



**Human Resource Development Department  
Government of Sikkim**

No. 14/S.P.O./S.S.A./HRD

Date: 02.07.2014

**NOTIFICATION**

Whereas the Ministry of Human Resource Development, Department of School Education and Literacy, New Delhi, vide D.O No.2-44/2013-EE, dated 31<sup>st</sup> January 2014 and subsequent reminder dated, 12<sup>th</sup> February, 2014 and D.O letter dated 27.2.2014, has directed the State Government for preparation of Activity Mapping for local authority/PRI's notified by States under section 9 of the Right of Children to Free and Compulsory Education Act, 2009 (RTE) and the School Management Committees set up vide section 21 of the same Act.

Now therefore, keeping in view of the provision contained under section 9 of the RTE Act, the State Government is hereby pleased to notify the functions of the Local Authorities as under, namely:-

| 13 functions of section 9 under RTE Act.  | Functions of Local Authorities under RTE Act   |   |
|---|--|---|
|   | Panchayati Raj Institutions  |   |
|   | Zilla (District) Panchayat   | Gram Panchayat  |
| a. Provide free and compulsory elementary education to every child: Provided that where a child is admitted by his or her parents or guardian, as the case may be, in a school other than a school established, owned, controlled or substantially financed by funds provided directly or indirectly by the appropriate Government or a | (i). Supervise and monitor the implementation of Right to Free and Compulsory Education Act 2009 Act at the Zilla and Village Level.<br>(ii). Under take random checking for transparent implementation of the Right to Free and Compulsory Education Act 2009.<br>(iii) Ensure that no capitation fee is charged as mentioned under clause (b) of section 2 of the Right of | (i)<br>(ii) Maintain detail record of children in the age group 6 to 14 years (six to fourteen) in their jurisdiction and develop mechanism to update the same on annual basis considering the inbound and out bound migration of children.<br>(iii) Ensure that all children in the age group 6 to 14 years (six to fourteen) as per their record are in the school.<br>(iv) Maintain detail list of Government Schools, |

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|  | local authority, such child or his or her parents or guardian, as the case may be, shall not be entitled to make a claim for reimbursement of expenditure incurred on elementary education of the child in such other school; | Children to Free and Compulsory Education Act  | Private Schools, Government aided schools, aided schools etc.<br>(v) Locate out of school children, interact with them and their guardian/Parents and persuade them to enroll in the school.<br>(vi) To facilitate transparent system for those who opt for admission under 25% reservation policy.  |
| b.                                       | Ensure availability of a neighbourhood school as specified in section 6;  | (i) Verify availability of Schools as per neighborhood norms specified in the state Right to Free and Compulsory Education Rules.<br>(ii) Examine if new school is required to be set up.<br>(iii) Ensure Teacher availability in schools.<br>(iv) Sensitize lower level functionaries on Right to Free and Compulsory Education Act 2009. | (i) If new school is required as per neighbourhood norms, demand for the same after due justification by carrying out school mapping exercise.<br>(ii) Ensure availability of land for construction of new PS and UPS, as the case may be.<br>(iii) Ensure timely release of fund for construction of new school.<br>(iv) Ensure that the construction work is taken up immediately. |
| c.                                       | Ensure that the child belonging to weaker section and the child belonging to disadvantaged group are not discriminated against and prevented from pursuing and completing elementary education on any grounds.                | (i) Monitor and supervise adoption of non discriminatory practices.<br>(ii) To sensitize lower functionaries about non discrimination.   | (i) Monitor attendance and regularity of children from disadvantaged group and weaker sections.<br>(ii) Coordinate with Teachers and School Management Committee for equal participation in scholastic and co-scholastic areas by all children.<br>(iii) Ensure that school is free from any kind of direct/indirect discriminatory practices.                                       |
| d.                                       | Maintain records of   | (i) Supervisory role to  | (i) To maintain detail record of   |

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|  | children up to the age of fourteen years residing within its jurisdiction, in such manner as may be prescribed.                  | <p>ensure that record of children is maintained in every village/block.</p> <p>(ii) Ensure use of standard formats to consolidate all in formations.</p> <p>(iii) Ensure that House Hold Survey is carried out annually to update the record on children.</p> | <p>0 to 3 yrs children (Date of Birth), Parents name, sex, coverage under Anganwari Centre/Pre school) etc.</p> <p>(ii) To maintain detail record of 4 to 6 yrs children (Date of Birth), Parents name, enrolled in school/out of school.</p> <p>(iii) Maintain record of children with disabilities, single parent family, orphans etc as vulnerable group.</p> <p>(iv) Maintain record of in bound and out bound migratory children.</p>  |
| e.                                       | Ensure and monitor admission, attendance and completion of elementary education by every child residing within its jurisdiction. | <p>(i) Monitor the admission and attendance of children.</p> <p>(ii) Support in removal of barrier if any for providing admission and ensuring attendance.</p>  | <p>(i) Ensure that no child is denied of admission and the admission is provided in transparent, open and fair manner.</p> <p>(ii) Mobilise the community and ensure enrolment of drop out children, never enrolled children and ensure their regular attendance in school including irregular children.</p> <p>(iii) Mobilise parents of girl children, vulnerable group and weaker section to send their children to school.</p> <p>(iv). Make sure that hurdles and problems are removed which may impact admission and attendance like lack of teachers, natural barriers etc. If solving problems are beyond their dominion, to take up same with the appropriate authority.</p> |

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| f.                                       | Provide infrastructure including building, staff and material; school teaching and learning   | Ensure that the schools in their jurisdictions are in alignment with the Right to Free and Compulsory Education Act. In case of any shortfall, appropriate action should be taken up immediately. | (i) Fund received by the School Management Committee has to be supervised for timely completion of civil works ensuring quality works and provisioning of other infrastructure for school including water supply & sanitation.<br>(ii) To take up the issues like teachers poor performance, irregular attendance unavailability of teachers as per entitlements if any to higher authority.  |
| g. & k                                   | Provide special training facility specified in section 4 of the Act<br><br>AND<br><br>Ensure admission of children of migrant families. | Maintain information about conduct of special training in their jurisdiction and supervise the agency conducting special training.  | (i) Maintain record of out of school children in their jurisdiction and ensure their enrolment in coordination with School Management Committees.<br>(ii) Ensure that the Special training is provided as far as possible in the school premises, else at nearest safe location and to support the school and School Management Committee in the same.<br>(iii) To mobilise community so that all the out of school children are sent to special training center/ school regularly.<br>(iv) To keep record of all inbound and outbound migratory children in the village and arrange for special training (care)/enrolment in regular school in case of inbound migratory children or left behind during migration. |
| h.                                       | Ensure good quality elementary education  | Ensure adequate availability of teachers as   | (i) Monitor children attendance and support   |

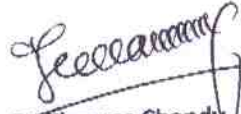
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|  | conforming to the standards and norms specified in the Schedule.                       | per Right to Free and Compulsory Education norms and initiate action for redeployment of teachers in case of shortfall.   | enrolment/special training of out of school children.<br>(ii) Ensure any time admission of migratory children.<br>(iii) Mobilise community for sending children regularly to school.   |
| i.                                       | Ensure timely prescribing of curriculum and courses of study for elementary education. | To ensure timely distribution of Textbooks and Teaching Learning Material etc to each school.   | 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.   |
| j.                                       | Provide training facility for teachers.  | (i) Ensure that the training calendars for teachers are prepared by appropriate authority (State Council of Educational Research and Training /District Institute of Educational Training /Block Resource Centre/Cluster Resource Centre) with timely execution of the training.<br>2. To provide training institutions with community' perception of what is required to be focused on in- service training. | Support to provide infrastructure in providing teachers training.  |
| l.                                       | Monitor functioning of schools within its jurisdiction.                                | Ensure that grievances/complaints of gram panchayats/ municipalities are resolved.  | (i) Monitor maintenance of school building and that the area is used only for the purpose of education.<br>(ii) To monitor teachers' attendance.<br>(iii) In case of dissatisfaction of gram panchayat then issues to be raised with Block Education Officer/Data Entry Operator and Zillapanchyat.<br>(iv) To meet Head Master and School Management Committee members of low |

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|  |                               |  | performing schools to monitor school functioning and create community pressure to implement Right to Free and Compulsory Education Act.<br>(v) Check learning level over time.  |
| m.                                       | Decide the academic calendar. | Ensure that the academic calendar is prepared in conformity with Right to Free and Compulsory Education Act and is based on the local festivals and occupation of the local community. | (i) Ensure that the Academic calendar has reached the school well in advance.<br>(ii) Ensure that the working of the school is as per the calendar and any deviance to be decided without causing any loss to teaching learning activity. |

The officers under Human Resource Development Department at Gram Vikash Kendra/Block Office and the District Office shall supervise, and monitor all the activities as defined above. The Human Resource Development Department officials at Block/Gram Vikash Kendra and District Level shall maintain detailed report within their jurisdiction. They will also address any issues raised thereof.

Terms and expressions used in this notification but not defined shall have the same meaning as in the Right of Children to Free and Compulsory Education Act 2009 or Right of Children to Free and Compulsory Education Rules 2010.

By order and in the name of the Governor

  
Dr. Thomas Chandy  
Principal Secretary

Human Resource Development Department

Copy to:-

- 1) Chief Secretary, Government of Sikkim
- 2) All Secretaries and Heads of Department
- 3) Principal, Secretary to the Hon'ble Chief Minister of Sikkim
- 4) Secretary to the H.E. the Governor of Sikkim
- 5) Joint Secretary, Protocol, Home Department for Publication in Govt. Gazette
- 6) All Directors of Human Resource Development Department

- 7) Joint Director, East, North, South, West District, HRD Department
- 8) Senior P.S. to Hon'ble Speaker, SLA, Gangtok
- 9) Senior P.S. to Hon'ble Deputy Speaker, SLA, Gangtok
- 10) All Senior P.S. to Hon'ble Ministers
- 11) All Deputy Directors, Assistant Directors, HRD Department
- 12) All Principals of Senior Secondary Schools, HRD Department
- 13) All Headmasters of Secondary, Junior High Schools and Primary Schools, HRDD
- ✓ 14) File and
- 15) Guard File.