



GOVERNMENT OF KERALA
Abstract

General Education Department – Right to Education Act- Notifying local authorities and preparation of activity mapping for local authorities - Orders Issued.

GENERAL EDUCATION (J) DEPARTMENT

G.O.(P) No. 192/2014/G.Edn.

Thiruvananthapuram, dated, 20.9.2014

Read: 1. G.O.(P) No.100/2011/G.Edn. Dated 30.4.2011

2. Lr.No.1-5/2013-EE-4 dated 21.5.2013. from Economic Advisor (SE&L), Ministry of Human Resource Development, Department of School Education & Literacy, Government of India.

3. Lr.No.F 2-44/2013 -EE3 dated 31.1.2014 from Under Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Government of India

ORDER

As per Section 2(h) of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 Local authority means a Municipal Corporation or Municipal Council or Zilla Parishad or Nagar Panchayat or Panchayat by whatever name called, and includes such other authority or body having administrative control over the school or empowered by or under any law for the time being in force to function as a local authority in any city, town or village. Section 9 of the RTE Act mandates 13 functions to be performed by local authorities. These 13 duties are critical to implementation of the RTE Act and the State Government have to notify the local authority who would perform these functions and designate the 13 functions to specific levels of panchayat-Raj Institutions.

In the above circumstances, in consistent with the provisions under Section 2(h) of the RTE Act, Government are pleased to notify and declare the authorities appended to

this order as local authorities at various levels in the state for the effective implementation and discharge of the duties and functions assigned to them under Section 9 of the RTE Act as defined and distributed in the appended schedule.

(BY ORDER OF THE GOVERNOR)

A.SHAJAHAN

Special Secretary to Government

To

- The Secretary, Local Self Government Department
- The Chairman, State Commission for Protection of Child Rights, Thiruvananthapuram.
- The Director of Public Instruction, Thiruvananthapuram
- The Principal Accountant General (A&E/Audit), Kerala, Thiruvananthapuram
- The State Project Director, Sarva Siksha Abhiyan, Thiruvananthapuram
- The Director, Panchayats, Thiruvananthapuram
- The Director, Municipalities, Thiruvananthapuram
- All Deputy Directors of Education/District Educational officers/
All Assistant Educational officers
- ✓ The Director, IT @ School, Thiruvananthapuram (for publishing in the website)
- The Director, Information and Public Relations Department, Thiruvananthapuram
- All officers and sections of General Education Department
- Stock File/Office Copy

Forwarded/By Order,



Section Officer

Mapping Functions of Local Authorities under RTE Act

Activity Mapping of Local Authorities under RTE Act		
Panchayat Raj Institutions		
Section	Functions developed under section 9 of RTE Act	Grama Panchayat
Act 9(a)	To provide free and compulsory elementary education to every child through Government and Aided schools.	<p>District Panchayat</p> <ul style="list-style-type: none"> • Maintain list of Government/Aided and private High schools in their jurisdiction to provide admission to children as defined in Section 2(c) of the Act. • Maintain list of all children in the jurisdiction and develop mechanism to update records of children aged between 6 - 14 years on annual basis while considering migration of children in and out of the district. • On the basis of above, to ensure that all children are in school. • In order to enroll out of school children, persuade all such parents to persuade them also. • To supervise and monitor the status of out of school children and migrant children within their jurisdiction and see that children with special <p>Grama Panchayat</p> <ul style="list-style-type: none"> • Maintain list of Government/Aided and private primary and Upper Primary schools upto 7th standards in their jurisdiction to provide admission to children as defined in Section 2(c) of the Act. • Maintain list of all children in the jurisdiction and develop mechanism to update records of children aged between 6-14 years on annual basis while considering migration of children in and out of the village. • On the basis of the above to ensure that all children are in school. • In order to enroll out of school children, persuade all such children and interact with their parents to persuade them also. • To facilitate a transparent system for those who opt for 25% admission so that all applications are considered from eligible children.

Act9(b)	As per RTE Act 2009 section 6, in case of non availability of schools local authority have to start school within three years of time period after implementation of RTE Act 2009.	<p>needs, children belonging to scheduled caste/scheduled tribe and children from weaker sections and girls are treated equally.</p> <ul style="list-style-type: none"> • To ensure the availability of school as per neighbourhood norms specified in State RTE rules. • If new school needs to be set up ensure the formalities to be fulfilled by contacting the department and funding agencies. • To ensure teacher availability in the school and to bring to the notice of educational officers concerned if there is dearth of teachers. • To sensitize lower functionaries on RTE Act. • To supervise the functions of block and grama panchayat level while ensuring the neighbourhood school. 	<ul style="list-style-type: none"> • Where no school as per neighbourhood norm, to raise demand for the same. • Ensure availability of land for new Primary School. • To ensure construction immediately. • Help the district authorities to extend the message of RTE Act among the villagers.
Act 9(c)	There will be no discrimination among children	<ul style="list-style-type: none"> • To monitor and supervise adoption of non-discriminatory practices. 	<ul style="list-style-type: none"> • To monitor adoption of non-discriminatory practices.

	<p>belonging to weaker section, disadvantaged groups and held back of any children for any reason is prevented.</p>	<ul style="list-style-type: none"> To sensitise lower functionaries about non discrimination. To ensure along with the teachers and School Management Committee/Parent - Teachers Association an equal participation in all curricular and extra curricular activities through constant monitoring and review meetings. 	<ul style="list-style-type: none"> To track attendance and regularity of children from disadvantaged group and weaker sections. To ensure along with the teachers and School Management Committee/Parent Teachers Association an equal participation in all curricular and extra curricular activities through constant monitoring and review meetings.
<p>Act 9(d)</p>	<p>The Local Authority shall maintain a record of all children, in their jurisdiction, from their birth till they attain 14 years of age and 18 years of age for children with disability.</p>	<ul style="list-style-type: none"> To ensure use of standard formats to consolidate information on neighborhood school, as developed by the State. To maintain information in prescribed formats on all children (in and out of schools, migrating, disabled etc) coming under their jurisdiction. 	<ul style="list-style-type: none"> To maintain information in prescribed formats on all children from 0-3 years about name, name of father and mother, date of birth, sex, coverage by Anganwadi Centres/Pre school etc. To maintain in prescribed formats information on all children from 3-6 years about name, name of father and mother, date of birth, enrollment in school/out of school/special training. To maintain records regarding out of school children and migrating children if any.

<p>Act 9(e) Rule 9(1), (2), (3),(4)</p>	<p>Local authority have to monitor about enrollment of each and every child, attendance, learning achievement, transition to next higher class and completion of their primary education in their jurisdiction.</p>	<ul style="list-style-type: none"> • To monitor the admissions and attendance of children in their jurisdiction. • To ensure that admission is not to be denied to anyone. • If any child is irregular or dropout or is not enrolled, to mobilize the village community and ensure admission and regular attendance. • To monitor that every child improves his learning levels. • To ensure and assist School Management Committee to monitor admission, attendance and completion of elementary education. • To ensure and assist School Management Committee to get admissions in schools in transparent, open and fair manner. • Mobilize parent of vulnerable groups and weaker sections to send their child in school. • Make sure that hurdles and problems are removed which may impact admission and attendance like lack of teachers, impact of natural disasters etc. if problems are beyond their capacity. 	<ul style="list-style-type: none"> • To maintain details of children with disability, Single parent family, orphans etc. as vulnerable group. • To ensure that admission is not to be denied to anyone. • If any child is irregular or dropout or is not enrolled, to mobilize the village community and ensure admission and regular attendance. • To monitor that every child improves his learning levels. • To ensure and assist School Management Committee to monitor admission, attendance and completion of elementary education. • Support School Management Committee to get admissions in schools in transparent, open and fair manner. • Mobilize parent of vulnerable groups and weaker sections to send their child in school. • Make sure that hurdles and problems are removed which may impact admission and attendance like lack of teachers, impact of natural disasters etc. if problems are beyond their capacity.
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Act 9(f)	Local Authority should provide infrastructure including school building, academic staff and learning material.	<p>may impact admission and attendance like lack of teachers, impact of natural disasters etc., if problems are beyond their capacity.</p> <ul style="list-style-type: none"> To monitor and support the removal of any hurdles in providing admission and ensuring attendance by the village panchayat. 	
		<ul style="list-style-type: none"> Monitoring administrative and academic duties. Funds received by the School Management Committee has to be supervised to ensure timely completion and quality of civil works and provisioning of other school infrastructure. To take up issues with higher authorities if entitled staff is not available or if teacher performance/attendance is poor. To raise issues with Director of Public Instruction to maintain Pupil Teacher Ratio in school. 	<ul style="list-style-type: none"> Monitoring administrative and academic duties. Funds received by the School Management Committee has to be supervised to ensure timely completion and quality of civil works and provisioning of other school infrastructure. To take up issues with higher authorities if entitled staff is not available or if teacher performance/attendance is poor. To raise issues with Director of Public Instruction to maintain Pupil Teacher Ratio in school. To raise issues with Director of Public Instruction to provide adequate academic staff and essential learning materials.

Act 9(g)	As per the RTE Act section (4) it is compulsory to give special training for the child who is above six years and has direct access to the age appropriate class.	<ul style="list-style-type: none"> To raise issues with Director of Public Instruction to provide adequate academic staff and essential learning materials. 	<ul style="list-style-type: none"> To maintain record of out of school children. Along with the School Management Committee to ensure that all Out of School Children have been enrolled and are catching up with regular classes. To ensure that special training is provided as far as possible in the school, else at nearest safe location and to support the School Management Committee and school in the same. To mobilize village community so that all the Out of School Children are sent to special training /School regularly. To keep track all children who migrate in or out the village. Provide special training support to all children migrating in to the village. To mobilize the community to leave behind the children while migrating.
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Act9(h)	Local Authority should ensure to bring qualitative elementary education as per the norms and standards specified in the schedule of the Act.	<p>migrate in or out of the village.</p> <ul style="list-style-type: none"> • Provide special training support to all children migrating in to the village. • To mobilize the community to leave behind the children while migrating 	
	<ul style="list-style-type: none"> • To take up with departmental officers if the deployment of teachers in schools do not maintain the prescribed Pupil Teacher Ratio. • To monitor that progress and completion of infrastructure is done where sanctioned. • To monitor children attendance and support enrollments/special training of Out of School Children. • To ensure anytime admission of migrant children. • To mobilize community for sending children regularly to schools. 	<ul style="list-style-type: none"> • To take up with departmental officers if the deployment of teachers in schools do not maintain the prescribed Pupil-Teacher Ratio. • To monitor that progress and completion of infrastructure is done where sanctioned. • To monitor children attendance and support enrollments/special training of Out of School Children. • To ensure anytime admission of migrant children. • To mobilize community for sending children regularly to schools. 	

		<ul style="list-style-type: none"> To monitor the working of schools to ensure requisite working days/ instructional hours are adhered to, in case of contravention to complaint to the controlling officer. 	<ul style="list-style-type: none"> To monitor the working of schools to ensure requisite working days/ instructional hours are adhered to, in case of contravention to complain to the controlling officer.
Act 9(i)	<p>Ensure timely of prescribing curriculum and courses of study for elementary education.</p>	<ul style="list-style-type: none"> To take up with the department in case of delay in distribution of textbooks, teaching and learning materials etc. in each school. To ensure whether their schools under their jurisdiction are following the prescribed curriculum and course of studies. 	<ul style="list-style-type: none"> To ensure whether the schools under their jurisdiction are following the prescribed curriculum and course of studies. To mobilize village community for regular attendance of children and frequent parent/ community and school interactions through Parent Teachers Association/Mother Parent Teachers Association findings for keeping track of children's progress.
Act 9 (j)	<p>To provide training facilities for teachers.</p>	<ul style="list-style-type: none"> To provide physical infrastructure for inservice training of newly appointed teachers. 	<ul style="list-style-type: none"> To provide physical infrastructure for inservice training of newly appointed teachers.

		<ul style="list-style-type: none"> To provide Block Resource Centres with information on community's perception of what is required in and focus in the inservice training. 	<ul style="list-style-type: none"> To provide Block Resource Centres with information on community's perception of what is required in the inservice training. 	<ul style="list-style-type: none"> To provide Block Resource Centres with information on community's perception of what is required in and focus in the inservice training.
Act 9(k)	Ensure admission of children of migrant families			<ul style="list-style-type: none"> Collection and maintenance of records of children of migrant families in the age group of 0-18 years. To mobilize village community so that all the Out of School Children are sent to special training /School regularly. To keep track all children who migrate to the village. Provide special training support to all children migrating in to the village. To Support admission of migrating children to Schools.
Act 9(l)	Local Authority shall monitor of functioning of schools within its jurisdiction.		<ul style="list-style-type: none"> To monitor maintenance of school building and that the area is used only for the purpose of education. To ensure teacher attendance. To meet Head Master and School Management Committee 	<ul style="list-style-type: none"> To monitor maintenance of school building and see that the area is used only for the purposes/ of education . To ensure teacher attendance. If grama panchayat is dissatisfied then raise the issues with District

		<p>members of low performing schools to monitor its functioning and create community pressure to implement RTE Act.</p> <ul style="list-style-type: none"> • Check improvement in learning level at specific intervals. 	<p>Education Officers/Deputy Directors of Education.</p> <ul style="list-style-type: none"> • To meet Head Master and School Management Committee Members of low performing schools to monitor its functioning and create community pressure to implement RTE Act. • Check improvement in learning level at specific intervals.
Act 9(m)	Decide the academic calendar.	<ul style="list-style-type: none"> • To forward suggestion or proposals based on local needs by District Panchayat on the basis of nature of occupations of the community, local festivals for deciding the academic calendar. 	<ul style="list-style-type: none"> • Monitor and supervise the school level activities to ensure the administration of academic calendar.
RTE Rule 9(5)	A comprehensive Health Card shall be maintained in respect of every child by conducting health check-up in association with the public health centre and anganwadi/pre-primary school. Medical assistance and management	<ul style="list-style-type: none"> • To ensure the availability of Health card in respect of every school and to keep a record of the same. 	<ul style="list-style-type: none"> • To ensure the availability of health card in respect of every child in the school under their jurisdiction and to keep a record of the same in the grama panchayat.

RTE Rule 9(7)	The local authority shall comply with the provisions specified in sub-section (1) and (2) of section 32 of the Act for redressal of grievances relating to violation of child rights.	<ul style="list-style-type: none"> The provisions will be notified separately. 	

The municipalities and corporations shall monitor and ensure functions developed under section 9 of RTE Act as detailed above in respect of the schools coming under their jurisdiction.