



CENTRAL BOARD OF SECONDARY EDUCATION  
(An Autonomous Organisation under the Ministry of  
Human Resource Development Govt. of India)  
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No. COORD/AS/2011

23.8.2011

To,  
Heads of all the affiliated  
Schools of the Board

Reg: Additions/Amendments in the Affiliation Byelaws and Examination Byelaws in  
pursuance to the implementation of the Right of Children to Free and  
Compulsory Education Act, 2009

Sir/Madam,

You are aware that the Parliament in the sixtieth year of the Republic of India has enacted an Act to provide for free and compulsory education to all children of the age of six to fourteen years titled The Right of Children to Free and Compulsory Education Act, 2009 and published in the Gazette of India dated 29<sup>th</sup> August 2009 which has come into force w.e.f. 2010 academic session (**Not applicable in the State of Jammu & Kashmir**). In pursuance to the implementation of the said Act, CBSE has amended/added rules in its Affiliation Byelaws and Examination Byelaws to be in consonance with the provisions of the said Act which are enclosed as Annexures I and II respectively. The Definitions as given in the said Act are also enclosed as Annexure III, for reference. Heads of all the affiliated schools are requested to make note of the amendments/additions and bring the same to the notice of all concerned.

Yours faithfully,

(M C SHARMA)  
CONTROLLER OF EXAMINATIONS

Copy to:

1. The Director of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi – 110054
2. The Commissioner, Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi – 110016
3. The Secretary, Central Tibetan School Administration, EFF, ESS Plaza, Sector 3, Rohini, Delhi-85

4. The Additional Director General, Director General of Army Education, A-Wing, Sena Bhawan, DHQ-PO, New Delhi
5. The Deputy Director of Education, Border Security Force, Block – 10, CGO Complex, Lodhi Road, New Delhi-110003.
6. The Secretary, AWES, Army Headquarters, Adjutant General Branch CW-4, Army Welfare Education Society, West Block No.3, R.K. Puram, New Delhi-110022
7. The Secretary & Director Education, Govt. of Sikkim, Gangtok (Sikkim) – 737101
8. The Director of Education, Andaman and Nicobar Island, Port Blair-744101
9. The Director of School Education, Govt. of Arunachal Pradesh, Civil Sectt. Ita Nagar-791111, Arunachal Pradesh
10. The Commissioner, Navodaya Vidyalaya Samiti, A-28, Kailash Colony, New Delhi-110048.
11. The Director of Public Instruction, Chandigarh Administration, Sector-9, Chandigarh-160017
12. All the HODs and other Officers of CBSE
13. E.O. to Chairman, CBSE
14. All the Regional Officers of the CBSE.
15. All the Education Officers of the CBSE
16. Joint Secretary(IT), CBSE with a request to upload the circular on the Website.
17. Director(Training), CBSE with a request to get the circular printed in the forthcoming issue of CENBOSEC.
18. PRO, CBSE, Delhi

**CONTROLLER OF EXAMINATIONS**

**AMENDMENTS IN THE AFFILIATION BYE-LAWS OF THE CBSE DUE TO IMPLEMENTATION OF THE  
RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT-2009**

Sl. No.	RTE Clauses relevant to CBSE	Existing Rules in the Affiliation Bye-Laws	New/Amended Rules in the Affiliation Bye-Laws
1.	<p><b>Section 2 (h)</b></p> <p>Local authority means a Municipal Corporation or Municipal Council of Zila 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;</p>	<p>Rule 2.1 (xi)</p> <p>Government School" means a school run by the Department of Education of the Union Territory/ State Government.</p>	<p>Rule 2.1 (xi)</p> <p>Government School" means a school run by the Department of Education of the Union Territory/ State Government/Local Authority as stipulated in Section 2 (h) of RTE Act 2009.</p>
2.	<p><b>Section 23</b></p> <p>1. Any person possessing such minimum qualifications, as laid down by an academic authority, authorised by the Central Government, by notification, shall be eligible for appointment as a teacher.</p> <p>2. Where a State does not have adequate institutions offering courses or training in teacher education, or teachers possessing minimum qualifications as laid down under sub-section 910 are not available in sufficient numbers, the Central Government may, if it deems necessary, by notification, relax the minimum qualifications required for appointment as a teacher, for such period, not exceeding five years, as may be specified in that notification.</p>	<p>Rule 2.1 (xxix)</p> <p>"Teacher" means a person in the employment of an institution affiliated with the Board for teaching purposes</p>	<p>Rule 2.1 (xxix)</p> <p>"Teacher" means a person in the employment of an institution affiliated with the Board for teaching purposes as per the qualification criteria stipulated in Section 23 of RTE Act 2009 or as per Affiliation Bye-Laws of the Board.</p>
3.	<p><b>Section 2(b)</b></p> <p>"Capitation fee" means any kind of donation or contribution or payment other than the fee notified by the school.</p>		<p>Rule 2.1 (xxxi)</p> <p>"Capitation fee" means any kind of donation or contribution or payment other than the fee notified by the school.</p>

4.	Section 2 (c)  "child" means a male or female child of the age of six to fourteen years.	Rule 2.1 (xxxii)  "child" means a male or female child of the age of six to fourteen years.
5	Section 2 (d)  "child belonging to disadvantaged group" means a child belonging to the Scheduled Caste, the Scheduled Tribe, the socially and educationally backward class or such other group having disadvantage owing to social, cultural, economical, geographical, linguistic, gender or such other factor, as may be specified by the appropriate Government by notification.	Rule 2.1 (xxxiii)  "child belonging to disadvantaged group" means a child belonging to the Scheduled Caste, the Scheduled Tribe, the socially and educationally backward class or such other group having disadvantage owing to social, cultural, economical, geographical, linguistic, gender or such other factor, as may be specified by the appropriate Government by notification.
6	Section 2 (e)  "child belonging to weaker section" means a child belonging to such parent or guardian whose annual income is lower than the minimum limit specified by the appropriate Government, by notification.	Rule 2.1 (xxxiv)  "child belonging to weaker section" means a child belonging to such parent or guardian whose annual income is lower than the minimum limit specified by the appropriate Government, by notification.
7	Section 2 (f)  "elementary education" means the education from first class to eighth class;	Rule 2.1 (xxxv)  "elementary education" means the education from first class to eighth class;
8	Section 2 (g)  "guardian", in relation to child, means a person having the care and custody of that child and includes a natural guardian or guardian appointed or declared by a court or a statute;	Rule 2.1 (xxxvi)  "guardian", in relation to child, means a person having the care and custody of that child and includes a natural guardian or guardian appointed or declared by a court or a statute;
9	Section 2(h)  Local authority means a Municipal Corporation or Municipal Council of Zila 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	Rule 2.1 (xxxvii)  Local authority means a Municipal Corporation or Municipal Council of Zila Parishad or Nagar Panchayat or Panchayat, by whatever name called, and includes such other authority or body having administrative

	by or under any law for the time being in force to function as a local authority in any city, town or village;		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;
10	<p>Section 2 (n)</p> <p>"school" means any recognised school imparting elementary education and includes-</p> <ul style="list-style-type: none"> <li>(i) a school established, owned or controlled by the appropriate government or a local authority;</li> <li>(ii) an aided school receiving aid or grants to meet whole or part of its expenses from the appropriate Government or the local authority;</li> <li>(iii) a school belonging to specified category; and</li> <li>(iv) an unaided school not receiving any kind of aid or grants to meet its expenses from the appropriate Government or the local authority;</li> </ul>		<p>Rule 2.1 (xxxviii)</p> <p>"school" means any recognised school imparting elementary education and includes-</p> <ul style="list-style-type: none"> <li>(i) a school established, owned or controlled by the appropriate government or a local authority;</li> <li>(ii) an aided school receiving aid or grants to meet whole or part of its expenses from the appropriate Government or the local authority;</li> <li>(iii) a school belonging to specified category; and</li> <li>(iv) an unaided school not receiving any kind of aid or grants to meet its expenses from the appropriate Government or the local authority;</li> </ul>
11	<p>Section 21 (1)</p> <p>A school, other than a school specified in sub-clause (iv) of Clause (n) of Section 2, shall constitute a School Management committee consisting of the elected representatives of the local authority, parents or guardians of children admitted in such school and teachers.</p>	<p>Rule 6</p> <p>Subject to relevant provision in the Education Act of the State/U.T. Concerned, every affiliated school except schools run directly by the Education Department of the Government of the State/U.T. should have a scheme of management approved by the Board. It should also have a School Managing Committee as laid down under section 20(1) (2), (3) and 21.</p>	<p>Rule 6</p> <p>Subject to relevant provision in the Education Act of the State/UT concerned, every affiliated school should have a scheme of management approved by the Board. It should also have a School Managing Committee as stipulated in Section 21 (1) of RTE Act 2009 and as per provisions of Section 20(1) (2), (3) and 21 of Affiliation Bye-Laws of the Board.</p>
12	<p>Section 13 (1)</p> <p>No school or person shall, while admitting a child,</p>	<p>Rule 11.1</p> <p>Fees charges should be commensurate</p>	<p>Rule 11.1</p> <p>Fees charges should be commensurate with</p>

<p>collect any capitation fee and subject the child or his or her parents or guardian to any screening procedure;</p> <p>(2) Any school or person, if in contravention of the provisions of sub-section (1)-</p> <p>(a) Receives capitation fee, shall be punishable with fine which may extend to ten times the capitation fee charged;</p> <p>(b) Subjects a child to screening procedure, shall be punishable with fine which may extend to twenty-five thousand rupees for the first contravention and fifty thousand rupees for each subsequent contraventions.</p>	<p>with the facilities provided by the institution. Fees should normally be charged under the heads prescribed by the Department of Education of the State/U.T. for schools of different categories. No capitation fee or voluntary donations for gaining admission in the school or for any other purpose should be charged / collected in the name of the school. In case of such malpractices, the Board may take drastic action leading to disaffiliation of the school.</p>	<p>the facilities provided by the institution. Fees should normally be charged under the heads prescribed by the Department of Education of the State/U.T. for schools of different categories. No capitation fee or voluntary donations for gaining admission in the school or for any other purpose should be charged / collected in the name of the school <b>and the school should not subject the child or his or her parents or guardians to any screening procedure.</b> In case of such malpractices, the Board may take drastic action leading to disaffiliation of the school .</p> <p>Further, any school or person violates the above provisions is liable for the following:-</p> <p>(i) Receives capitation fee, shall be punishable with fine which may extend to ten times the capitation fee charged;</p> <p>(ii) Subjects a child to screening procedure, shall be punishable with fine which may extend to twenty-five thousand rupees for the first contravention and fifty thousand rupees for each subsequent contraventions.</p>	
<p>13</p>	<p>Section 3</p> <p>(1) 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.</p> <p>(2) For the purpose of sub-section (1) no child shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing the elementary education:</p> <p>Provided that a child suffering from disability, as defined in- Clause (i) of Section 2 of the Persons</p>	<p>Rule 3.12 (i)</p> <p>Admission in the school affiliated to the CBSE shall be made without any distinction of religion, race, caste, creed, place of birth or any of them. As regards reservation for SC/ST students is concerned, it shall be governed by the Education Act/Rules applicable to the State/U.T. where the school is situated.</p>	<p>Rule 3.12. (i)</p> <p>Admission in the school affiliated to the CBSE shall be made without any distinction of religion, race, caste, creed, place of birth or any of them. As regards reservation for SC/ST students is concerned, it shall be governed by the Education Act/Rules applicable to the State/U.T. where the school is situated.</p> <p>3.12(ii)</p> <p>For the purpose of admission and extent of schools responsibility for Free and Compulsory</p>



	<p>with Disabilities (Equal Opportunities, Protection and Full Participation) Act, 1996 (1 of 1996, shall have the right to pursue free and compulsory elementary education in accordance with the provisions of Chapter V of the said Act.</p>		<p>Education the school shall be governed by the provisions of the Right to Children to Free and Compulsory Education Act, 2009 and the amendments, made there to from time to time.</p> <p>3.12(iii)</p> <p>The school shall maintain all relevant records of the students applied and admitted annually as stipulated in Section 3 (1) and (2) of the RTE Act, 2009 and shall also follow the guidelines/instructions issued by the State in which the school is situated.</p>
14		<p>Rule 13.10(i)</p> <p>The Board may conduct an audit of the funds of the school as and when it thinks necessary to ensure that: a) the funds/fee collected by the school authorities are not diverted</p>	<p>Rule 13.10(i)</p> <p>The Board may conduct an audit of the funds of the school as and when it thinks necessary to ensure that: a) the funds/fee collected by the school authorities are not diverted <b>for any purpose other than furthering education.</b></p>
15		<p>Rule 19.2</p> <p>The Society/Trust/Company registered under section 25 of the Companies Act, 1956 will ensure that the school is running as per the provisions of the Education Act/Affiliation norms and shall be committed to provide quality education to the children and for this shall take necessary steps as per its needs.</p>	<p>Rule 19.2</p> <p>The Society/Trust/Company registered under section 25 of the Companies Act, 1956 will ensure that the school is running as per the provisions of the Education Act <b>and other relevant Acts of Centre/State Governments</b> affiliation norms of CBSE and shall be committed to provide quality education to the children and for this shall take necessary steps as per its needs.</p>

	Section 28 No teacher shall engage himself or herself in private tuition or private teaching activity.	Rule 39.2 No staff member shall undertake private or any other tuition without prior permission in writing of the Principal/Head of the Institution.	Rule 39.2 No staff member shall undertake private or any other tuition.
17	Rule 17 No child shall be subjected to physical punishment or mental harassment.	Rule 44.1 (d) He/she is charged with cruelty towards any student or any employee of the school.	Rule 44.1 (d) He/she is charged with cruelty/ <b>physical punishment or mental harassment</b> towards any student or any employee of the school.
18	Rule 12 (3) Every school shall provide such information as may be required by the appropriate Government or the local authority, as the case may be.	Rule 13.3 The school shall supply information and returns called for by the Board/State or Central government within the prescribed time given for its furnishing to the authority concerned.	Rule 13.3 The school shall supply information and returns called for by the Board/State/ Central Government/ <b>Local Authority</b> within the prescribed time given for its furnishing to the authority concerned.
19		Rule 3.3(v) The school in India must pay salaries and admissible allowances to the staff not less than the corresponding categories of employees in the State Government schools or as per scales etc. prescribed by the Government of India. The schools outside India should pay salaries not lower than those of the teachers in government schools in that country or not less than the salaries and foreign allowances payable to KVS teachers if officially posted to that country. A certificate to this effect should be obtained from the Indian Diplomatic Mission.	Rule 3.3(v) The school in India must pay salaries and admissible allowances to the staff not less than the corresponding categories of employees in the State Government schools or as per scales etc. prescribed by the Government of India <b>or as per the conditions laid down by the State Government.</b> The schools outside India should pay salaries not lower than those of the teachers in government schools in that country or not less than the salaries and foreign allowances payable to KVS teachers if officially posted to that country. A certificate to this effect should be obtained from the Indian Diplomatic Mission.



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Rule 3.3 C (c)

The school seeking permanent affiliation must be quality driven and must strive for excellence in all aspect of its activities. It must satisfy the board's direction regarding no school bag and no homework to the students upto class II, Continuous and Comprehensive Evaluation (CCE) in primary classes with no pass-fail criterion and also extension of CCE gradually upto class VIII.

Rule 3.3 C (c)

The school seeking permanent affiliation must be quality driven and must strive for excellence in all aspect of its activities. It must satisfy the board's direction regarding no school bag and no homework to the students upto class II, Continuous and Comprehensive Evaluation (CCE) in primary classes with no pass-fail criterion and also extension of CCE upto class X.

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Rule 4.1

The request for approval of middle class syllabus should be made only when the school has reached at least Class VI

Rule 4.1

The request for approval of middle class syllabus should be made only when the school has reached at least **Class V.**

## ANNEXURE II

**AMENDMENTS IN EXAMINATION BYELAWS IN PURSUANCE TO THE IMPLEMENTATION OF THE  
RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009**

Sl. No.	SECTION OF RTE ACT	PROVISION	EXAM. BYELAWS CHAPTER HEADING/ RULE HEADING	EXISTING RULE OF THE BYELAWS	AMENDED/NEW RULES
1	Section 3(2)	Provided that a child suffering from disability, as defined in Clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection and Full Participation) Act, 1996, shall have the right to pursue free and compulsory elementary education in accordance with the provisions of Chapter V of the said Act	6.1 ADMISSION OF STUDENTS TO A SCHOOL, TRANSFER/ MIGRATION OF STUDENTS - ADMISSION GENERAL CONDITIONS	6.1(b) New Rule	a child suffering from disability, as defined in Clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection and Full Participation) Act, 1996, shall have the right to pursue free and compulsory elementary education in accordance with the provisions of Chapter V of the said Act, as stipulated in Section 3(2) of THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009
2	Section 3(4)	Where a child above six years of age has not been admitted in any school or though admitted, could not complete his or her elementary education, then, he or she shall be admitted in a class appropriate to his or her age Provided that where a child is directly admitted in a class appropriate to his or her age, then, he or she shall, in order to be at par	6.1 ADMISSION OF STUDENTS TO A SCHOOL, TRANSFER/ MIGRATION OF STUDENTS - ADMISSION GENERAL CONDITIONS	6.1(c) New Rule	Where a child above six years of age has not been admitted in any school or though admitted, could not complete his or her elementary education, then, he or she shall be admitted in a class appropriate to his or her age Provided that where a child is directly admitted in a class appropriate to his or her age, then, he or she shall, in order to be at par with others, have a right to receive special training, in such manner, and within such time-limits, as may be prescribed. Provided further that a child so admitted to elementary education shall be entitled

		with others, have a right to receive special training, in such manner, and within such time-limits, as may be prescribed. Provided further that a child so admitted to elementary education shall be entitled to free education till completion of elementary education even after fourteen years			to free education till completion of elementary education even after fourteen years, as stipulated in Section 3(4) of THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009
3	Section 12(1)(c)	For the purposes of this Act, a school 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 section and disadvantaged group 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 clause (c) shall apply for admission to such pre-school education.	6.1 ADMISSION OF STUDENTS TO A SCHOOL, TRANSFER/ MIGRATION OF STUDENTS - ADMISSION GENERAL CONDITIONS	6.1 (d)(i) New Rule	For the purposes of this Act, a school specified in sub-clauses (iii) and (iv) of clause (n) of Section 2 shall admit in Class I, to the extent of the strength specified in THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009, of that class, children belonging to weaker section and disadvantaged group 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 clause (c) shall apply for admission to such pre-school education, as stipulated in section 12(1)(c) of THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009.
4	Section 12(2)	The school specified in sub-clause (iv) of clause (n) of section 2 providing free and compulsory elementary	6.1 ADMISSION OF STUDENTS TO A SCHOOL, TRANSFER/ MIGRATION OF	6.1 (d)(ii) New Rule	The school specified in sub-clause (iv) of clause (n) of section 2 providing free and compulsory elementary education as specified in clause (c) of sub-section (1)

		<p>education as specified in clause (c) of sub-section (1) shall be reimbursed expenditure so incurred by it to the extent of per-child-expenditure incurred by the State, or the actual amount charged from the child, whichever is less, in such manner as may be prescribed.</p> <p>Provided that such reimbursement shall not exceed per-child-expenditure incurred by a school specified in sub-clause (i) of clause (n) of section 2</p> <p>Provided further that where such school is already under obligation to provide free education to a specified number of children on account of it having received any land, building, equipment or other facilities, either free of cost or at a concessional rate, such school shall not be entitled for reimbursement to the extent of such obligation.</p>	STUDENTS - ADMISSION GENERAL CONDITIONS		<p>shall be reimbursed expenditure so incurred by it to the extent of per-child-expenditure incurred by the State, or the actual amount charged from the child, whichever is less, in such manner as may be prescribed.</p> <p>Provided that such reimbursement shall not exceed per-child-expenditure incurred by a school specified in sub-clause (i) of clause (n) of section 2.</p> <p>Provided further that where such school is already under obligation to provide free education to a specified number of children on account of it having received any land, building, equipment or other facilities, either free of cost or at a concessional rate, such school shall not be entitled for reimbursement to the extent of such obligation, as specified in section 12(2) of THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009.</p>
5	Section 13(1)	No school or person shall, while admitting a child, collect any capitation fee and subject the child or his or her parents or guardian to any screening procedure.	6.1 ADMISSION OF STUDENTS TO A SCHOOL, TRANSFER/ MIGRATION OF STUDENTS - ADMISSION GENERAL CONDITIONS	6.1(e) New Rule	No school or person shall, while admitting a child, collect any capitation fee and subject the child or his or her parents or guardian to any screening procedure, as stipulated in section 13(1) of THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009.
6	Section	Any school or person, if in			

	13(2)	<p>contravention of the provisions of sub-section (1) -</p> <p>(a) Receives capitation fee, shall be punishable with fine which may extend to ten times the capitation fee charged</p> <p>(b) Subjects a child to screening procedure, shall be punishable with fine which may extend to twenty-five thousand rupees for the first contravention and fifty thousand rupees for each subsequent contraventions</p>			<p>Any school or person, if in contravention of the above provisions -</p> <p>(a) Receives capitation fee, shall be punishable with fine which may extend to ten times the capitation fee charged</p> <p>(b) Subjects a child to screening procedure, shall be punishable with fine which may extend to twenty-five thousand rupees for the first contravention and fifty thousand rupees for each subsequent contraventions or as may be decided from time to time, as stipulated in section 13(2) of THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009.</p>
7	Section 14(1)	<p>For the purposes of admission to elementary education, the age of a child shall be determined on the basis of the birth certificate issued in accordance with the provisions of the Births, Deaths and Marriages Registration Act, 1886 or on the basis of such other document, as may be prescribed.</p>	<p>6.1 ADMISSION OF STUDENTS TO A SCHOOL, TRANSFER/ MIGRATION OF STUDENTS - ADMISSION GENERAL CONDITIONS</p>	<p>6.1(iv)(c) Date of Birth Certificate issued by the Registrar of Birth and Deaths, where-ever existing, as proof of date of birth</p>	<p>For the purposes of admission to elementary education, the age of a child shall be determined on the basis of the birth certificate issued in accordance with the provisions of the Births, Deaths and Marriages Registration Act, 1886 or on the basis of such other document, as may be prescribed, as stipulated in section 14(1) of THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009.</p>



Section 14(2)	No child shall be denied admission in a school for lack of age proof.	6.1 ADMISSION OF STUDENTS TO A SCHOOL, TRANSFER/MIGRATION OF STUDENTS - ADMISSION GENERAL CONDITIONS	6.1(iv)(d) New Rule	No child shall be denied admission in a school for lack of age proof, as stipulated in section 14(2) of THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009.
9	Section 15 A child shall be admitted in a school at the commencement of the academic year or within such extended period as may be prescribed. Provided that no child shall be denied admission if such admission is sought subsequent to the extended period. Provided further that any child admitted after the extended period shall complete his studies in such manner as may be prescribed by the appropriate Government.	RULE 6.5	6.5 No student shall be admitted in Class IX and above in a school affiliated with the Board after 31 <sup>st</sup> day of August of the year except with prior permission of the Chairman, CBSE/Competent Authority as may have been defined in the State/Union Territory Education Acts. The application for permission to grant admission after 31 <sup>st</sup> of August shall be routed through the Principal of the school specifying the reasons which are unavoidable. The candidate shall complete the required percentage of attendance (75%) for Class IX, X, XI & XII as per Examination Bye laws of the Board to make him/her eligible for the examinations conducted by the Board/School. In such cases where the admission by the candidate could not be taken in a higher class by the stipulated date because of the late declaration of result by the Board in respect of the examinations conducted by the Board such permission would not be required, provided the candidate applied for admission within a fortnight of the declaration of the result.	6.5(i) for admissions upto Class VIII a child shall be admitted in a school at the commencement of the academic year or within such extended period as may be prescribed by the school(s) concerned. Provided that no child shall be denied admission if such admission is sought subsequent to the extended period. Provided further that any child admitted after the extended period shall complete his studies in such manner as may be prescribed by the school concerned as stipulated in Section 15 of THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009.  (ii) No student shall be admitted in Class IX and above in a school affiliated with the Board after 31 <sup>st</sup> day of August of the year except with prior permission of the Chairman, CBSE/Competent Authority as may have been defined in the State/Union Territory Education Acts. The application for permission to grant admission after 31 <sup>st</sup> of August shall be routed through the Principal of the school specifying the reasons which are unavoidable. The candidate shall complete the required percentage of attendance (75%) for Class IX, X, XI & XII as per Examination Bye laws of the Board



					to make him/her eligible for the examinations conducted by the Board/School. In such cases where the admission by the candidate could not be taken in a higher class by the stipulated date because of the late declaration of result by the Board in respect of the examinations conducted by the Board such permission would not be required, provided the candidate applied for admission within a fortnight of the declaration of the result.
10	Section 17(1)	No child shall be subjected to physical punishment or mental harassment.	6.1 ADMISSION OF STUDENTS TO A SCHOOL, TRANSFER/MIGRATION OF STUDENTS ADMISSION GENERAL CONDITIONS	6.6 New Rule	No child shall be subjected to physical punishment or mental harassment. Whoever contravenes the provisions of sub-section (1) shall be liable to disciplinary action under the service rules applicable to such person.
11	Section 17(2)	Whoever contravenes the provisions of sub-section (1) shall be liable to disciplinary action under the service rules applicable to such person.			
12	Section 30(2)	Every child completing his elementary education shall be awarded a certificate, in such form and in such manner, as may be prescribed.	RULE 7.1	Admissions upto Class VIII (i.e. Class VIII and below) shall be regulated by the rules, regulations, orders of the State/U.T. Governments applicable to the place where the School is located	7.1(i) Admissions upto Class VIII (i.e. Class VIII and below) shall be regulated by the rules, regulations, orders of the State/U.T. Governments applicable to the place where the School is located" (ii) Every child completing his elementary education shall be awarded a certificate, in such form and in such manner, as may be prescribed by the respective school(s) as stipulated in Section 30(2) of THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009.

## ANNEXURE-III OF THE EXAMINATION BYE LAWS

### DEFINITIONS AS GIVEN IN THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009 (35 OF 2009) (NOT APPLICABLE FOR THE STATE OF JAMMU & KASHMIR)

In this Act, unless the context otherwise requires,-

(a) "appropriate Government" means-

(i) in relation to a school established, owned or controlled by the Central Government, or the administrator of the Union territory, having no legislature, the Central Government;

(ii) in relation to a school, other than the school referred to in sub-clause (i), established within the territory of-

(A) A State, the State Government;

(B) A Union territory having legislature, the Government of that Union territory,

(b) "capitation fee" means any kind of donation or contribution or payment other than the fee notified by the school;

(c) "child" means a male or female child of the age of six to fourteen years;

(d) "child belonging to disadvantaged group" means a child belonging to the Scheduled Caste, the Schedule Tribe, the socially and educationally backward class or such other group having disadvantage owing to social, cultural, economical, geographical, linguistic, gender or such other factor, as may be specified by the appropriate Government, by notification;

(e) "child belonging to weaker section" means a child belonging to such parent or guardian whose annual income is lower than the minimum limit specified by the appropriate Government, by notification;

(f) "elementary education" means the education from first class to eighth class;

(g) "guardian", in relation to a child, means a person having the care and custody of that child and includes a natural guardian or guardian appointed or declared by a court or a statute;

(h) "local authority" means a Municipal Corporation or Municipal Council or Zila 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;

(i) "National Commission for Protection of Child Rights" means the National Commission for Protection of Child Rights constituted under section 3 of the Commissions for Protection of Child Rights Act, 2005;

(j) "Notification" means a notification published in the Official Gazette;

(k) "parent" means either the natural or step or adoptive father or mother of a child.

(l) "prescribed" means prescribed by rules made under this Act;

(m) "Schedule" means the Schedule annexed to this Act;

(n) "school" means any recognized school imparting elementary education and includes-

(i) a school established, owned or controlled by the appropriate Government or a local authority;

(ii) an aided school receiving aid or grants to meet whole or part of its expenses from the appropriate Government or the local authority;

(iii) A school belonging to specified category; and

(iv) an unaided school not receiving any kind of aid or grants to meet its expenses from the appropriate Government or the local authority;

(o) "screening procedure" means the method of selection for admission of a child, in preference over another, other than a random method;

(p) "specified category", in relation to a school, means a school known as Kendriya Vidyalaya, Navodaya Vidyalaya, Sainik School or any other school having a distinct character which may be specified, by notification, by the appropriate Government;

(q) "State Commission for Protection of Child Rights" means the State Commission for Protection of Child Rights constituted under section 3 of the Commissions for Protection of Child Rights Act, 2005.