

KARNATAKA EDUCATIONAL INSTITUTIONS (RECOGNITION OF PRIMARY AND SECONDARY SCHOOLS) RULES, 1999

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KARNATAKA EDUCATIONAL INSTITUTIONS (RECOGNITION OF PRIMARY AND SECONDARY SCHOOLS) RULES, 1999

Whereas, the draft of the Karnataka Educational Institutions (Recognition of Primary and Secondary Schools) Rules, 1999 was published as required by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No. ED 131 VIVIDA 98, dated 24-8-1999 in Part IV, Section 2-C(i) of the Karnataka Gazette, Extraordinary, dated 24th August, 1999 inviting objections and suggestions from the persons likely to be affected thereby; And whereas, the said Gazette was made available to the Public on 24th August, 1999; And whereas, the objections and suggestions have been received in this regard by the State Government; Now, therefore, in exercise of the powers conferred by sub-sections (36) to (39) read with sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement :-

(1) These rules may be called the Karnataka Educational Institutions (Recognition of Primary and Secondary Schools) Rules, 1999.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions :-

(1) In the rules, unless the context otherwise requires.

(a) "Act" means the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995);

(b) "Form" means a form appended to these rules;

(c) "Registered Institution" means an Educational Institution registered under the Act to run a Primary or Secondary School;

(d) "Section" means a section of the Act.

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

3. Procedure for recognition of registered educational institution :-

(1) Every registered institution shall file an application for recognition in the month of July of the academic year in which the institution has been started but not later than 31st August, to the Competent Authority. The application shall be filed in triplicate and shall be in Form 1. If the management fails to submit the proposal in the prescribed form within the time stipulated above, a notice shall be issued to such management directing to submit the proposal within a period of two weeks from the date of receipt of such notice, failing which the permission granted to the institution shall be withdrawn.

(2) The amount of security deposit shall be as specified in column (4) of the Table below for the class of Educational Institutions and standards specified in the corresponding entries in columns (2) and (3) thereof respectively.

SI.No.	Class of Educational Institutions	Standards governed	Value of Security Deposit
1.	Lower Primary School	I-IV	10,000/-
2.	Upper Primary School (including Composite School)	V-VII	20,000/-
3.	Secondary School (including composite school)	VIII-X	30,000/-

Provided that in respect of an institution run by a management belonging to Scheduled Caste and Scheduled Tribe, security deposit shall be fifty per cent of the amount specified above.

(3) Every application seeking recognition shall be accompanied by a copy of the Security Deposit Certificate for the amount as specified in subrule (2). The Security Deposit Certificate shall be in the term of a 'Fixed Deposits' deposited in the joint name of the receiving authority and the Secretary/President of the School Managing Committee, in a Nationalised Bank. The Management shall have the liberty to utilise the interest earned on the Security Deposit for the development of the institution. In case of default or closure of school, the department shall have the right to utilise the Security Deposit to clear any dues payable by the management towards staff on the department.

4. Conditions to grant recognition to an Educational Institution :-

(1) The Competent Authority shall after verification, ensure and satisfy itself that every education institution seeking recognition.

(a) has a site registered in the name of the governing council or the managing committee of such educational institution, the area of which shall be sufficient to provide building and accommodation facilities specified in Rules 4 and 5 of the Karnataka Educational Institutions (Classification, Registration and Prescription of Curricula etc.) Rules, 1995 (hereinafter referred to as the 1995 rules).

(b) has good building facility, sufficient accommodation with water, toilet and other facilities sufficient as specified in Rules 4, 5, 6 and 8 of the 1995 Rules;

(c) has provided laboratory equipment, library books, sports materials, maps, charts and other teaching aids;

(d) has provided the required staff as stipulated by the State Government from time to time;

(e) has constituted the school managing committee or the governing council as the case may be in accordance with the provisions of Section 42;

(f) has financial viability and has produced the required documents in this regard in accordance with the norms specified in Rule 4 of the Karnataka Educational Institutions (Classification and

Registration) Rules, 1997;

(g) has followed the admission and fee regulations and rules for the time being in force;

(h) has followed the norms relating to curricula, text books, medium of instruction, examination rules, working days, working hours, homework etc., in accordance with the Rules 18, 19 and 20 of the 1995 Rules;

(i) has kept the location of site and institution open and acceptable to all;

(j) has maintained all records and registers as required by the Act and rules made thereunder;

(k) has maintained a minimum strength of 40 students in respect of lower primary, 100 students in respect of upper primary schools and 25 students in each standard in respect of High Schools.

(2) Every registered educational institution seeking recognition shall give an undertaking to the effect that.

(a) it shall abide by all the provisions on the Act and the rules made thereunder;

(b) it shall spare the building and staff for the purpose of conduct of examinations, training programmes, census work and any other departmental work as and when they are required to do so;

(c) it shall be subject to the inspection by the department and abide by such instruction as may be issued by the department, from time to time;

(d) the educational institution shall be secular, attendance at religious instructions, if there be any; shall not be compulsory and such classes shall not be conducted during regular school hours;

(e) the institution shall provide all facilities required in the rules for the time being in force;

(f) the institution shall not make any claim for recognition on the basis of registration accorded;

(g) the institution shall abide by any other conditions that the Competent Authority may impose from time to time.

(3) The recognition granted under Section 36 shall be in Form II

and it shall contain.

- (a) the name of the governing council in whose favour the recognition is granted;
- (b) the class of institution for which recognition is granted lower primary, upper primary, secondary etc;
- (c) the standards with number of sections for which the recognition is granted;
- (d) the year or years for which the recognition is valid;
- (e) the conditions to be fulfilled by the governing council and time specified for this, which in respect of school building and playground shall be three years from the date granting approval provisionally and one year in respect of other infrastructural facilities such as furniture, teaching aid etc.;
- (f) any other information as desired necessary by the Competent Authority.

5. Provisional approval :-

(1) The provisional approval granted under clause (b) of sub-section (6) of Section 36 shall be in Form III and it shall contain.

- (a) the name of the Governing Council in whose favour the provisional approval is granted;
- (b) the reasons for according provisional approval and the conditions which are not fulfilled;
- (c) the class of registered institution with the standards and number of sections for which the provisional approval is granted;
- (d) the time schedule within which the conditions are to be fulfilled;
- (e) whether the recognition has been granted with aid or without aid;
- (f) any other information as desired necessary by the Competent Authority.

(2) The provisional approval shall be valid only for the class of registered institution, the standards and sections and the year for which it is granted. The Governing Council or the Managing Committee shall fulfill all the conditions laid down in the provisional approval and the rules for the time being in force within the time

specified by the Competent Authority.

(3) The registered institution granted with provisional approval shall be given an opportunity to rectify the defects as pointed out in the inspection report and fulfill all the conditions of recognition and submit a compliance report within a period of one month from the date of granting provisional approval. If the action taken by the management of the registered institution is satisfactory and satisfies all the conditions of recognition, the Competent Authority shall issue a certificate of Recognition in Form II. If the Competent Authority is not satisfied with the report, it may refuse to grant such certificate.

(4) Every such order refusing to grant a certificate shall indicate the reasons for such refusal and shall be communicated in writing to the Governing Council. Such order of refusal shall contain instructions for transferring of stability fund certificate in favour of management and shall contain a direction to the jurisdictional Educational Officer concerned to make necessary alternate arrangements for admission of students in near by recognised school for the furthering of their education.

6. Issue of Certificate of Recognition to existing educational institutions etc. :-

(1) Every educational institutions specified in clause (b) of sub-section (1) of Section 38 shall file a statement in Form IV before the Competent Authority within a period of six months from the date of coming into force of these rules.

(2) The statement shall be delivered in person in the office of the Competent Authority after obtaining acknowledgement or shall be sent by speed or registered post with acknowledgment due.

(3) The Competent Authority shall after satisfying itself issue a fresh certificate of recognition in Form V within sixty days from the date of filing the application.

7. Grant of recognition user sub-section (2) of Section 38 :-

(1) Every Educational Institution seeking recognition under sub-section (2) of Section 38 shall submit the application for recognition under these rules within sixty days from the date of coming into force of these rules.

(2) The procedure for filing of application, processing of application

and grant of recognition or provisional approval or refusal shall be as stipulated in these rules.