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PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—SCHOOL EDUCATION DEPARTMENT

Notification

Srinagar, the 2nd July, 2018.

SRO-292.—In exercise of the powers conferred by section 29 of the Jammu and Kashmir School Education Act, 2002, the Government hereby makes the following amendments in the Jammu and Kashmir School Education Rules, 2010, namely :—

1. In rule 4.—

I. In sub-rule (2), clauses (c) and (d) shall be omitted ;

II. After sub-rule (2), the following shall be added as sub-rule 2-A :—

“2A. The application shall be accompanied by the following Safety Certificates, namely :—

- (a) School building safety certificate to be issued by PWD ;
- (b) Fire Safety Certificate to be issued by J&K Fire and Emergency Department ;
- (c) Chemical Lab Safety Certificate from concerned SDM”.

III. In sub-rule (3), for clauses (a) and (b), the following clauses shall be substituted :—

- (a) After receipt of the application, the competent authority or any official/s authorized by him for the purpose shall, within 15 days from the receipt of the application refer the matter for spot inspection of the said institution, or for examination of the project/proposal (as the case may be) vis-a-vis the norms of infrastructure, equipment, staff and other requirements, as laid down under rules 5, 6 and 11 of these rules, to the committees comprising following officers/officials, namely :—

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|------------------------------------|---------------------------------------------------------------------------|
| 1. In case of ETT/NTT Institutions | (a) Joint Director |
| | (b) Chief Education Officer |
| | (c) Jt. Secretary/
Deputy Secretary/
Assistant Secretary,
JKBOSE |

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|---------------------------------------------------------|------------------------------------------------------------------------------------------|
| 2. In case of High and Higher Secondary Schools | (a) Principal of a Government Higher Secondary School
(b) Assistant Secretary, JKBOSE |
| 3. In case of Middle Schools running up to 8th Standard | (a) Zonal Education Officer
(b) Headmaster of Government High School |

(b) **Inspection procedure.**—The following procedure shall be followed for inspection of the institutes, namely :—

- (a) Application for affiliation/recognition as per devised proforma, complete in all respects shall be submitted online on JKBOSE, website.
- (b) JKBOSE shall constitute an inspection committee within 10 days of receipt of application.
- (c) In case of any deficiency, JKBOSE shall communicate the same to the applicant within 7 days, otherwise it shall be presumed fit for inspection.
- (d) As and when, applicant informs the fulfillment of deficiency, the inspection team shall be constituted within 10 days for conduct of inspection.
- (e) The inspection committee shall submit its report within a period of 15 days from the date of appointment.
- (f) The competent authority shall examine the report so received and take final decision thereon within 30 days and convey the same to the educational agency.

- (g) The total time involved would be a maximum of 75 days.
- (h) Affiliation/Recognition Committee shall meet every 3rd Monday of the month. In case the earmarked day is a holiday, the meeting shall be held on next working day.
- (i) All cases for affiliation/recognition shall be submitted in respect of both Kashmir/Jammu province three months prior to the commencement of session.
- (j) No provisional approvals shall be granted.
- (k) Minutes of affiliation committee meeting shall be framed by JKBOSE and shall be submitted to Administrative Department along with Draft Affiliation/Recognition order for approval and the same shall be returned to JKBOSE for issuing affiliation/recognition order.
- (l) Affiliation/Recognition orders shall be for a period of five years in view of Govt. Order No. 385-Edu of 2016 dated 05-10-2016.
- (m) The entire revised procedure shall be made available online.
- (n) The concerned Committee shall submit the report to “Competent Authority” within a period of 30 days from the date of his appointment.

IV. After rule (4), the following shall be added as rule 4-A, namely :—

“(4-A) **Monitoring of ETT Institutes.**—(1) The inspection of ETT Institutes shall be undertaken as per the said rules at the beginning of each session.

(2) For regular monitoring of ETT/NTT Institutes, there shall be due involvement of the District Administration for which a committee of following officers shall be made :—

- (a) Officer not less than the rank of SDM to be deputed by District Magistrate concerned ;
- (b) Principal of a Higher Secondary School ;
- (c) Deputy Secretary/Assistant Secretary, JKBOSE.

(3) The committee shall undertake quarterly inspections from the date of onset of session and besides looking into the infrastructural issues shall also monitor the admission process, residential status/physical presence of candidates, regular attendance of students and teaching-learning process.

(4) In order to streamline the affiliation/recognition process, application for upgradation/extension in affiliation/recognition from class 9th to 12th be submitted in the office of JKBOSE and fee deposited there only. The JKBOSE shall organize inspections by the respective committees constituted for the purpose. Joint inspection report shall be placed before the affiliation/recognition committee for perusal and approval, wherever deemed proper. Further affiliation/recognition process shall be co-terminus with each other. However, mere filing of an application before the competent authority shall not confer any right in itself to run a school.”

2. In rule 5, the following shall be added as sub-rule (2), namely :—

“The power to approve the composition of Managing Committee shall rest with the concerned Director, School Education with respect to all schools running up to class 12th. However, any change in the management body shall be done by the concerned CEO after getting confirmation of the Director, School

Education. Further, in case no confirmation is accorded by the Director, School Education within a period of 90 days, it shall be deemed as confirmed.”

3. In sub-rule (1) of rule 6 under the heading Physical Facilities.—

(I) In clause (a).—

(i) in sub-clause (i), for the numbers and words “1-2 Sq. Mt.”, the number and words “1 Sq. Mt.” shall be substituted.

(ii) sub-clause (v) shall be substituted by the following :—

“One staff room a minimum of 300 Sq. ft.”

(II) In clause (b).—

(i) in sub-clause (i) for the numbers and words “1 -2 Sq. Mt.”, the number and words “1 Sq. Mt.” shall be substituted.

(ii) sub-clause (v) shall be substituted by the following :—

“One Principals room and one staff room with a minimum of 300 Sq ft. each”.

(III) In clause (c).—

(i) In sub-clause (i), for the numbers and words “1-2 Sq. Mts.”, the number and words “1 square Mtr.” shall be substituted.

(ii) In sub-clause (vi) for the numbers and words “100 Sq. Mt. area” the words and numbers “a minimum of 300 sq. ft.” shall be substituted.

(iii) In sub-clause (vii), for the numbers and words “100 Sq. Mt. area”, the words and numbers “a minimum of 300 Sq. ft.” shall be substituted.

(IV) In clause (d).—

- (i) In sub-clause (i) for the numbers and words “1-2 Sq. Mts.”, the number and words “1 Sq. Mts.” shall be substituted.
- (ii) In sub-clause (vi) for the numbers and words “150 Sq. Mt. area” the words and numbers “a minimum of 300 Sq. ft.” shall be substituted.
- (iii) In sub-clause (viii), for the numbers and words “100 Sq. Mt. area”, the words and numbers “with a minimum of 300 Sq. ft.” shall be substituted.

(V) In clause (e).—

- (i) In sub-clause (i) for the numbers and words “1-2 Sq. Mts.”, the number and words “1 Sq. Mts.” shall be substituted.
- (ii) In sub-clause (iv) for the numbers and words “100 Sq. Ft. area”, the words and numbers “with a minimum of 300 Sq.ft.” shall be substituted.
- (iii) In sub-clause (v) for the numbers and words “150 Sq. Mt. area” the words and numbers “with a minimum of 300 Sq. ft.” shall be substituted.
- (iv) In sub-clause (vi) for the numbers and words, “75 Sq. Mt. area” the words and numbers “with a minimum of 300 Sq. ft.” shall be substituted.

(VI) In clause (f).—

- (i) after sub-clause (5), the following clause shall be added, namely :—

“(6) In case the ETT institute has an affiliated school running within its campus, separate provisions for land for the given school, as required needs to be kept.”

4. In clause (e) of sub-rule (II) of rule 6.—

- i. In sub-clause (i), for the word “Graduate” the words “Post Graduate” shall be substituted.
- ii. In sub-clause (ii), for the word “Graduation”, the words “Post Graduation” shall be substituted.
- iii. In sub-clause (iii), for the word “Graduate”, the word “Post Graduate” shall be substituted.
- iv. Sub-clause (iv) shall be re-casted as under :—

“One Post Graduate in English literature or in Functional English.”
- v. In sub-clause (v), the words “Graduate or” appearing after the word ‘a’ and before ‘PG’, shall be deleted.

5. in rule 7 after clause (d), the following shall be added as clause (e) :—

“(e) Every educational agency shall have due representation to Parents Coordination Committee members as and when Managing Committee convenes any meeting w.r.t. change in Fee structure, infrastructure, upgradation and any other matter of concern for parents.”

6. after rule 11, the following rules shall be added as rules, 12, 13 and 14.—

12. **De-Recognition.**—(1) The Government may de-recognize any school, if in its opinion ; the functioning of such a school is not in accordance with the provisions of these rules :

Provided that no such order shall be passed by the Government unless reasonable opportunity is provided to the educational agency in this regard.

13. **Website.**—Every school is required to maintain a website and ensure disclosure of information to general public under the provisions of Jammu and Kashmir Right to Information Act, 2009.
14. **Appeal.**—(1) Any person aggrieved of any decision taken under these rules shall file an appeal before the Minister Incharge, whose decision thereon shall be final and binding.

(2) Such appeal shall be filed within a period of 60 days from the date of passing of the order to be challenged.

By order of the Government of Jammu and Kashmir.

(Sd.) FAROOQ AHMAD SHAH, IAS,

Secretary to the Government,
School Education Department.