

Rajasthan Right of Children to Free and Compulsory Education Rules, 2011

RAJASTHAN

India

Rajasthan Right of Children to Free and Compulsory Education Rules, 2011

Rule

RAJASTHAN-RIGHT-OF-CHILDREN-TO-FREE-AND-COMPULSORY-ED of 2011

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035.

In exercise of the powers conferred by section 38 of the Right of Children to Free and Compulsory Education Act, 2009 (Central Act No. 35 of 2009), the State Government hereby makes the following rules, namely :-

1. Short title, extent and commencement

. (1) These rules may be called the Rajasthan Right of Children to Free and Compulsory Education Rules, 2011.(2)They shall come into force with immediate effect.(3)They shall extend to the whole of the State of Rajasthan.Part - IPreliminary

2. Definitions

. (1) In these rules, unless the context otherwise requires, (i)"Act" means the Right of Children to Free and Compulsory Education Act, 2009 (Central Act No. 35 of 2009);(ii)"Anganwadi" means an Anganwadi Centre established under the Integrated Child Development Services Scheme of the Ministry of Women and Child Development of the Government of India;(iii)"Block Elementary

Education Officer" means the officer in charge for elementary education in a Block;(iv)"Child with disability" means a child covered under the definition of 'person with disability' under clause (t) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995;(v)"Commissioner/Director Sarva Shiksha Abhiyan" means the Head of the Rajasthan Council of Elementary Education;(vi)"Director, Elementary Education" means the Head of the Department of Elementary Education;(vii)"District Elementary Education Officer" means the officer in charge for elementary education in a district;(viii)"District" means a revenue district of the State;(ix)"Executive Committee" means a committee of the School Management constituted for day-to-day management of a school;(x)"Primary School" means a school that imparts education from class I to class V;(xi)"Pupil cumulative record" means record of the progress of the child based on comprehensive and continuous evaluation;(xii)"Rajasthan Non-Government Educational Institutions Tribunal" means a Tribunal established by the State Government under the provisions of the Rajasthan Non-Government Educational Institutions Act, 1989;(xiii)"School Management Committee" means the committee constituted under section 21 of the Act;(xiv)"School mapping" means planning school location for the purpose of section 6 of the Act to overcome social barriers and geographical distance;(xv)"Section" means section of the Act;(xvi)"State" means the State of Rajasthan;(xvii)"State Government" means the Government of Rajasthan; and(xviii)"Upper Primary School" means a school imparting education between class I to VIII.(2)All other word and expression used herein and not defined in these rules but defined in the Act shall have the same meaning respectively assigned to them in the Act.

3. Composition and functions of the School Management Committee

. (1) A School Management Committee (hereinafter in this Part referred to as the said Committee) shall be constituted in every School, other than an unaided School and reconstituted every two years, as per the directions issued by the State Government/Local Authority from time to time.(2)The said Committee shall have the following members : (a)Parent/Guardian of every child studying in the School;(b)all the teachers working in the School;(c)the person elected from the ward of the local authority in which the school is located; and(d)all other elected members of the local authority residing in the village/ward in which the school is located.(3)The Chairperson, Vice-Chairperson and Member-Secretary of the Executive Committee shall be the Chairperson, Vice-Chairperson and Member-Secretary, respectively of the said Committee.(4)The said Committee shall meet at least once in every three months, and the minutes and decisions of the meetings shall be properly recorded and made available to the public.(5)The said Committee shall, in addition to the functions specified in clauses (a) to (d) of sub-section (2) of section 21, perform the following functions, namely :-(a)communicate in simple and creative ways to the population in the neighbourhood of the school, the rights of the child as enunciated in the Act and also the duties of the State Government, local authority, School, parent and guardian;(b)ensure the implementation of clauses (a) and (e) of subsection (1) of section 24 and section 28;(c)monitor the compliance of the section 27;(d)ensure the enrolment and continued attendance of all the children from the neighbourhood in the school;(e)monitor the maintenance of the norms and standards specified in the Schedule;(f)bring to the notice of the local authority any deviation from the rights of the child, in particular mental and physical harassment of children, denial of admission, and timely provision of free entitlements as per sub-section (2) of section 3;(g)identify the needs, prepare a plan, and

monitor the implementation of the provisions of section 4;(h)monitor the identification and enrolment of, and facilities for education of children with disability, and ensure their participation in and completion of elementary education;(i)monitor the implementation of the mid-day meal in the school; and(j)prepare an annual account of receipts and expenditure of the school.(6)Any money received by the said Committee for the discharge of its functions under the Act, shall be kept in a separate account, to be audited annually.(7)The accounts referred to in clause (j) to sub-rule (5) and in sub-rule (6) shall be signed by the Chairperson or Vice-chairperson and Member-Secretary of the said Committee and made available to the local authority within one month of their preparation.

4. Executive Committee of the School Management Committee

. (1) The School Management Committee shall constitute a Executive Committee consisting or' the following :-(a)the Head Master of the school;(b)one of the teachers from the school, preferably a lady teacher;(c)the person elected to the ward of local body in which the school is situated;(d)eleven members elected by the School Management Committee from amongst the parents/guardians of the students;(e)one local educationalist or student of the school nominated by the remaining Members of the Executive Committee :Provided that at least 50% of members of the Executive Committee shall be women and appropriate representation of the Scheduled Castes/ Scheduled Tribes shall also be ensured.(2)The Executive Committee shall elect a Chairperson and Vice-Chairperson from among the parent members. The Headmaster of the School shall be the ex-officio Member Secretary of the Executive Committee.(3)The Executive Committee shall meet at least once in every month. The quorum for meetings of the Executive Committee shall be 1/3rd of its total members. The minutes and decisions of the meetings shall be properly recorded and placed in the next meeting of the School Management Committee.

5. Preparation of School Development Plan

. (1) The School Management Committee shall prepare a School Development Plan at least three months before the end of the financial year in which it is first constituted under the Act.(2)The School Development Plan shall be a three-year plan comprising three annual sub plans.(3)The School Development Plan shall contain the following details, namely : (a)estimates of class-wise enrolment for each year;(b)requirement of the number of additional teachers, including Head Master, subject teachers and part time teachers/ instructors, separately for classes I to V and classes VI to VIII, calculated, with reference to the norms specified in the Schedule;(c)physical requirement of additional infrastructure and equipments, calculated with reference to the norms and standards specified in the Schedule;(d)year-wise additional financial requirement, in respect of (b) and (c) above, including additional requirement for providing special training facility specified in section 4, entitlements of children such as free text books and any other additional financial requirement for fulfilling the responsibilities of the School under the Act.(4)The School Development Plan shall be signed by the Chairperson/ Vice-Chairperson and the Member Secretary of the School Management Committee and submitted to the Block Elementary Education Officer before the end of the financial year in which it is to be prepared.

6. Special Training

. (1) The School Management Committee of a school owned by the State Government or a Local Authority shall identify children requiring special training and organize such training in the following manner, namely :-(a)the special training shall be based on specially designed, age appropriate learning material, approved by the Academic Authority specified in sub-section (1) of section 29;(b)the said training shall be provided in classes held on the premises of the School, or in classes organized in safe residential facilities;(c)the said training shall be provided by teachers working in the School, or by teachers specially appointed for the purpose;(d)the duration of the said training shall be for a minimum period of three months which may be extended, based on periodical assessment of learning progress, for a maximum period not exceeding two years.(2)The child shall, upon induction into the age appropriate class, after special training, continue to receive special attention by the teacher to enable him/her to successfully integrate with the rest of the class, academically and emotionally.Part - IV Duties and Responsibilities of State Government and Local Authority

7. Areas or limits of neighbourhood

. (1) The areas or limits of neighbourhood within which a School has to be established by the State Government shall be, (a)in respect of children in classes from I to V, a School shall be established within a walking distance of one km. of the neighbourhood.(b)in respect of children in classes from VI to VIII, a School shall be established within a walking distance of 2 km. of the neighbourhood.(2)Wherever required, the State Government or the local authority shall upgrade existing Schools with classes I to V to include classes VI to VIII and in respect of Schools which start from class 'VI onwards, the State Government or local authority shall endeavour to add classes from I to V, wherever required.(3)In difficult and remote areas like desert area, hilly area, and areas with scattered population, the State Government or local authority shall establish a School with classes I to V, in a habitation whose minimum population is 150 persons and having minimum 20 children in the age group of 6 to 11 years, and a School with classes VI to VIII in a habitation with minimum 30 children in class V from at least two feeder primary schools.(4)For children from small hamlets (Dhanis), as identified by the State Government or local authority, where no School exists within the area or limits of neighbourhood specified under sub-rules (1) and (3) above, the State Government or local authority shall make adequate arrangements, such as free transportation and residential facilities for providing elementary education, in relaxation of the area or limits specified under sub-rules (1) and (3).(5)In places with high population density, the State Government or local authority may establish more than one neighbourhood School, having regard to the number of children in the age group of 6 to 14 years.(6)The local authority shall identify the neighbourhood school(s) where children can be admitted and make such information public for each habitation within its jurisdiction.(7)In respect of children with disabilities, which prevent them from accessing the school the State Government or local authority shall endeavour to make appropriate and safe transportation arrangements for them to attend school and complete their elementary education.(8)The State Government or local authority shall ensure that access of children to the school is not hindered on account of social and economical factors.

8. Responsibilities of the State Government and local authority

. (1) A child attending a school of the State Government or local authority referred to in sub-clause (i) of clause (n) of section 2, a child attending a school referred to in sub-clause (ii) of clause (n) of section 2 in accordance with clause (b) of sub section (1) of section 12, and a child attending a school referred to in sub-clauses (iii) and (iv) of clause (n) of section 2 in accordance with clause (c) of sub section (1) of section 12 shall be entitled to free education as provided for in sub-section (2) of section 3 of the Act, and in particular to free text books and support materials :Provided that the child with disability shall be entitled for free special learning and support material also.Explanation

For the purposes of sub-rule (1), the child admitted in accordance with clause (b) of sub-section (1) of section 12 and a child admitted in accordance with clause (c) of subsection (1) of section 12, the responsibility of providing the free entitlement shall be of the school referred to in sub-clause (ii) of clause (n) of section 2 and of sub-clauses (iii) and (iv) of clause (n) of section 2, respectively.(2)For the purpose of determining and for establishing neighbourhood Schools, the State Government or local authority shall undertake School mapping, and identify all children, including children in remote areas, children with disability, children belonging to disadvantaged group, children belonging to weaker section and children referred to in section 4, every year.(3)The State Government or local authority shall ensure that no child is subjected to caste, class, religious or gender abuse, or any form of physical and mental harassment in the school.(4)For the purposes of clause (c) of section 8 and clause (c) of section 9, the State Government and the local authority shall ensure that a child belonging to a weaker section and a child belonging to disadvantaged group is not segregated or discriminated in the classroom, during mid-day meals, in the play grounds, in the use of common drinking water and toilet facilities.

9. Maintenance of records of children by the local authority

. (1) The local authority shall maintain a record of all children in its jurisdiction, through a household survey, from their birth till they attain the age of 14 years.(2)The record, referred to in sub-rule (1), shall be updated annually.(3)The record, referred to in sub-rule (1), shall be maintained transparently, in the public domain, and used for the purposes of clause (e) of section 9.(4)The record, referred to in sub-rule (1) shall, in respect of every child, include, (a)name, sex, date of birth with birth certificate number, place of birth;(b)name, address, occupation of parents or guardians;(c)pre-primary school/anganwadi centre that the child attends (upto age of 6 years);(d)elementary school where the child is admitted;(e)present address of the child;(f)class in which the child is studying (for children between the age of 6 to 14 years), and if education is discontinued in the territorial jurisdiction of the local authority, the cause of such discontinuance;(g)whether the child belongs to the weaker section within the meaning of clause (e) of section 2;(h)whether the child belongs to a disadvantaged group within the meaning of clause (d) of section 2;(i)whether the child requires special facilities or residential facilities on account of, (a)migration and sparse population,(b)age appropriate admission, and(c)disability.(5)The local authority shall ensure that the names of all the children enrolled in the schools under its jurisdiction are publicly displayed in each School.Part - VResponsibilities of Schools and Teachers

10. Admission of children belonging to weaker section and disadvantaged group

. (1) The school referred to in sub-clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in accordance with clause (c) of sub-section (1) of section 12 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. (2) The school referred to in sub-clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in accordance with clause (c) of sub-section (1) of section 12 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, co-curricular activities and sports. (3) The area or limits of neighbourhood for the purposes of admissions to be made in accordance with clause (c) of sub-section (1) of section 12 shall be the geographical limits of the concerned Gram Panchayat/Nagar Palika/Nagar Parishad/Nagar Nigam, as the case may be, within which the School is situated : Provided that if the number of applicants for admission in a particular School is more than the number of seats for children belonging to weaker section and disadvantaged group, preference shall be given to the children from the village/municipal ward in which the School is situated. (4) The admission of children in accordance with clause (c) of subsection (1) of section 12 shall be done by draw of lots or in accordance with the directions issued by the State Government, from time to time. (5) No School or person shall, while admitting the child, collect any capitation fee and subject the child or his/her parent/guardian to any screening procedure. (6) In case of schools which have been set up exclusively for boys or girls, the admissions in accordance with clause (b) and (c) of sub-section (1) of section 12 shall be granted to only boys or girls, as the case may be. (7) Class-wise names of the students admitted in the aided and unaided private schools and the specified schools under section 12 shall be displayed at a prominent place/notice board in the school. If the school has a website, the names shall also be displayed on the website of the school.

11. Reimbursement of per-child expenditure by the State Government

. (1) The total annual recurring expenditure incurred by the State Government, from its own funds, and funds provided by the Central Government, and by any other authority, on elementary education in respect of all Schools referred to in sub-clause (i) of clause (n) of section 2, divided by the total number of children enrolled in all such Schools, shall be the per-child expenditure incurred by the State Government. **Explanation** For the purpose of determining the per-child expenditure, the expenditure incurred by the State Government or Local Authority on schools referred to in sub-clause (ii) of clause (n) of section 2 and the children enrolled in such schools shall not be included. (2) Every School referred to in sub clauses (iii) and (iv) of clause (n) of section 2 shall maintain a separate bank account in respect of the amount received by it as reimbursement under sub-section (2) of section 12. (3) The per child expenditure incurred by the State shall be calculated every year by a state level committee to be constituted by the State Government. The Additional Chief Secretary/Principal Secretary, Finance Department or his representative not below the rank of Secretary shall be a member of this committee. One representative of the private unaided educational institutions shall be nominated as a member of this committee by the State Government. The Committee shall meet within three months after the coming into force of these

rules and, thereafter, every year in the month of May to assess the per child expenditure for the purposes of reimbursement of expenditure during the next academic year.(4)Director, Elementary Education shall communicate the decision of the committee to all the District Elementary Education Officers for reimbursement of fee in respect of children admitted in accordance with clause (c) of sub-section (1) of section 12 in the Schools referred to in sub-clauses (iii) and (iv) of clause (n) of section 2.(5)The reimbursement will be made directly to the school twice a year. The first reimbursement for the period from April to August will be made in the month of October and the final reimbursement for the period from September to the end of the academic session will be made by the end of June.(6)Each school specified in sub-clause (iii) and (iv) of clause (n) of section 2 claiming reimbursement of per child expenditure in respect of the children belonging to weaker section and disadvantaged group shall submit its claim to the concerned Block Elementary Education Officer in form specified by the State Government along with a list of the children belonging to weaker section and disadvantaged group admitted in the school. The claim shall be submitted in the months of August and April every year.(7)The Block Elementary Education Officer may verify or cause to verify the enrolment of the children before making the final reimbursement.

12. Documents for age proof

. Wherever a birth certificate issued under the rules made under the Registration of Births and Deaths Act, 1969 (Central Act No. 18 of 1969) is not available, any one of the following documents shall be deemed to be proof of age of the child for the purposes of admission in Schools: (a)hospital/Auxiliary Nurse and Midwife (ANM) register/record;(b)anganwadi record; and(c)declaration of the age of the child by the parent or guardian.

13. Extended period of admission

. (1) Extended period of admission shall be six months from the date of commencement of the academic year of a School.(2)Where a child is admitted in a School after the extended period, he shall be eligible to complete studies with the help of special training, as determined by the Head Master of the School.

14. Recognition to school

. No school, other than a school established, owned or controlled by the Central Government, State Government or the local authority, shall be established or function without obtaining recognition under the Rajasthan Non-Government Educational Institutions Act, 1989 (Act No. 19 of 1992).

15. Withdrawal of recognition to School, Recognition, granted to a School under the Rajasthan No.

- Government Educational Institutions Act, 1989 (Act No. 19 of 1992), may be withdrawn, at any time, as per the provisions of the said Act.Part-VITeachers

16. Minimum Qualification

. (1) The minimum qualifications laid down by the academic authority notified by the Central Government under sub-section (1) of section 23 shall be applicable to all schools referred to in clause (n) of section 2.(2)No appointment of teacher for any school can be made in respect of any person not possessing the minimum qualification laid down by the academic authority notified by the Central Government under sub-section (1) of section 23.

17. Relaxation of minimum qualification

. (1) The State Government shall estimate the teacher requirement as per the norms in the Schedule for all schools referred to in clause (n) of section 2.(2)If the State does not have adequate institutions offering courses or training in teacher education, or persons possessing minimum qualifications as notified by the academic authority notified by the Central Government under sub-section (1) of section 23 are not available in sufficient numbers in relation to the requirement of teachers estimated under sub-rule (1), the State Government shall request the Central Government for relaxation of the prescribed minimum qualification.(3)No appointment of teacher for any school can be made in respect of any person not possessing the minimum qualifications notified by the academic authority appointed by the Central Government under sub-section (1) of section 23, without the notification of relaxation referred to in sub-rule (2).

18. Acquiring minimum qualifications

. (1) The State Government shall provide adequate teacher education facilities to ensure that all teachers in schools referred to in sub-clause (i) of clause (n) of section 2 and schools referred in sub-clause (iii) of clause (n) of section 2 owned and managed by the State Government or local authority under sub-clause (iii), of clause (n) of section 2, who, at the time of commencement of the Act, do not possess the minimum qualifications laid down by the academic authority notified by the Central Government under sub-section (1) of section 23, acquire such minimum qualifications within a period of five years from the commencement of the Act.(2)For a teacher, of any school referred to in sub-clauses (ii) and (iv) of clause (n) of section 2, and of a school referred to in sub-clause (iii) of clause (n) of section 2 not owned and managed by the Central Government, State Government or local authority, who, at the time of commencement of the Act, does not possess the minimum qualifications laid down by the academic authority notified by the Central Government under sub-section (1) of section 23, the management of such School shall enable such teacher to acquire such minimum qualifications within a period of five years from the commencement of the Act.

19. Salary, allowances, terms and conditions of service of teachers

. Salary and allowance payable to teachers and their terms and conditions of service shall be as per the relevant service rules in force viz. Rajasthan Educational Subordinate Service Rules, 1971, Rajasthan Panchayati Raj Rules, 1996 and Rajasthan Panchayati Raj Prabodhak Service Rules,

2008, as the case may be.

20. Duties to be performed by teachers

. (1) In performance of the functions specified in sub-section (1) of section 24 and in order to fulfill the requirements of clause (h) of sub-section (2) of section 29, the teacher shall maintain a file containing the pupil cumulative record for every child, which shall be the basis for awarding the completion certificate specified in sub-section (2) of section 30.(2)A teacher, in addition to the functions specified in clauses (a) to (e) of sub-section (1) of section 24, may perform the following duties, namely :-(a)participation in training programmes; and(b)participation in curriculum formulation, and development of syllabi, training modules and textbook development.

21. Maintaining Pupil-Teacher Ratio in each School

. (1) The sanctioned strength of teachers in a school shall be notified by the State Government or the local authority, as the case may be :Provided that the State Government or the local authority, as the case may be, shall, within three months of such notification, redeploy teachers of schools having strength in excess of the sanctioned strength prior to the notification referred to in sub-rule (1).(2)The requirement of teachers in every school owned or controlled by the State Government or the local authority shall be assessed every year on the basis of the number of students appearing in the last summative evaluation in the preceding academic session in the following manner :-(a)At the School level, the Head Master of the School shall, in consultation with the School Management Committee, prepare a report in the proforma to be specified by the State Government for this purpose. This report shall be prepared in consonance with the norms of the Act regarding pupil-teacher ratio and shall be sent by 10th of April every year to the concerned Block Elementary Education officer;(b)The Block Elementary Education Officer shall prepare a consolidated report of all the Primary and Upper Primary Schools in the Block in the proforma to be specified by the State Government for this purpose. This report shall form the basis for a rationalization of the postings of teachers in the various schools in the Block. The Block Elementary Education Officer shall, by the 10th of May every year, send the report of surplus/shortfall of teachers as per norms prescribed in the Act to the District Elementary Education Officer;(c)The District Elementary Education Officer shall prepare a consolidated report for the district on the basis of the reports received from the Block Elementary Education Officers. This report shall form the basis for transfer/postings of teachers from one Block of the district to another Block. The District Elementary Education Officer shall, by the 20th of May every year, send the report of surplus/shortfall of teachers as per norms prescribed in the Act to the Director, Elementary Education;(d)The Director, Elementary Education shall prepare the consolidated report of the State on the basis of the reports received from the District Elementary Education Officers and shall take appropriate action regarding shortfall/surplus of the teachers, if any, and shall send the report to the State Government by 15th of June every year.(3)If any person of the State Government or the local authority violates the provisions of sub-section (2) of section 25, he or she shall be personally liable for disciplinary action.

22. Academic Authority

. (1) The State Institute of Educational Research and Training shall be the Academic Authority for the purposes of section 29.(2)While laying down the curriculum and evaluation procedure, the Academic Authority shall, -(a)formulate the relevant and age appropriate syllabus and text books and other learning material;(b)develop in-service teacher training design; and [***] [Deleted 'and' by Notification No. G.S.R. 70, dated 22.9.2017 (w.e.f 30.03.2011).](c)[prepare class-wise, subject-wise learning outcomes for all elementary classes; and [Substituted by Notification No. G.S.R. 70, dated 22.9.2017 (w.e.f 30.03.2011).](d)prepare guidelines for putting into practice continuous and comprehensive evaluation, to achieve the defined learning outcomes.](3)The academic authority shall design and implement a process of holistic school quality assessment on a regular basis.

23. Award of certificate

. (1) The certificate of completion of elementary education shall be issued by the Headmaster of the School within one month of the completion of elementary education.(2)The Certificate referred to in sub-rule (1) shall, (a)certify that the child has completed all courses of study prescribed under section 29;(b)contain the pupil cumulative record of the child and also specify achievements of the child in areas of activities beyond the prescribed course of study and may include music, dance, literature, sports, etc.Part - VIIGrievance Redressal

24. Grievance redressal mechanism for teachers

. (1) For redressal of the grievances of teachers in the schools established, owned or controlled by the State Government or the local authority, there shall be a Block Level Grievance Redressal Committee, consisting of the following :

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| (i) Block Development Officer | — Chairperson |
| (ii) Block Elementary Education Officer | — Member |
| (iii) Additional Block Elementary Education Officer | — Member Secretary |

(2)Any teacher of a school established, owned or controlled by the State Government or the local authority may submit his grievance in writing to the Member-Secretary of the committee.(3)There shall be a District Level Grievance Committee for redressal of the grievances of teachers. Any teacher who is not satisfied with the decision of Block Level Committee may appeal to the District Level Grievance Committee,(4)The District Level Grievance Redressal Committee shall consist of the following

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| (i) Chief Executive Officer, Zila Parishad | — Chairperson |
| (ii) District Elementary Education Officer | — Member |
| (iii) Additional District Elementary Education Officer | — Member Secretary |

(5)The Block and District level committees shall meet as per the requirement but at least once in every three months.(6)The Member-Secretary of the committee shall communicate the decision of

the committee to the concerned teacher.(7)Every aided/unaided private school shall develop its own mechanism for redressal of the grievances of its teachers.

25. Grievance redressal for children/parents

. (1) Any grievance arising out of non-compliance or violation of the provisions of the Act shall be made directly to the Chairperson of School Management Committee.(2)The School Management Committee shall make an arrangement to register every grievance received from the children/guardian/parents.(3)The Chairperson of the School Management Committee shall take up the issues raised in the complaint in the regular meetings of the School Management Committee and shall take appropriate action thereupon :Provided that an emergency meeting may also be called depending upon the gravity of the case.(4)The applicant shall also be called in the meeting of the School Management Committee and shall be given personal hearing.(5)The School Management Committee may also call and give a personal hearing to the person against whom the complaint is received.(6)After giving proper hearing to both the parties the School Management Committee shall take appropriate action if it is to be taken at its level or otherwise it shall refer the matter to the concerned appropriate authority for further appropriate action.(7)The appropriate authority shall take proper action and inform the applicant within a period not exceeding 3 months.(8)If the applicant is not satisfied by the actions taken as mentioned above in sub-rules (6) and (7), he/she may approach to the Rajasthan State Commission for Protection of Child Rights/National Commission for Protection of Child Rights.Part - IXProtection of Right of Children

26. Performance of functions by the Rajasthan State Commission for Protection of Child Rights

. The State Government may constitute a cell to assist the Rajasthan State Commission for Protection of Child Rights in performance of its functions under the Act.

27. Manner of furnishing complaints before the Rajasthan State Commission for Protection of Child Rights

. The Rajasthan State Commission for Protection of Child Rights may set up a child help line for registration of complaints regarding violation of rights of the child under the Act, which may be monitored by it through on-line mechanism.

28. Constitution and Functions of the State Advisory Council

. (1) For advising the State Government on implementation of provisions of the Act in an effective manner, the State Government shall constitute a State Advisory Council (hereinafter referred to in this rule as the Council) consisting of a Chairperson and fourteen members.(2)Members of the Council shall be appointed by the State Government from amongst persons having knowledge and practical experience in the field of elementary education and child development.(3)The Council shall consist of the following, namely : (a)The Minister in-charge of School Education Department as

ex-officio Chairperson of the Council;(b)at least three members should be from amongst persons belonging to the Scheduled Castes, the Scheduled Tribes and minorities;(c)at least one member should be from amongst persons having specialized knowledge and practical experience of education of children with special needs;(d)one member should be from amongst persons having specialized knowledge in the field of pre-primary education (e) at least one member should be from amongst persons having specialized knowledge and practical knowledge in the field of teacher education;(f)The following shall be ex-officio members of the Council : (i)Secretary in charge of Elementary Education,(ii)Director, State Institute of Educational Research and Training, Udaipur,(iii)Commissioner/Director of Elementary Education, and(iv)Chairperson, Rajasthan State Commission for Protection of Child Rights;(g)State Project Director, Sarva Shiksha Abhiyan shall be the ex officio Member Secretary of the Council.(4)One third member of the Council shall be women.(5)The Council may especially invite representatives of other related departments as required.(6)The Department of School Education shall provide logistic support for meetings of the Council and its other functions.(7)The procedure for transaction of business of the Council shall be as under : (a)The Council shall meet regularly, at such time and place as the Chairperson thinks fit, but three months shall not intervene between its last and the next meeting;(b)The meeting of the Council shall be presided over by the Chairperson. If for any reason the Chairperson is unable to attend the meeting of the Council, he may nominate a member of the Council to preside over such meeting. Quorum of the meeting of the Council shall be considered complete if at least 50% of its members are present.(8)The terms and conditions for appointment of members of the Council shall be as under : (a)Every member shall hold office for a term of two years from the date on which he assumes office but no member shall hold office for more than two terms;(b)The member may be removed from his office by an order of the State Government on the ground of proved misbehaviour or incapacity or on the happening of any one or more of the following events : (i)is adjudged an insolvent,(ii)refuses to act or becomes incapable of acting,(iii)is of unsound mind,(iv)has so abused his office as to render his continuance in office detrimental to the public interest,(v)is convicted for an offence by a competent Court, or(vi)is without obtaining leave of absence from the Council, absent from two consecutive meetings of the Council;(c)No member shall be removed from his office without being given an adequate opportunity of being heard;(d)If a vacancy occurs in the office of Members, whether by reason of death, resignation or otherwise, such vacancy shall be filled within a period of 120 days by making a fresh appointment;(e)Members of the Council shall be entitled to reimbursement of travelling and daily allowances for official tours and journeys in accordance with the orders issued by the State Government in relation to non-official members of the Committees, Commissions and like such categories of persons.

Part - X Miscellaneous

29. Removal of doubts

. Where a doubt arises as to the interpretation of any of the provisions of these rules or their applicability, the matter shall be referred to the Government in the Education Department, whose decision thereon shall be final and binding.