



GOVERNMENT OF KERALA

Abstract

General Education Department - Guide Lines for issuing No Objection Certificate to Schools for getting CBSE/ICSE affiliation - approved - Orders issued.

GENERAL EDUCATION (N) DEPARTMENT

G.O.(MS)No.202 /11/G.Edn. Dated, Thiruvananthapuram, 07.10.2011.

- Read-
1. G.O.(MS) No.18/88/G.Edn dated 12.01.1988.
 2. G.O.(MS) No.137/2011/G.Edn dated 10.06.2011.
 3. Order dated 08.03.2011 of the Hon'ble Supreme Court of India inSLPC No.11666-11667/2009.

ORDER

No Objection Certificate was being issued to the schools for getting CBSE/ICSE affiliation up to the academic year 2006 as per norms contained in the G.O read as 1st paper above. But in the last 5 years NOC was not issued to schools for getting CBSE/ICSE affiliation. Aggrieved by this, many applicants filed cases for granting of NOC for CBSE/ICSE affiliation in Hon'ble High Court and Hon'ble Supreme Court. In the meantime Government changed its policy and decided to issue NOC for getting CBSE/ICSE affiliation subject to the total fulfilling of the norms and conditions prescribed by CBSE/ICSE as per G.O read as 2nd paper above, provided their own land and basic facilities. In the order itself it was mentioned that detailed guidelines for issue of NOC will be issued by the department in due course. Hon'ble Supreme Court vide reference (3) above directed that the guidelines may be formulated within three months, i.e, before 18th October, 2011.

Government have examined the matter in detail. As per Right to Education Act and Rules it is mandatory for all schools in the state to have recognition issued by Government. For new CBSE/ICSE schools, apart from this recognition, Government have to issue NOC for consideration by the respective Boards to grant affiliation.

Government proposes to have a system by which the recognition and NOC for affiliation is combined. The following guidelines shall apply for recognition and granting of NOC for affiliation for schools functioning in the state and desirous of offering CBSE/ICSE courses. The guidelines shall be applicable to existing CBSE/ICSE institutions as well and if they do not conform to the provisions of the guidelines, they will not be given recognition. A school which does not meet the conditions of the guidelines will have to be closed down with effect from 01.06.2012.

In the above circumstances Government are pleased to formulate the following guidelines for issuing NOC for getting CBSE/ICSE affiliation, recognition of schools following CBSE/ICSE syllabus, including the schools which have already obtained CBSE/ICSE affiliation.

An applicant school for getting NOC for CBSE/ICSE affiliation shall be granted NOC and subsequently recognition as specified in RTE Act subject to conforming to the following guidelines.

- i. The School should be run by a registered society or Trust and one of the Principal purposes of such Society / Trust must be educational.
- ii. Each school must have a properly constituted Governing Body.
- iii. The Society or Trust should have financial stability. It should have permanent source of income to meet running expenses of the school, to maintain it at a reasonable standard of efficiency and to pay the salaries of teachers regularly and in time.

- iv. The institution should have minimum 3 acre of land, out of which at least 2 acres shall be in the actual location where the school is functioning in a contiguous manner. It should have adequate playground also. There should be a library and adequate number of laboratories.
- v. It should have suitable equipments and furniture as may be prescribed from time to time.
- vi. The medium of instruction must be English. However Malayalam will be compulsorily taught as a paper with a prescribed text book and a proper academic evaluation as instructed by State Government from time to time.
- vii. The rate of tuition and other fees charged shall be commensurate with the facilities provided and a yearly return on the fee charged (all fees) shall be filed before the District Educational Officer concerned and in the school website.
- viii. The school shall appoint only qualified and eligible staff and must pay the salary and allowances and other benefits to the employees of the school. Employees in the CBSE/ICSE school shall be offered the same pay scales as in Government Schools for equivalent categories. The pay shall start at the minimum of the scale and employees shall be eligible for DA and increments as is allowed in Government Schools from time to time.
- ix. The schools shall follow Pupil Teacher Ratio of 30:1 in all classes and all the teachers thus found required in the schools would be enrolled in CPF schemes.
- x. The admission to the school shall be open to all without any discrimination on the ground of religion, caste. or race, place of birth or any of them. All schools shall strictly comply with RTE Act and Rules and shall provide admission for students belonging to category to be notified by Government to 25% of seats. The fees payable by such students shall be fixed by Government from time to time.

- x. Each school shall enter into a separate agreement with Government regarding clauses (vi),(vii),(viii) and (x) specifying that violation of these clauses shall result in withdrawal of NOC and recognition, without further hearing and notice. Government will put in place a mechanism to enquire into complaints, if any regarding the violation of these four clauses and the enquiry officer (not below the rank of DEO) shall hear the management's version also before finalizing report. The enquiry report of the District Educational Officer will be final.
- xii. The School and its record shall be open for inspection by an official of the Board or the State Education Department at any time and the school shall furnish information as may be asked for by the Board/State Government from time to time.
- xiii. No unrecognized class/Branches shall be run within the premises of school or outside in the same name of school. All schools Shall strictly comply with RTE Act and Rules.
- xiv. The school should have been in existence for a period of five years as on the date of application for NOC and should have at least 300 students in its rolls. The UIID enrollment should be completed and UIID numbers of the students enrolled in the school shall be furnished.
- xv. The school should have adequate number of toilets, 1 toilet per 20 children, proportionate number of girl friendly toilets, a common girls room and adequate provisions of potable drinking water.

The following documents should be produced along with the application for affiliation.

- a. Request of the application for affiliation of the school
- b. Documents to prove that the school is managed by a Registered Society or Trust and one of the principal purposes of such society or Trust is educational.
- c. Details of governing body.

- d. Documents to prove the details of ownership of landed property for the schools. They need to do electronic total station survey of the land upload the data with corresponding GPS value of the location to be incorporated in the school mapping portal.
- e. Possession certificate.
- f. Location Certificate,
- g. Site plan, sketch plan of the building and building Fitness Certificate.
- h. Certificate obtained from the Health Officer regarding the Health and sanitary condition of the school.
- i. Detail of equipments and furniture.
- j. Details of staff now working with qualification.
- k. The Number of teachers calculated as per Pupil Teacher Ratio 1:30 and details of their enrolment in CPF. Certificate from PF authorities that compulsory provident fund scheme has already been instituted in the said school specifying the data from which the CPF scheme has been adapted.
- l. Documents to prove the financial stability of the managements to meet the running expenses of the school to maintain it at a reasonable standard of efficiency and to pay the salaries of teachers regularly.
- m. Agreement of the Manager in stamp paper worth Rs.50/ to the effect that the school and its records shall be opened for inspection to the Inspecting Officers of the Education Department or such officers authorized by the Director of Public Instruction to enable such officers to assess the standard of instruction imposed by the said school and the Management shall, at any time render all facilities and assistance to conduct such inspection.
- n. Agreement as specified in Clause (x) above in the prescribed form.
- o. Declaration that no unrecognized classes/branches shall be run within the premises of the school or outside in the same name of the school.
- p. UIID numbered details of all students enrolled in the school.
- q. Documentary evidence that the school has been in existence of more than five years as on the date of application (certificate from educational authority /local body and admission registers since inception)

Existing CBSE/ICSE affiliated schools who have already got NOC from the State Government shall adhere to the same set of norms for obtaining recognition under RTE Act and Rules from academic year 2012-13.

All applicants seeking NOC for affiliation shall apply afresh to the concerned District Educational Officers before 01.11.2011.

By Order of the Governor
M.SIVASANKAR
Secretary

To

The Standing Council, New Delhi (With Covering letter)
The Director of Public Instruction, Thiruvananthapuram.
All the Deputy Directors of Education and the District Educational Officers.
The Advocate General, Ernakulam (with covering letter)
IT Department.
Stock file / Office Copy.

copy to: The Private Secretary to Chief Minister.
The Private Secretary to Minister (Education).

Forwarded By Order



Section Officer