

**GOVERNMENT OF NAGALAND
DIRECTORATE OF SCHOOL EDUCATION
NAGALAND : KOHIMA**

NO. ED/AEI-2/2023

Kohima, the 12th April 2023

NOTIFICATION

In pursuance of Government letter No. DSE/LEGAL/10-214/2023/931 dated 28th March 2023, it is hereby notified for the information of all concerned that the 'Nagaland Right of Children to Free and Compulsory Education (Manner of admission of Minimum 25 % children in Class I or Pre-school at the entry level for the children belonging to disadvantaged groups and weaker sections) Rules, 2016' notified vide Government Notification No. DSE/RTE/2011/1198 Dated, 24th November 2016 will be strictly implemented in all Private Schools functioning within the State of Nagaland with effect from the Academic Year 2024.

Those Private Schools which have not yet admitted students in pursuance of the aforesaid Notification shall give admission to a minimum 25 % of the strength of each Class to children belonging to disadvantaged groups and weaker sections from the neighbourhood as given below during the Academic year 2024.

1. **For Schools having Pre-School Classes (Pre-KG, LKG, UKG) as entry level:**
Admission in each class from Pre-KG to Class 5
2. **For Schools having Class 1 as entry level:**
Admission in each class from Class 1 to Class 8
3. **For Schools having Class 6 as entry level:**
Admission in each class from Class 6 to Class 8

Reimbursement of expenditure to the schools will be made as per provisions of section 12 (2) of the RTE Act, 2009.

(THAVASEELAN K) IAS

Principal Director

Kohima, the 12th April 2023

NO. ED/AEI-2/2023 / 80

Copy to:

1. The Commissioner & Secretary to the Government of Nagaland, Department of School Education & SCERT, Nagaland, Kohima for kind information
2. The Mission Director, Samagra Shiksha, Nagaland, Kohima for kind information
3. The Chairman, NBSE, Nagaland, Kohima for kind information
4. The Director, SCERT, Nagaland, Kohima for kind information
5. The Director, DIPR, Nagaland, Kohima with a request to kindly publish the notification as advertisement in the local dailies
6. All DEOs/Sr. SDEOs/SDEOs, Nagaland for information and necessary action
7. Heads of all Private Schools, Nagaland for information and necessary action
8. Heads of all Government Schools, Nagaland for information
9. Office Copy

(THAVASEELAN K) IAS

Principal Director

**GOVERNMENT OF NAGALAND
DEPARTMENT OF SCHOOL EDUCATION
NAGALAND: KOHIMA**

NOTIFICATION

Dated Kohima, the 21st November 2016

Subject: 25% Reservation in private school for weaker and disadvantage children under the RTE ACT, 2009.

No.DSE/RTE/2011/1198 Whereas, the Government of India has enacted The Right of Children to Free and Compulsory Education Act, 2009, (35 of 2009), (hereinafter called 'the Act'), the Amendment Act 2012, (30 of 2012) and the Government of Nagaland has framed Nagaland Right of Children to Free and Compulsory Education Rules, 2011 there under and ; Whereas, section 3 provides that " every child of the age of six to fourteen years shall have a right to free and compulsory education in a neighbourhood school till completion of elementary education, and

Whereas, section 12 (1) (c) of the Act provides that "schools specified in sub clauses (iii) and (iv) of clause (n) of section 2 shall admit in class I, to the extent of at least twenty five percent of the strength of that class, children belonging to weaker sections and disadvantaged groups in the neighbourhood and provide free and compulsory elementary education till its completion.

Provided further that where a school specified in clause (n) of section 2 imparts pre-school education, the provisions of clauses (a) to (c) shall apply for admission to such pre-school.

In pursuance to the above, the Government of Nagaland considers it expedient to provide for procedure for admission in class I or Pre-school for at least 25% of the strength of that class at the entry level for the children belonging to disadvantaged groups and weaker sections and for matters incidental thereto; and

Now, therefore, the Government of Nagaland, in exercise of the powers conferred by sub- section (1) and (2) of section 38 read with clause (d) and (e) of section 2 and clause (f) of section 8, of the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009) and of all other powers enabling it in that behalf, hereby makes the following rules:—

1. These rules may be called the " Nagaland Right of Children to Free and Compulsory Education (Manner of admission of Minimum 25% children in Class I or Pre-school at the entry level for the children belonging to disadvantaged groups and weaker sections) Rules, 2016.

1.2 They shall apply to all schools in the State covered by Section 2(n) (iii) and (iv) as specified in section 12 (1) (c) of the Right of Children to Free and Compulsory Education Act 2009 and the Amendment Act, 2012 (30 of 2012) imparting education of class I or Pre-school at the entry level from the Academic year 2017 except following:—

(a) Unaided minority schools; and



(b) Educational Institutions primarily imparting religious instruction.

2. **Definitions— As per the Act but for the following:—**

(a) "Act" means the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009); and the Right of Children to Free and Compulsory Education (Amendment) Act, 2012 (30 of 2012)

(b) "Child belonging to disadvantaged group" means, a child belonging to:—

(i) Educationally backward tribes prescribed by the State Government/HIV affected/infected children/orphan.

(ii) Child with disability; defined in section 3 and 4 of the Amended Act, 2012.

(c) "Child belonging to weaker section" means a child belonging to such parents or guardian whose income does not exceed Rs 40000/-per annum.

(d) "Education Officer" means District Education Officer for District headquarter and Sub Divisional Education Officer for rural areas, in respect of all the schools.

(e) "Elementary Education" means the education from first class to eight class. (1st to 4th lower primary and 5th to 8th upper primary);

(f) Admission Committee (for giving effect to at least 25% admission) headed by the Principal of the concerned school consisting of: one representative of parents from the School Management Committee; one nominee of the management of the school; and one nominee of the Education Officer;

(g) "Form" means the form appended to these rules.

3. **Neighbourhood Schools Clause:**

The areas or limits of neighborhood specified in sub-rule (1) of rule 5 shall apply to admissions made in pursuance of clause (c) of sub-section (1) of section 12 of the Act;

Provided that if the requisite percentage of seats for children referred to in clause (c) of sub-section (1) of section 12 of the Act is not filled up, the area or limits shall extend to 3 kms for the purpose;

Provided further that the school may, for the purposes of filling up the requisite percentage of seats for children referred to in clause (c) of sub-section (1) of section 12, extend the limit with prior permission of the District Educational Officer.

Provided further that before extending the limits of the local area, the District Education Officer shall ensure that all the seats in the Government School have been filled up. The RTE Act states that all children are eligible for admission in neighbourhood schools. The Model Rules issued by the Ministry clarified that:



"The areas or limits of neighbourhood specified in Rule 4 (1) shall apply [i.e. In respect of children in classes I - V, a school within a walking distance of ONE KM of the neighbourhood.]

Provided that the school may, for the purposes of filling up the requisite percentage of seats for children ..., EXTEND THOSE LIMITS with the prior approval of the State Government."

4. Procedure to be followed by school:-

4.1. Every school shall publish a notice (Form- I) accessible to the public, well before the start of the admission process of the concerned academic session for giving effect to above mentioned at least 25% admission at the entry level. This shall include:-

- (i) Total number of seats available in class I or pre- school at the entry level in the school;
- (ii) Seats available out of (i) above for disadvantaged groups and weaker sections (at least 25%);
- (iii) Dates (from-to) during which application forms will be issued to children belonging to disadvantaged groups and weaker sections;
- (iv) Dates (from-to) during which application forms from children belonging to disadvantaged groups and weaker sections shall be received/ collected;
- (v) Dates on which Admission Committee shall meet to scrutinize the applications of eligible children.
- (vi) In case of less eligible applications than the 25% seats, further dates for publicity, additional time for children to apply, meeting of Admission Committee etc.
- (vii) In case of eligible applications are more than the 25% seats (meant for disadvantaged groups and weaker sections) date for draw of lottery.
- (viii) Dates of publishing the lists of children selected for admission along with the waiting list in the school.

4.2. Every school shall publish advertisement to the above notice through print media.

4.3. School/ Local Authority shall make all efforts to identify the children belonging to disadvantaged groups and weaker sections as per the neighbourhood norms. In case sufficient children are not available within 1 k. m. in spite of all the efforts and Admission Committee is satisfied, then the school shall try to identify children from the extended neighborhood . In any case seats meant for the children from disadvantaged groups and weaker sections shall not be diverted to general candidate.

4.4. It shall be the responsibility of the school to find out children of disadvantaged groups and weaker sections within the neighbourhood and extended neighbourhood area of the school and ensure their admission.



5. Children seeking admission under these Rules shall apply to the school of their choice in their neighbourhood in Form-II, within the prescribed period that shall not be less than 15 days from the date of publication of notice by the said school.

6. School shall provide the application form to all the children free of cost. Application form can also be downloaded from the concerned school website.

7. Certificates to be accompanied.

Every application made by children seeking admission must be accompanied with the suitable certificates as mentioned below towards their claim for disadvantaged groups and weaker sections:—

- (a) Birth Certificate.
- (b) Income certificate issued by the SDO (Civil);
- (c) Schedule Tribe/Caste certificate issued by concerned Sub Divisional Officer or Additional Deputy Commissioner, in the name of child or his/her parents;
- (d) For disabled children (CWSN) disability certificate issued by Civil Surgeon/ Authorised by Competent authority.
- (e) Proof of residence: - Residential proof issued by the competent authority in the name of the parents/ guardian.

8. Fees.

No registration fee including cost of the prospectus, tuition fee or any other charges or fund shall be charged from the parents or child admitted against the free seat.

9. Acknowledgement.

School shall issue individual receipts in Form-III to acknowledge the applications.

10. Communication of rejected application

Reasons for rejecting an application shall be recorded and communicated to the parents or guardian in writing within a period of three days after the decision of Admission Committee.

11. General conditions

- (a) The management of the school shall designate an officer not below the rank of Head of the school or the Principal as responsible officer for admission process: provided that, if no such officer is designated by the management, then the Chairman and the Secretary of the management by whatever designation called, along with the Head of the School or the Principal shall be jointly responsible;
- (b) No screening procedure, that is to say, interview, counselling, written or oral test of any kind of the parents or guardian or the child shall be conducted for the purpose of admission;
- (c) The lottery process for admissions must be carried out in the presence of admission committee, after which prescribed Form-IV shall be signed by the members of admission committee jointly. This form shall be mandatory for reimbursement of fees and must be submitted along with prescribed Form-V to the concerned authorities;



- (d) The District Education Officer/SDEO shall verify such admissions and may call for detailed records etc., as the case may be;
- (e) The school referred to in clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in shall not be segregated from the other children in the classrooms nor shall their classes be held at places and timings different from the classes held for the other children;
- (f) The school referred to in clause (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in shall not be discriminated from the rest of the children in any manner pertaining to entitlements and facilities such as text books, uniforms, library and Information Communication and Technology (ICT) facilities, extra-curricular and sports etc ;
- (g) The school shall provide any other information which may be required by the Education Department from time to time.

12. Monitoring of Admission

District Education Officer/SDEO shall monitor the entire admission process in his jurisdiction.

13. Procedure for reimbursement

- (a) Schools shall provide free education to all children admitted under these rules till the completion of their elementary education;
- (b) Such schools as provide admission as per these Rules shall only be eligible for reimbursement of their expenses as per Section 12(2) of the Act.
- (c) Schools shall submit their claims for reimbursement (Form-V) to the concerned Education Officer in two instalments:-
 - (i) The Reimbursement will be made directly in the separate bank account maintained by the school in two instalments during the academic year. First instalment of 50% will be reimbursed in the month of September and balance will be reimbursed in the month of January.
 - (ii) Claim for the 2nd installment must be accompanied with a declaration from the school that all children admitted under these Rules have completed the academic year successfully and have been promoted and given admission to the next higher class in the same school.
- (d) Education Officer on his satisfaction about the correctness of the information submitted by the school and the fulfilment of the conditions of the Act and Rules there under shall submit the claim of eligible amount for the eligible period as per the Act etc. within one month of the receipt of the respective claims to the Director school Education for further action.



(e) Schools not following due procedure laid down in these rules will not be eligible for reimbursement besides other actions as per the Act.

(f) If the claim for reimbursement is found to be fraudulent, incorrect or improper etc., police case will be registered against the school.

14. Grievances and redressal:

(a) Any parent or guardian aggrieved by the action of the school may file a complaint in writing to the District Education Officer/State Commission for Protection of Child Rights.

(b) The District Education Officer shall maintain the Register or database of the grievances and shall take immediate appropriate action and communicate to the applicant within ten working days from receipt of the grievance.

Sd/- (PANKAJ KUMAR)

Chief Secretary to the Govt. Of Nagaland

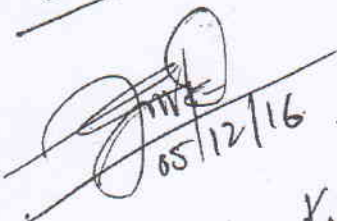
Dated Kohima, the 29th November 2016

DSE/RTE/2011/1198

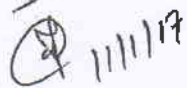
Copy to:-

1. The Principal Secretary to the Chief Minister, Nagaland, Kohima.
2. The PS to Minister, School Education & SCERT, Nagaland, Kohima.
3. All OSD/PS/Sr PS to all Ministers/Parliamentary Secretaries/Advisors, Nagaland, Kohima.
4. The OSD to the Chief Secretary, Nagaland, Kohima
5. The Commissioner & Secretary, School Education & SCERT Nagaland, Kohima.
6. The Addl. Director (HOD), School Education, Nagaland, Kohima.
7. The Director SCERT, Nagaland, Kohima.
8. The State Mission Director, SSA Nagaland, Kohima.
9. All District Education Officers/SDEOs for information and necessary action.
10. The Publisher, Nagaland Gazettee for publication in the Nagaland Gazettee.
11. Office Copy/ Guard file.

DAD (P)


05/12/16

Kulu


11/11/17


24/11/16
(P.P. SOLO)

Commissioner & Secretary to the Government of Nagaland

FORM-I (Rule 3.1)
(Notice to be published and displayed by the school)
Academic Year _____

1. Name of the School: _____ UDISE Code

Address _____

Telephone Number: _____ Fax: _____

Name of Principal/Official in-charge of Admission: _____

Mobile Number: _____

Telephone No. (Office): _____ Email Id: _____

Date of Commencement of academic year : _____

Sr. No.	Particulars	Total seats :
i	Total Number of seats at entry level i. e .class I/ preschool	<input type="text"/> <input type="text"/>
ii	Seats available out of (i) above for children belonging to disadvantaged and weaker section (at least 25%)	<input type="text"/> <input type="text"/>
iii	Date for issuance of application forms.	From -----to-----
iv	Date /s for receipt /collection of application forms.	From -----to-----
v	Date/s of meeting of Admission Committee	Date -----time-----
vi	Date/s of display of list of selected candidates for the draw of lots along with waiting list	Date -----to-----
vii	Dates of Draw of lots	Date -----time-----
viii	Date of admission	From -----to-----
ix	Date/s of display of list of admitted students.	Date -----time-----

Signature of the Principal/
Head of the institution.