as per G.O read as 2nd paper above, provided their own land and basic facilities. In the order itself it was mentioned that detailed guidelines for issue of NOC will be issued by the department in due course. Hon'ble Supreme Court vide reference (3) above directed that the guidelines may be formulated within three months, i.e, before 18th October, 2011.

Government have examined the matter in detail. As per Right to Education Act and Rules it is mandatory for all schools in the state to have recognition issued by Government. For new CBSE/ICSE schools, apart from this recognition, Government have to issue NOC for consideration by the respective Boards to grant affiliation.

Government proposes to have a system by which the recognition and NOC for affiliation is combined. The following guidelines shall apply for recognition and granting of NOC for affiliation for schools functioning in the state and desirous of offering CBSE/ICSE courses. The guidelines shall be applicable to existing CBSE/ICSE institutions as well and if they do not confirm to the provisions of the guidelines, they will not be given recognition. A school which does not meet the conditions of the guidelines will have to be closed down with effect from 01.06.2012.

In the above circumstances Government are pleased to formulate the following guidelines for issuing NOC for getting CBSE/ICSE affiliation, recognition of schools following CBSE/ICSE syllabus, including the schools which have already obtained CBSE/ICSE affiliation.

An applicant school for getting NOC for CBSE/ICSE affiliation shall be granted NOC and subsequently recognition as specified in RTE Act subject to conforming to the following guidelines.

- i. The School should be run by a registered society or Trust and one of the Principal purposes of such Society / Trust must be educational.
- ii. Each school must have a properly constituted Governing Body.
- iii. The Society or Trust should have financial stability. It should have permanent source of income to meet running expenses of the school, to maintain it at a reasonable standard of efficiency and to pay the salaries of teachers regularly and in time.

- iv. The institution should have minimum 3 acre of land, out of which at least 2 acres shall be in the actual location where the school is functioning in a contiguous manner. It should have adequate playground also. There should be a library and adequate number of laboratories.
- v. It should have suitable equipments and furniture as may be prescribed from time to time.
- vi. The medium of instruction must be English. However Malayalam will be compulsorily taught as a paper with a prescribed text book and a proper academic evaluation as instructed by State Government from time to time.
- vii. The rate of tuition and other fees charged shall be commensurate with the facilities provided and a yearly return on the fee charged (all fees) shall be filed before the District Educational Officer concerned and in the school website. R
- viii. The school shall appoint only qualified and eligible staff and must pay the salary and allowances and other benefits to the employees of the school. Employees in the CBSE/ICSE school shall be offered the same pay scales as in Government Schools for equivalent categories. The pay shall start at the minimum of the scale and employees shall be eligible for DA and increments as is allowed in Government Schools from time to time.
- ix. The schools shall follow Pupil Teacher Ratio of 30:1 in all classes and all the teachers thus found required in the schools would be enrolled in CPF schemes.
- x. The admission to the school shall be open to all without any discrimination on the ground of religion, caste, or race, place of birth or any of them. All schools shall strictly comply with RTE Act and Rules and shall provide admission for students belonging to category to be notified by Government to 25% of seats. The fees payable by such students shall be fixed by Government from time to time.

- xi. Each school shall enter into a separate agreement with Government regarding clauses (vi),(vii),(viii) and (x) specifying that violation of these clauses shall result in withdrawal of NOC and recognition, without further hearing and notice. Government will put in place a mechanism to enquire into complaints, if any regarding the violation of these four clauses and the enquiry officer (not below the rank of DEO) shall hear the management's version also before finalizing report. The enquiry report of the District Educational Officer will be final.
- xii. The School and its record shall be open for inspection by an official of the Board or the State Education Department at any time and the school shall furnish information as may be asked for by the Board/State Government from time to time.
- xiii. No unrecognized class/Branches shall be run within the premises of school or outside in the same name of school. All schools Shall strictly comply with RTE Act and Rules.
- xiv. The school should have been in existence for a period of five years as on the date of application for NOC and should have at least 300 students in its rolls. The UID enrollment should be completed and UID numbers of the students enrolled in the school shall be furnished.
- xv. The school should have adequate number of toilets, 1 toilet per 20 children, proportionate number of girl friendly toilets, a common girls room and adequate provisions of potable drinking water.

The following documents should be produced along with the application for affiliation.

- a. Request of the application for affiliation of the school
- b. Documents to prove that the school is managed by a Registered Society or Trust and one of the principal purposes of such society or Trust is educational.
- c. Details of governing body.

- d. Documents to prove the details of ownership of landed property for the schools. They need to do electronic total station survey of the land upload the data with corresponding GPS value of the location to be incorporated in the school mapping portal.
- e. Possession certificate.
- f. Location Certificate,
- g. Site plan, sketch plan of the building and building Fitness Certificate.
- h. Certificate obtained from the Health Officer regarding the Health and sanitary condition of the school.
- i. Detail of equipments and furniture.
- j. Details of staff now working with qualification.
- k. The Number of teachers calculated as per Pupil Teacher Ratio 1:30 and details of their enrolment in CPF. Certificate from PF authorities that compulsory provident fund scheme has already been instituted in the said school specifying the data from which the CPF scheme has been adapted.
- l. Documents to prove the financial stability of the managements to meet the running expenses of the school to maintain it at a reasonable standard of efficiency and to pay the salaries of teachers regularly.
- m. Agreement of the Manager in stamp paper worth Rs.50/ to the effect that the school and its records shall be opened for inspection to the Inspecting Officers of the Education Department or such officers authorized by the Director of Public Instruction to enable such officers to assess the standard of instruction imposed by the said school and the Management shall, at any time render all facilities and assistance to conduct such inspection.
- n. Agreement as specified in Clause (x) above in the prescribed form.
- o. Declaration that no unrecognized classes/branches shall be run within the premises of the school or outside in the same name of the school.
- p. UIID numbered details of all students enrolled in the school.
- q. Documentary evidence that the school has been in existence of more than five years as on the date of application (certificate from educational authority /local body and admission registers since inception)

Existing CBSE/ICSE affiliated schools who have already got NOC from the State Government shall adhere to the same set of norms for obtaining recognition under RTE Act and Rules from academic year 2012-13.

All applicants seeking NOC for affiliation shall apply afresh to the concerned District Educational Officers before 01.11.2011.

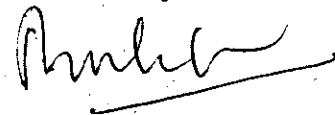
By Order of the Governor
M.SIVASANKAR
Secretary

To

The Standing Council, New Delhi (With Covering letter)
The Director of Public Instruction, Thiruvananthapuram.
All the Deputy Directors of Education and the District Educational Officers.
The Advocate General, Ernakulam (with covering letter)
IT Department.
Stock file / Office Copy.

copy to: **The Private Secretary to Chief Minister.**
The Private Secretary to Minister (Education).

Forwarded By Order



Section Officer





GOVERNMENT OF KERALA

Abstract

General Education Department- Recognised Unaided Schools- Salary Revised- Orders Issued.

GENERAL EDUCATION (J) DEPARTMENT

G.O(MS)No. 36/11/G.Edn Thiruvananthapuram, Dated: 14/02/2011

Read:- (1) G.O (MS)No. 244/99/G.Edn. dated: 30/09/1999.
(2) G.O (MS) No. 117/07/G.Edn. dated: 22/06/2007.
(3) Judgment of Hon'ble High Court dated: 30/03/2009 in WP © No. 2287/09 filed by Lissy P. Tottan and others.

ORDER

As per Government Order read as first paper above, the minimum salary of the employees of recognized unaided schools in Kerala has been fixed. The Recognised School Teachers Union requested Government to issue orders to revise the service conditions and salary of teachers in the unaided sector of the State. Considering their request, Govt. have appointed a two member committee to study the problems in this sector including revision of salary as per Government Order read as 2nd paper above.

2) The committee submitted their report to Government. A meeting of the representatives of the organizations and the managers' Associations were held. But a unanimous opinion cannot be taken in the matter of service, salary and fee in the unaided structure. Government have examined the report further and found that all the recommendations cannot be accepted, except the recommendation in regard to the revision of salary of teaching & non- teaching staff.

3) Mean while the Hon'ble High court in their judgment dated: 30/03/2009 in W.P © No. 2287/09 directed the Government to consider the report submitted by the committee appointed as per G.O (MS) No. 117/2007/G.Edn. dated: 22/06/2007 and take a decision in the matter after notice to the service organizations representing the teaching and non- teaching staff of recognized unaided schools and also the representatives of the management.

4) Considering the request of the R.S.T.U., and in compliance of the judgment Hon'ble High Court read as 3rd paper -above Government have decided

to revise the salary of teaching / non- teaching staff of the unaided sector w.e.f 01/01/2011 as follows:-

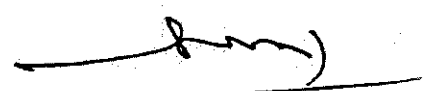
Designation	Minimum Monthly rate of pay
Headmaster	RS. 7000/-
HSA	RS. 6000/-
Primary Teacher	RS. 5000/-
Clerk	Rs. 4000/-
Peon/Class IV	Rs. 3500/-

By order of the Governor
JAMES VARGHESE
Principal Secretary to Government

To

- The Director of Public Instruction, Thiruvananthapuram.
 - All Deputy Directors of Education
 - District Educational Officers
 - Assistant Educational Officers.
 - The Advocate General, Ernakulam (with C/L)
 - The Principal Accountant General (Audit), Kerala, Thiruvananthapuram
 - The Accountant General (A&E), Kerala, Thiruvananthapuram.
 - The Director, Information and Public Relations Department, Thiruvananthapuram.
 - The Director, IT @ School (for publishing in the website.)
 - Stock File/Office Copy.
- } Through DPI

Forwarded/By Order



Section Officer

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