

Uttar Pradesh Shasan
Shiksha Anubhag - 5

In pursuance of the provisions of clause 3 of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification no: 179-5-2011-29/09 dated 2011.

No: 2510/179-5-2011-29/09

Lucknow : Dated : July 27 2011

NOTIFICATION

In exercise of the powers conferred by section 38 of the Right of Children to Free and Compulsory Education Act, 2009 (Act no. 35 of 2009) and in supersession of all existing rules and orders on the subject, the Governor is pleased to make the following rules for the purpose of implementation of the provisions of the aforesaid Act.

**THE UTTAR PRADESH RIGHT OF CHILDREN TO FREE AND COMPULSORY
EDUCATION RULES, 2011**

**PART I
PRELIMINARY**

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| Short title, extent and commencement | 1 | (1) These rules may be called the Uttar Pradesh Right of Children to Free and Compulsory Education Rules, 2011 . (2) They shall extend to the whole of Uttar Pradesh. (3) They shall come into force at once and shall remain in force subject to the condition that adequate funds will continually made available by the Central Government. |
| Definitions | 2 | (1) In these rules, unless the context otherwise requires, - a) "Act" means the Right of Children to Free and Compulsory Education Act, 2009; b) "anganwadi" means an Anganwadi Centre established under the Integrated Child Development Services Scheme of the Ministry of Women and Child Development of the Government of India; c) "appointed date" means the date of commencement of the Act i.e. April 1, 2010; d) "Chapter", "section" and "Schedule" means respectively Chapter, section of, and Schedule to, the Act; |

- e) "form" means a form given in the Appendix to these rules;
- f) "neighbourhood" means a population area specified in rule 4;
- g) "pupil cumulative record" means record of the progress of the child based on comprehensive and continuous evaluation;
- h) "school mapping" means planning school location to overcome social barriers and geographical distance;
- i) "specified norms" means the norms and standards specified in the Schedule to the Act;
- j) "Zila Shiksha Adhikari" means a District Level Officer in Department of Basic Education or Department of Secondary Education, as the case may be.

(2) Words and expressions used in these rules not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.

PART II RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION

Special Training (section-4)

3 (1) The School Management Committee/ local authority shall within the area of jurisdiction thereof, identify never enrolled or school dropout children above the age of 6 years, get them admitted in a class appropriate to their age in their neighbourhood school, assess their learning level and accordingly organize special training for them as required in the following manner, namely:-

- a) the special training shall be based on specially designed, age appropriate learning material, approved by the State Council for Educational Research and Training;
- b) it shall be provided in classes held on the premises of the school, or through classes organized in safe residential facilities;
- c) it shall be provided by teachers working in the school, or by persons specially appointed for the purpose;
- d) the duration of special training shall be for a minimum period of three months which may be extended, based on periodical assessment of learning progress, for a maximum period not exceeding two years.

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

academically and emotionally.

PART III
DUTIES OF THE STATE GOVERNMENT AND LOCAL AUTHORITY

- Areas or limits of neighbourhood (section-6)** 4 (1) The area or limit of neighbourhood within which a school has to be established by the Committee authorized by the State Government, shall be as under-
- a) in respect of children in classes I-V, a school shall be established in habitation which has no school within a distance of 1.0 Km. and has population of at least 300;
 - b) in respect of children in classes VI-VIII, a school shall be established in habitation which has no school within a distance of 3.0 km. and has population of at least 800.

Explanation: For the purposes of this rule the expression "Committee authorized by the State Government" shall mean the Committee established under section-10 or section -10 A, as the case may be, of the Uttar Pradesh Basic Education Act, 1972.

(2) For children from such areas where it is not possible to provide school within the radius of neighbourhood specified under sub-rule (1), the State Government shall make adequate arrangements, such as free transportation, residential facilities etc. in relaxation of the provisions specified under sub-rule (1).

✓ (3) The local authority i.e. Gram Panchayat/Nagar Nigam/Nagar Palika/Nagar Panchayat as the case may be shall identify a neighbourhood school where children can be admitted and make such information public for each habitation within its jurisdiction.

(4) In respect of children with disability, which prevent them from accessing the school, the local authority with the prior approval of the Zila Shiksha Adhikari, shall endeavour to make appropriate and safe transportation arrangements for them to attend school and complete elementary education.

(5) The local authority shall ensure that access of children to the school is not hindered on account of social and cultural factors.

- Duties of State Government and local authority (section-8 and 9)** 5 (1) A child attending a school of the State Government or local authority referred to in sub-clause (i) of clause (n) of section 2 of the Act a child attending a school referred to in sub-clause (ii) of clause (n) of section 2 of the Act in pursuance of clause (b) of sub-section (1) of section 12 of the Act and a child attending a school referred to in sub-clause (iii) and (iv) of clause (n) of section 2 of the Act in pursuance of clause (c) of sub-