

15 -ാം കേരള നിയമസഭ

11 -ാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നം ഇല്ലാത്ത ചോദ്യം നം. 1424

19-06-2024 - ൽ മറുപടിയ്ക്ക്

അംഗീകാരം ഇല്ലാത്ത അൺ എയ്ഡഡ് സ്കൂളുകൾക്ക് അംഗീകാരം

ചോദ്യം	ഉത്തരം
<p align="center">ശ്രീ തോമസ് കെ തോമസ്, ശ്രീ കോവൂർ കഞ്ഞുമോൻ, ശ്രീ. കെ.പി.മോഹനൻ</p>	<p align="center">ശ്രീ വി ശിവൻകുട്ടി (പൊതുവിദ്യാഭ്യാസ-തൊഴിൽ വകുപ്പ് മന്ത്രി)</p>
<p>(എ) സംസ്ഥാനത്ത് ദീർഘനാളായി പ്രവർത്തിക്കുന്ന അംഗീകാരം ഇല്ലാത്ത അൺ എയ്ഡഡ് സ്കൂളുകൾക്ക് അംഗീകാരം നൽകാൻ നടപടി സ്വീകരിക്കുമോ; എങ്കിൽ വിശദാംശം ലഭ്യമാക്കുമോ;</p>	<p>(എ) കേരള സംസ്ഥാന സിലബസിൽ പ്രവർത്തിക്കുന്നതും , അംഗീകാരമില്ലാത്തതുമായ സ്കൂളുകൾക്ക് അംഗീകാരം നൽകുന്നതിനായി 22.05.2019-ലെ സ.ഉ. (എം.എസ്)നം.45/2019/ പൊ.വി.വ പ്രകാരവും, സി.ബി.എസ്.ഇ/ ഐ.സി.എസ്.ഇ സിലബസിൽ പ്രവർത്തിക്കുന്ന സ്കൂളുകൾക്ക് നോ ഒബ്ഷക്ഷൻ സർട്ടിഫിക്കറ്റും (NOC), അംഗീകാരവും നൽകുന്നതിനായി 01.03.2019-ലെ സ.ഉ. (എം.എസ്) നം. 22/ 2019/ പൊ.വി.വ പ്രകാരവും മാർഗ്ഗനിർദ്ദേശം പുറപ്പെടുവിച്ചിട്ടുണ്ട്. അപ്രകാരം മാനദണ്ഡങ്ങൾ പാലിക്കുന്ന സ്കൂളുകൾക്ക് അംഗീകാരം ലഭിക്കുന്നതിനായി അപേക്ഷ സമർപ്പിക്കാവുന്നതും എല്ലാ മാനദണ്ഡങ്ങളും പാലിക്കപ്പെടുന്നുണ്ടെങ്കിൽ അംഗീകാരം നൽകുന്നതുമാണ്.</p>
<p>(ബി) ദേശീയ വിദ്യാഭ്യാസ ചട്ടങ്ങൾക്കനുസൃതമായി പിന്നോക്ക മേഖലകളിൽ പ്രവർത്തിക്കുന്ന ഇത്തരം സ്കൂളുകൾക്ക് അംഗീകാരം നൽകാൻ എന്തൊക്കെ പുതിയ നടപടികൾ സ്വീകരിക്കുമെന്ന് വ്യക്തമാക്കുമോ;</p>	<p>(ബി) കേരള സംസ്ഥാന സിലബസിൽ പ്രവർത്തിക്കുന്നതും , അംഗീകാരമില്ലാത്തതുമായ സ്കൂളുകൾക്ക് അംഗീകാരം നൽകുന്നതിനായി 22.05.2019-ലെ സ.ഉ. (എം.എസ്)നം.45/2019/ പൊ.വി.വ പ്രകാരവും, സി.ബി.എസ്.ഇ/ ഐ.സി.എസ്.ഇ സിലബസിൽ പ്രവർത്തിക്കുന്ന സ്കൂളുകൾക്ക് നോ ഒബ്ഷക്ഷൻ സർട്ടിഫിക്കറ്റും (NOC), അംഗീകാരവും നൽകുന്നതിനായി 01.03.2019-ലെ സ.ഉ. (എം.എസ്) നം. 22/ 2019/ പൊ.വി.വ പ്രകാരവും മാർഗ്ഗനിർദ്ദേശം പുറപ്പെടുവിച്ചിട്ടുണ്ട്. അപ്രകാരം മാനദണ്ഡങ്ങൾ പാലിക്കുന്ന സ്കൂളുകൾക്ക് അംഗീകാരം ലഭിക്കുന്നതിനായി അപേക്ഷ സമർപ്പിക്കാവുന്നതും എല്ലാ മാനദണ്ഡങ്ങളും പാലിക്കപ്പെടുന്നുണ്ടെങ്കിൽ അംഗീകാരം നൽകുന്നതുമാണ്.</p>
<p>(സി) ഇതുമായി ബന്ധപ്പെട്ട് ഇറക്കിയിട്ടുള്ള ഉത്തരവുകളുടെ കോപ്പികൾ ലഭ്യമാക്കുമോ;</p>	<p>(സി) ഉത്തരവുകളുടെ പകർപ്പുകൾ അനുബന്ധമായി ചേർക്കുന്നു.</p>

<p>(ഡി)</p> <p>വർഷാവർഷം ഇതിനാവശ്യമായ അപേക്ഷകൾ എപ്പോഴാണ് സ്വീകരിക്കുന്നത്; ഈ വർഷം അപേക്ഷകൾ എന്നത്തേക്ക് പ്രസിദ്ധീകരിക്കുമെന്ന് വ്യക്തമാക്കുമോ?</p>		<p>(ഡി)</p> <p>22.11.2022-ലെ സ.ഉ(സാധാ)നം.7121/2022/പൊ.വി.വ പ്രകാരം, അംഗീകാരത്തിനുള്ള അപേക്ഷ സമർപ്പിക്കുന്നതിനുള്ള സമയപരിധി നിശ്ചയിച്ച് നൽകിയിട്ടുണ്ട്. ഓരോ വർഷവും ജൂലൈ 1 മുതൽ ഒക്ടോബർ 15 വരെയുള്ള കാലയളവിൽ സ്കൂൾ അധികൃതരിൽ നിന്നും അംഗീകാരത്തിനായുള്ള അപേക്ഷകൾ ജില്ലാവിദ്യാഭ്യാസ ഓഫീസുകളിൽ സ്വീകരിക്കുന്നതാണ്. ജില്ലാ വിദ്യാഭ്യാസ ഓഫീസുകളിൽ ലഭിച്ച അപേക്ഷകൾ പരിശോധിച്ച് പൊതുവിദ്യാഭ്യാസ ഡയറക്ടറേറ്റിൽ സമർപ്പിക്കേണ്ട അവസാന തീയതി നവംബർ 15 ആണ്. പൊതുവിദ്യാഭ്യാസ ഡയറക്ടറേറ്റിൽ ലഭിക്കുന്ന അപേക്ഷകൾ പരിശോധിച്ച് പൂർണ്ണമായവ സർക്കാരിൽ സമർപ്പിക്കേണ്ട അവസാന തീയതി ജനുവരി 15 ആണ്.</p>
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സെക്ഷൻ ഓഫീസർ



GOVERNMENT OF KERALA

Abstract

General Education Department-Guidelines for Recognition and for issuing No Objection Certificate to Schools for getting CBSE/ICSE Affiliation-Approved-Orders issued.

GENERAL EDUCATION (N) DEPARTMENT

G.O.(Ms) No.22/2019/GEDN Dated, Thiruvananthapuram, 01/03/2019

- Read
1. G.O.(MS) No.202/2011/G.Edn; dated 7.10.2011
 - 2.G.O.(MS) No.384/2012/G.Edn, dated 7.12.2012
 - 3.G.O.(MS) No.238/2014/G.Edn, dated 14.11.2014
 - 4.Judgment dated 5.7.2018 in W.P.(C) No. 31912/2014 and connected cases
 - 5.Judgment dated 11.12.2018 in W.P.(C) No. 31912/2014 and connected cases.
 - 6.Interim Order dated 28.1.2019 in W A No.173/2019
 - 7.Interim order dated 31.1.2019 in W.A.No.173/2019

ORDER

Government had laid down guidelines / conditions for the grant of No Objection Certificate to schools following CBSE/ICSE syllabus for affiliation to the CBSE/ICSE respectively as per Government order read as 1st above. Since 4.03.2016, No Objection Certificate was not being issued by Government as its policy.

The matter of granting recognition to schools under the Right of Children to Free and Compulsory Education Act, 2009 and the granting of No Objection Certificate to schools following CBSE/ICSE syllabus for affiliation to the CBSE/ICSE respectively was considered by the Hon'ble High Court vide references cited 4 to 7.

As per the directions of the Hon'ble High Court, Government had submitted draft guidelines / conditions for the grant of recognition to schools functioning without recognition under the Right of Children to Free and Compulsory Education Act, 2009 and for the grant of recognition and No Objection Certificate to schools following CBSE/ICSE syllabus for affiliation to the CBSE/ICSE respectively before the Hon'ble High Court. The Hon'ble High Court has approved the draft guidelines / conditions submitted by Government with certain modifications.

The Government took up the matter in appeal. The Division Bench of the Hon. High Court in its order dtd 28.1.2019 in WA 173/2019 and connected cases ordered as follows " Government is permitted to process the recognition application in accordance with the CBSE Affiliation Byelaws 2018 dated 18.10.2018." In accordance with the said order Government hereby issue the following guidelines/ conditions for the grant of recognition and issue of No Objection Certificates for seeking affiliation to CBSE/ICSE.

1. The grant of recognition and issue of No Objection Certificate to Schools conducting CBSE/ICSE syllabus for affiliation to CBSE/ICSE shall be fundamentally governed by the CBSE Affiliation Byelaws 2018 dated 18.10.2018 and as amended from time to time. Where any of the guidelines/conditions laid down hereunder contradicts the CBSE/ICSE Affiliation Byelaws, the guidelines/conditions in the CBSE to the extent of such contradiction shall prevail. Any question of such contradiction shall be referred to the Government of Kerala in the Education Department whose decision in the matter shall be final.
2. The school must be run by a Society registered under the Societies Registration Act, 1860 (21 of 1860), Travancore Cochin Literary Scientific and Charitable Societies Registration Act or a public Trust, Company, having non-proprietary character not vesting control in a single individual or members of a family and duly registered with

competent registering authority and registration shall be valid as on the date of application.

3. The Society or Trust or Company should have a properly constituted Governing Body.
4. The Society or Trust or Company 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 on time. The school must have sufficient financial resources to guarantee its continued existence, to meet the running expenses of the school and to undertake improvement/development of school facilities and capacity building of Teachers and Staff.
5. The Society/Trust/Company will ensure that the school is running as per the provisions of the relevant Central and State Acts and affiliation norms of the CBSE/ICSE as amended from time to time and shall be committed to provide quality education to the children and shall take necessary steps towards such a goal.
6. For the purpose of admission and extent of school's responsibility for Free and Compulsory education, the school shall be governed by the provisions of the Right of Children to Free and Compulsory Education Act, 2009, the rules framed thereunder by the Central and State Governments and such other orders, regulations, circulars etc. issued from time to time.
7. Admission in the schools affiliated to CBSE/ICSE shall be made without any distinction of gender, disability, religion, caste, creed and place of birth etc. Reservation, if any, shall be governed by the applicable laws.

8. The school shall satisfy the requirements of physical infrastructure including land and buildings as specified in the CBSE Affiliation Byelaws 2018.
9. The schools shall have suitable equipments and educational appliances which shall include:
 - a) Instruments for Mathematical Drawings;
 - b) Globes, Maps, Charts and other apparatus for the teaching of History, Geography and allied subjects;
 - c) Laboratory apparatus, materials and equipments for the teaching of various science subjects;
 - d) Necessary appliances for the teaching of special subjects or crafts;
10. Every school shall have a suitably equipped library, computer laboratory, science laboratory and Mathematics Laboratory as prescribed in the Affiliation Byelaws.
11. The school should also have spaces and rooms for extracurricular activities.
12. The school should provide adequate facilities for potable drinking water on each floor where there are more than one floor. It shall also provide clean healthy and hygienic toilets on each floor with washing facilities for boys and girls separately in proportion to the number of students as prescribed by the Government in the absence of specific provisions in this regard in the CBSE Affiliation Byelaws 2018. The toilets for the primary students should be separate from other toilets. There should be separate toilets for staff members.
13. The school shall provide sufficient first-aid facilities.
14. The School shall provide other support systems in accordance with the provisions laid down in Right of Persons With Disabilities Act, 2016.

15. The school should have suitable and sufficient furniture in the classrooms commensurate with the strength of students, teachers and staff.
16. The school should have playground and adequate facilities for providing recreation activities, sports and games and physical education as well as for conduct of various activities and programs for developmental education and for the social, cultural and moral development of the students and for safeguarding their health.
17. The school should scrupulously observe directions from the State Government/Municipal Authority/Transport Department regarding health and hygiene, drinking water, Fire-safety, Building safety and transport precautions in the school.
18. The minimum land area required for recognition of schools by the State Government shall be as prescribed in the CBSE Byelaws 2018 as amended from time to time.
19. The school shall have a School Management Committee as stipulated in the RTE Act, 2009 and rules issued thereunder and also as per the provisions contained in the CBSE Affiliation Byelaws 2018. The provisions contained in the RTE Act, rules and regulations of the Central and State Governments will prevail upon the provisions related to School Management Committee in the Affiliation Byelaws.
20. The pupil-teacher ratio shall be as fixed in the Right of Children to Free and Compulsory Education Act, 2009, the rules, regulations made thereunder/CBSE Affiliation Byelaws.
21. The school site shall be at an elevated level in clean and healthy surroundings and shall be secured by boundary wall of sufficient and adequate height. All statutory certificates from the competent

authorities under the relevant laws shall be obtained for running the school as an Educational Institution.

22. School Buildings shall be constructed in compliance with the Kerala Municipality Building Rules/Kerala Panchayat Building Rules ensuring safety and security where there is no specification in this regard in the CBSE Affiliation Byelaws 2018. Doors and windows shall be of such dimension so as to ensure free flow and passage of air and light. The floor should be of a material which can be washed with water. Buildings with more than one floor shall have protective railing. Windows should be placed in regular distances to ensure uniform flow of light and air. There should be sufficient provision for ventilation. Provision of electric lighting, fans and connectivity to electronic equipments shall also be provided.
23. Extra rooms for teachers, staff and office room of sufficient requirements shall be provided.
24. The school buildings and other structures and area shall be used only for the purpose of education and skill development of students.
25. The school shall not run any unrecognized classes within the premises of the school or outside the school.
26. The school should be open to inspection by any officer authorized by the State Government.
27. The Societies/Trust/Companies are required to run schools without any profit motive. Admission Fee and Fee charged under any other head are to be charged only as per the regulations of the Central/State Government. No capitation fee or donations shall be charged for the purpose of admission of pupils. Fee revision of schools shall be subject to laws, regulations and directions of the Central/State Government.

28. The rate of tuition and other fees shall commensurate with the facilities provided and in tune with the Affiliation Byelaws, which shall be notified in the school website and yearly return on the fee charged shall be filed before the Officer as notified by the Government.
29. The school shall appoint only qualified and eligible teachers as mandated under the Right of Children to Free and Compulsory Education Act 2009, the rules and regulations issued thereunder and CBSE Affiliation Byelaws 2018. The qualifications, recruitment and service rules in respect of Principal, Vice Principal, Teachers and other staff shall be as specified in chapter 5 of the CBSE Affiliation Byelaws 2018.
30. The school shall furnish such reports and such information as may be required from time to time and comply with such instructions of the Government as may be issued to secure the continued fulfillment of the conditions of recognition or the removal of deficiencies in the working of the school.
31. The curricula to be followed shall be as prescribed by SCERT/NCERT/CBSE.
32. The school must follow the directions issued by the Central/State Government/respective Boards from time to time regarding introduction of the innovative practices in the area of curriculum, Pedagogy and evaluation.

FORM OF APPLICATION FOR RECOGNITION AND NOC
FOR AFFILIATION

(Part- A)

(This shall be filled up by the school authorities and submitted before the District Educational Officer with all supporting documents and Certificates in Original)

A) GENERAL INFORMATION	
1. Name of the school	
2. Address of the school	
3. Standard/Level/Class up to which recognition is sought	
4. Name and Address of the Society/ Trust/Company running the school as on date.	
5. Is the Trust/Society/Company duly registered with the competent registering authority and whether the registration is valid as on date.	
6. Purpose of the present application	
7. Location of the school	
B) INFORMATION REGARDING LAND DETAILS AND OWNERSHIP	
1. Is the school situated on a single contiguous plot of land bounded on all sides by boundary wall?	
2. Are both the school and Play ground situated in a single compound bounded by boundary wall on all sides?	
3. Total area (in square meters in which the school is situated). Whether it satisfies the land requirement as prescribed in the Affiliation Byelaws?	
4 (a) Whether the land is owned by the Society, Trust or Company running the school 4(b) Whether the land is in sole possession of the Society, Trust, Company etc.	

5. In case of lease, the name of owner and the period of lease	
C. INFORMATION REGARDING ESSENTIAL SAFETY REQUIREMENTS	
1. Has the school compound been checked by the public health department and the health and sanitary conditions been found satisfactory? Whether the water supplied for drinking is safe and adequate facilities provided?	
2. Whether the school provides sufficient first-aid facilities and other support systems as per the provisions in RPWD Act, 2016?	
3. Whether the school scrupulously observe the prescriptions from the State Government/Municipality/Transport Department regarding health and hygiene, fire safety, Building safety and Transport facilities in the school?	
D. INFORMATION REGARDING STAFF	
1. Does the school have well defined service rules and conditions for its employees as per the relevant norms of the appropriate Government?	
2. Is the school paying salary to the teachers and other employees as per the norms prescribed by the State Government?	
3. Is the salary being paid through Bank by mode of electronic clearing?	
4. Whether the pupil-teacher ratio followed is as per the prescription in Right of Children to Free and Compulsory Education Act, 2009?	

Part (B)

(This part is to be filled by the District Educational Officer after verifying all supporting documents and certificates in original and after visiting the school)

This is to certify that the information furnished above, provided by the school have been verified on the basis of all supporting documents and certificates and also visiting the schools. The information furnished is found to be correct. The application is therefore recommended for granting recognition.

DISTRICT EDUCATIONAL OFFICER

Documents to be attached along with the application for recognition and NOC for affiliation

- a. Application seeking recognition and NOC for affiliation alongwith the Appendix II/III as the case may be of the CBSE Affiliation Byelaws 2018, duly filled in;
- b. Documents to prove that the school is managed by a Registered Society/Trust/Company ;
- c. Details of the governing body;
- d. Documents to prove the details of ownership of landed property of the schools;
- e. Documents to prove lease in case the land is occupied on the basis of a lease agreement;

11

f. Possession certificate;

g. Location Sketch;

h. Site plan, plan of the building and building fitness certificate issued by the Local Self Government Institution.

i. Fire Certificate from the Fire & Rescue Service Department / Government approved agency.

j. Certificate obtained from the Health Officer regarding the Health and sanitary condition of the School;

k. Details of equipments and furniture;

l. Details of staff and teachers now working with qualification;

m. Documents to prove financial stability of the management to meet the running expenses of the school ;

n. Agreement of the management in stamp- paper worth Rs.200/- to the effect that the school and its records shall be opened for inspection to the inspecting officers authorized by the Government so as to enable such officers to assess the standard of instruction provided by the school and the management shall, at any time render all facilities and assistance to conduct such inspection;

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. UID numbers of all students enrolled in the school(not mandatory)

Applications from those schools received in compliance of the judgment dated 5.7.2018 in WPC No.31912/2014 and connected cases alone shall be processed. In order to ensure this the date of remittance of the prescribed fee shall be the criterion. The schools conducting classes under CBSE/ICSE approved syllabus only shall be entitled to submit applications.

(By order of the Governor)
A.SHAJAHAN
SECRETARY

To:

- The Advocate General, Ernakulam (With covering letter)
- The Director of Public Instructions Thiruvananthapuram
- All the Deputy Directors of Education/ District Educational Officers/Assistant Educational Officers
- All District Collectors
- I & PR (Web & New Media) Department (For uploading in the website)
- Stock File & Office Copy

Forwarded /By order


Section Officer





GOVERNMENT OF KERALA

Abstract

General Education Department – Guidelines for granting recognition to un-recognized Schools in the State following Kerala State Syllabus – Approved - Orders Issued.

GENERAL EDUCATION (F) DEPARTMENT

G.O.(Ms)No.45/2019/GEDN Dated, Thiruvananthapuram, 22/05/2019

Read 1 G.O. (MS)No.184/2013/GEDN dated 10.06.2013.

2 Judgment dated 05.07.2018 in WP(C)No.31912/2014 &

connected cases.

3 Orders dated 31.10.2018, 05.11.2018 & 09.11.2018 of the Hon'ble High Court of Kerala in RP No.895/2018 in WP(C)No.31912/2014 & connected cases.

4 Order dated 11.12.2018 of the Hon'ble High court of Kerala in WP(C)No.31912/2014 & connected cases.

5 Order dated 28.01.2019 of the Hon'ble High court of Kerala in WA No.173/2019.

6 Order dated 31.01.2019 of the Hon'ble High court of Kerala in IA No.2 of 2019 in WA No.173/2019.

7 G.O.(MS)No.22/2019/GEDN dated 01.03.2019.

8 Order dated 11.04.2019 of the Hon'ble High court of Kerala in IA No.3/2019 in WA No.363/2019 against judgment dated 05.07.2018 in WP(C)No.37442/2017.

9 Letter No.NS1/53500/2017/DPI dated 02.05.2019 of the Director, of Public Instruction, Thiruvananthapuram.

ORDER

Consequent to the implementation of Right of Children to Free and Compulsory Education Act, 2009 and rules framed thereunder, State Government had issued guidelines for granting recognition to un-recognized Schools in the State following Kerala State Syllabus as per Government Order read as 1st paper above and those schools which complied with the conditions in the guidelines were granted recognition. The policy of the present Government is protection of General Education Sector (Government/Aided Schools) in the State and hence a decision was taken not to grant recognition to un-recognized schools in the State. Government invoking the provisions in the Right of Children to

Free and Compulsory Education Act, 2009 and rules framed thereunder, and on the basis of the Order in CRMP No.4426/05/ LA1/2015/KeSCPCR dated 16.03.2016 of the Kerala State Commission for Protection of Child Rights, took a decision to close down the un-recognized un-aided schools in the State from the academic year 2018-19 and directions were issued to the Director of Public Instruction to proceed in the matter as per Government letter No.GEDN-F1/27/2017-GEDN dated 19.07.2017. The Educational Officers also issued notice to the schools.

2. However managements of un-recognized un-aided schools following State syllabus and CBSE/ICSE syllabus in the State approached the Hon'ble High court of Kerala challenging the above decision and praying to grant recognition/No Objection Certificate. The Hon'ble High Court of Kerala by its judgment dated 05.07.2018 in WP(C)No.31912/2014 & connected cases directed to process the applications for recognition as per norms and schedule to the Right of Children to Free and Compulsory Education Act, 2009. Even though the Hon'ble High Court of Kerala ordered that Government cannot supplant or supplement to the schedule in the RTE Act, 2009, Government found the schedule vague and filed Revision petition (R.P.No.895/2018) before the Hon'ble High Court of Kerala for drafting clear guidelines in the matter. The Hon'ble High Court of Kerala directed Government to submit the draft guidelines before the court. Draft guidelines was submitted by the Government and the Hon'ble High Court of Kerala circulated the same to the contestant parties in the case. The Hon'ble High Court of Kerala after hearing the contestant parties, by its Order dated 11.12.2018 approved majority of the conditions placed by Government in the draft guidelines except for certain conditions which comprise the extent of land also. Subsequently Government preferred appeal in the case before the Hon'ble Division Bench. In one of such cases i.e WA No.173/2019 filed against the judgment dated 05.07.2018 in WP(C)No.7980/2018, the Hon'ble High Court of Kerala has pronounced Order dated 28.01.2019 wherein Government was permitted to process the recognition applications in accordance with the CBSE Affiliation Byelaws 2018 dated 18.10.2018. Followed by this the Hon'ble High Court of Kerala pronounced Order dated 31.01.2019 in WA No.173/2019 and this order focused specifically on the processing of applications for recognition and No Objection Certificate for seeking affiliation as per the Affiliation Bye Laws 2018 issued by CBSE vide Notification dated 18.10.2018. In pursuance thereof, Government took decision to process the applications of schools following CBSE/ICSE syllabus and issued guidelines as per Government Order read as 7th paper above. The Hon'ble High Court of Kerala by its Order dated 18.02.2019 in WA No.477/2019 in WP(C)No.9011/2018, modified the interim order in WA No.173/2019 dated 31.01.2019 such that as far as ICSE syllabus is concerned the rules and regulations prescribed by ICSE shall be the criteria in processing the application

seeking recognition and NOC for those schools.

3. Subsequently the Division Bench of the Hon'ble High court of Kerala by its Order 11.04.2019 in IA No.3/2019 in WA No.363/2019 filed by the State, clarified that the consideration for recognition to be made in so far as schools seeking recognition under the Kerala State Syllabus would be considered under the parameters available in the Kerala Education Rules, 1959. The Hon'ble Division Bench thereof has upheld the requirements in Chapter IV, Kerala Education Rules, 1959, as the parameters for granting recognition to schools following Kerala State syllabus analogous to the CBSE/ICSE Affiliation Byelaws in the case of granting recognition and No Objection Certificate for schools following CBSE/ICSE syllabus.

4. In the circumstances, in pursuance of the directions in the judgment read as 2nd paper above and Order read as 8th paper above, Government have decided to process the applications for granting recognition to un-recognized Schools in the State following Kerala State syllabus. The applications received from those schools in compliance of the judgement dated 05.07.2018 of the Hon'ble High Court of Kerala in WP (C) No.31912/2014 and connected cases shall only be processed. Accordingly the following guidelines are issued for granting recognition to un-recognized Schools in the State following Kerala State Syllabus;

1. The school must be run by a Society registered under the Societies Registration Act, 1860 (21 of 1860), Travancore Cochin Literary Scientific and Charitable Societies Registration Act or a Public Trust or an Educational Agency constituted under the law for the time being in force. The Society/ Trust/Educational Agency running the school must be duly registered with the competent registering authority and registration shall be valid as on the date of application.
2. The Society / Trust / Educational Agency running the School should have a properly constituted Governing Body.
3. The Society/ Trust/ Educational Agency should have financial stability. It should have a permanent source of income to meet running expenses of the school, to maintain it at a reasonable standard of efficiency and

(Composition of floors, Windows, Doors, Ventilation, Roof) and

(e) Dimension of class room

9. School should have suitable equipment and educational appliances which shall include;

(a) Instruments for Mathematical Drawings.

(b) Globes, Maps, Charts and other apparatus for teaching of History, Geography and allied subjects;

(c) Laboratory apparatus, materials and equipments for the teaching of various Science subjects and

(d) Necessary appliances for the teaching of special subjects or crafts.

10. Every school should have a suitably equipped Library, Computer Laboratory, Science Laboratory and Mathematics Laboratory.

11. School should have sufficient space and rooms for extracurricular activities.

12. The School should have suitable and sufficient furniture in the classrooms commensurate with the strength of students and teachers.

13. Extra rooms for teachers, staff and office room of sufficient requirements shall be provided.

14. School should provide adequate facilities for potable drinking water on each floor where there are more than one floor. It shall also provide clean healthy and hygienic toilets on each floor with washing facilities for boys and girls separately in proportion to the number of students. The toilets for the primary students should be separate from other

toilets. There should be separate toilets for staff members.

15. School should have provision for Rain Water Harvesting.

16. School should have provision for first aid facility.

17. The school should have playground and adequate facilities for providing recreational activities, sports and games and physical education as well as for conduct of various activities and programmes for developmental education and for the social, cultural and moral development of the students and for safeguarding their health.

18. The pupil-teacher ratio shall be as fixed in the Right of Children to Free and Compulsory Education Act 2009, the rules, regulations made thereunder / Kerala Education Act, 1958, the rules, regulations framed thereunder.

19. The School shall provide barrier-free access and adapted toilets for children with disabilities. The school shall also provide other support systems in accordance with the provisions laid down in Right of Persons With Disabilities Act, 2016.

20. All Statutory clearances / Certificates from competent authorities under the relevant laws must be obtained for running the school as an educational institution.

21. The School should scrupulously observe directions from the State Government / Municipal Authority / Transport Department regarding health and hygiene, drinking water, Fire safety, Building safety and transportation facilities in School.

22. The School buildings or other structures and other areas shall be

30. Malayalam shall be taught as a Compulsory language in all classes as prescribed in the Malayalam Language Learning Act, 2017. (Act 8 of 2017).

31. The School shall follow the directions issued by the Central/State Government from time to time regarding introduction of the innovative practices in the area of Curriculum, Pedagogy and evaluation.

32. The School shall remit Rs.25,000/- (Rupees Twenty Five Thousand Only) as fees for processing the application for recognition. The fees shall be remitted under the H/a "0202-01-102-92- other receipts".

The application form appended to this Government Order shall be filled by the school authorities and submitted before the respective District Educational Officers with all supporting documents and Certificates in Original.

The time Schedule for processing the application is also detailed below:

(a) Last date of submission of application to

District Educational Officers : 31.05.2019

(b) Transmission of application by

District Educational Officers to the

Director of Public Instruction : 29.06.2019

(c) Transmission of application by the

Director of Public Instruction to Government : 20.07.2019.

(By order of the Governor)
SREEKUMAR N K
ADDITIONAL SECRETARY

To:

The Advocate General, Kerala, Emakulam (with C/L).

The Director of Public Instruction, Thiruvananthapuram.

All Deputy Directors of Education /District Educational Officers/

Assistant Educational Officers.

All District Collectors.

Information & Public Relations Department (Web & New Media)

(for uploading in the website).

Stock file/Office Copy.

Forwarded /By order

[Handwritten signature]

Section Officer

(c) Built in area of the school (in sq.meters)

12. Details of the guarantees, the applicant can give in support of his ability to conduct the school successfully from the financial point of view

- (a) Land
- (b) Landed property for school
- (c) School building
- (d) Cash - deposits
- (e) Other guarantees

13. Whether the applicant is already the educational agency of any other recognized institution under the Education Department and if so the name of that institution.

14. Whether the applicant or if corporate, any member has been convicted of an offence involving moral turpitude by a court of law, if so give details.

PART - III**INFRASTRUCTURE DETAILS AND SANITARY FACILITIES**

Room	Number	Average Size (in sq.m)
1. Classroom		
2. Office room - cum-Store Room-cum-Headmaster Room		
3. Whether any classes are conducted in thatched buildings		
4. No. of rooms used for purposes other than teaching (different clubs and co-curricular activities)		
5. Resource Room		
6. Kitchen - cum- Store		
7. Area of playground (in sq.m)		
8. Type and No. of Drinking water facility whether the water supplied for drinking is safe and adequate facilities provided?		
9. Sanitary Conditions :		
(i) Lavatories and Urinals		
(ii) Number of Urinals/Lavatories separately for boys with water supply		
(iii) Urinals/Lavatories separately for girls with water supply		
10. Specify facilities provided for disposal of waste (Compost pit, Biogas plant etc.)		
11. whether the school has been checked by the Public Health Department and the Health and Sanitary conditions found satisfactory?		
12. Whether the school provides sufficient first aid facilities and other support systems as per the provisions in RPWD Act 2016?		
13. Whether the school scrupulously observe the prescriptions from the State Government/Municipality/Transport Department regarding health and hygiene Fire and Safety, Building Safety and Transport Facilities in the school.		
14. Whether provisions for Rain Water Harvesting is available.		

PART - IV

OTHER FACILITIES

1. Whether all facilities have barrier free access
2. Teaching Learning Material (attach list)
3. Sports and Play equipments (attach list)
4. Books in Library
 - Books (No. books)
 - Periodicals/Newspapers
5. Laboratory facilities:
 1. Science - (list of equipments)
 2. Information and Communication Technology (Computers, LCD etc)
 3. Language Laboratory (equipments)
 4. Social Science (equipments, collections)
 5. Mathematics (equipments, collections)

PART V

PARTICULARS OF HEAD TEACHER/TEACHING STAFF

1. Name of Head Teacher (UIN available)
2. Name of Teacher (UIN available)
3. Name of Father/Spouse
4. Date of Birth
5. Academic Qualification
6. Professional Qualification
7. Teaching Experience
8. Class /Subject assigned
9. Appointment date
10. Trained or Untrained
11. Basic Knowledge in Computer Applications
12. whether the stipulations in Rule 18 are observed.

- To be filled separately for each staff.

PART - VI

DECLARATION

I, solemnly declare that all the information furnished above are true. I hereby declare that this school fulfills all the conditions specified in the Kerala Education Act, 1958 and the rules framed thereunder. The School also conforms to the provisions contained in the Right of Children to Free and Compulsory Education Act, 2009 and the rules framed thereunder. I hereby promise to comply with all the conditions relating to recognition of the school, issued by the Government in this regard from time to time.

Educational Agency/Manager

Place:

Date:

B. Documents to be attached along with the application for Recognition

- a) Application seeking recognition;
- b) Details of the Educational Agency
- c) Details of the Governing Body.
- d) Documents to prove the details of ownership of landed property of the School;
- e) Possession Certificate;
- f) Location Sketch;
- g) Site plan, Plan of the building and Building Fitness Certificate issued by the Local Self Government Institution.
- h) Fire Certificate from the Fire & Rescue Service Department/Government Approved Agency.
- i) Certificate obtained from the Health Officer regarding the Health and sanitary condition of the School;
- j) Details of equipments and furniture.
- k) Details of staff and Head teacher/teachers now working with qualification;
- l) Documents to prove financial stability of the management to meet the running expenses of the school ;
- m) Agreement of the management in stamp- paper worth Rs.200/- to the effect that the school and its records shall be opened for inspection to the inspecting officers authorized by the Government so as to enable such officers to assess the standard of instruction provided by the school and the management shall, at any time render all facilities and assistance to conduct such inspection;
- n) Declaration that no unrecognized classes /branches shall be run within the premises of the school or outside in the same name of the school;
- o) UID numbers of all students enrolled in the school (not mandatory)

C. RECOMMENDATION BY THE EDUCATIONAL OFFICER.

(This part is to be filled by the District Educational Officer after verifying all supporting documents and Certificates in original and after visiting the school)

This is to certify that the information furnished above, provided by the school have been verified on the basis of all supporting documents and Certificates and also visiting the school. The information furnished is found to be correct. The application is therefore recommended for granting recognition.

DISTRICT EDUCATIONAL

OFFICER

Place:

Date: