



Extraordinary
Published by Authority

FALGUNA 26]

FRIDAY MARCH 16, 2012

[SAKA 1933

PART I - Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

Government of West Bengal
School Education Department,
Law Branch

No.323-SE(Law)/ES/S/1A-01/2009. — 15th March, 2012. — In exercise of the powers conferred by sub-section (1) of section 38 of the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009), the Governor is pleased hereby to make the following rules, namely:

Rules

1. Short title and commencement. — (1) These rules may be called the West Bengal Right of Children to Free and Compulsory Education Rules, 2012.

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

2. Definitions. — (1) In these rules, unless the context otherwise requires,—

- (a) “Act” means the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009);
- (b) “appointed date” means the date of publication of these rules in the Official Gazette;
- (c) “age”, in respect of appropriate class, means—
- (i) for Class I, the age of 6 years and above but less than 7 years of age;
 - (ii) for Class II, the age of 7 years and above but less than 8 years of age;
 - (iii) for Class III, the age of 8 years and above but less than 9 years of age;
 - (iv) for Class IV, the age of 9 years and above but less than 10 years of age;
 - (v) for Class V, the age of 10 years and above but less than 11 years of age;
 - (vi) for Class VI, the age of 11 years and above but less than 12 years of age;
 - (vii) for Class VI, the age of 12 years and above but less than 13 years of age;
 - (viii) for Class VH1, the age of 13 years and above but less than 14 years of age;

Provided that this definition of age shall be applicable for admission in class I on or after academic year 2013;

Transcribed By

Centre for Civil Society, A-69 Hauz Khas, New Delhi 110016

Tel: +91 11 2653 7456, 2652 1882 | Web: www.righttoeducation.in / www.ccs.in

- (d) "Special Training Centres" means the learning centres for children who have dropped out or never been enrolled in schools and are being enrolled in their appropriate age class for bridging their learning gaps which may run for a period of three months to a maximum of two years inside the school itself or in any appropriate place for the learners in exceptional cases including 'Home Based Education' of children with special needs of severe categories;
- (e) "Anganwadi worker" means an Anganwadi worker appointed under the Integrated Child Development Scheme (ICDS) under the Ministry of Women and Child Development;
- (f) "Board" means any one of the following under which a school is affiliated to or seeks to be affiliated:
- (a) the West Bengal Board of Primary Education, for school having Classes from I to IV or
 - (b) the West Bengal Board of Secondary Education, for schools for school having Classes from V to X; or
 - (c) the Central Board of Secondary Education (CBSE) or;
 - (d) the Indian Council of Secondary Education (ICSE) or;
 - (e) the West Bengal Board of Madrasah Education, and
 - (f) includes any other Board duly formed by or recognised by the Central or any State Government or Union Territory;
- (g) "State Commission for Protection of Child Rights" means the State Commission for Protection of Child Rights constituted under section 17 of the Commissions for the Protection of Child Rights Act, 2005 (No 4 of 2006);
- (h) "form" means the Form mentioned in the Schedule appended to these rules;
- (i) "State Government" means the Government of West Bengal in the Department of School Education;
- (j) "implementing authority", for the purposes of these rules, means the Paschim Banga Sarva Siksha Mission or any other authority authorised in this behalf;
- (k) "local authority" means
- (i) in case of the rural areas, the Panchayat Samiti; and
 - (ii) in case of the urban areas, the Municipality or Borough in respect of Municipal Corporations or any other urban authority duly notified;
- (l) "neighbourhood" means, subject to the provisions of rule 4 of these rules, a Borough for an area under a Municipal Corporation or a ward for an area under a Municipality or any other urban authority duly notified and includes 21 Revenue village;
- (m) "School mapping" means action taken by the State Government or the local authority to locate the existence of schools in the neighbourhood and to assess the need for setting up new schools and includes up-gradation of existing schools in accordance with the provisions of these rules;
- (n) "Schools under the local authority" means the schools being run by the urban local bodies such as Municipalities and Municipal Corporations in urban areas and includes schools run by any duly authorized Panchayat body, in the rural areas;
- (o) "Schools of specified categories" means schools being run by the Departments of Panchayat and Rural Development, Mass Education Extension, Women and Child Development and Social Welfare, Minority Affairs and Madrasah Education and Backward Classes Welfare and includes any other schools to be notified by the State Government from time to time;
- (p) "section" means the section of the Act.

Transcribed By

Centre for Civil Society, A-69 Hauz Khas, New Delhi 110016

Tel: +91 11 2653 7456, 2652 1882 | Web: www.righttoeducation.in / www.ccs.in