

The Punjab Primary Education Rules, 1961

HARYANA

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1. Short title.

- These rules may be called the Primary Education Rules, 1961.

2. Definitions.

- In these rules, unless the context otherwise requires :-(a)"Act" means the Punjab Primary Education Act, 1960;(b)"attendance order" means an order issued under Rule 16 read with Section 9 of the Act;(c)"Director of Public Instruction" means the Director of Public Instruction for the State of Punjab;(d)"form" means a form appended to these rules;(e)"lists" means the lists of children prepared under Rule 9;(f)"part time education" means such education at the primary level as may be provided under Section 8 and Rule 6;(g)"scheme" means a scheme for the compulsory primary education prepared under the provisions of these rules;(h)"sparsely populated area" means such area as the State Government may, from time to time, by order specify as such area.

3. Primary education.

[Section 2(h)] - For the purposes of clause (h) of Section 2 primary education shall mean education upto and inclusive of class V.

4. Preparation of scheme of compulsory primary education.

[Sections 3(h), 22(a) and 22(2)(b)] - Whenever the State Government is satisfied that it is desirable to introduce compulsory primary education in any area, it may direct the Director of Public Instruction to prepare a scheme for the purpose. Such scheme shall be prepared in Form I.

5. Necessary provisions of scheme.

[Section 3(3), 22(1) and 22(2)(b)] - Every scheme referred to in Rule 4 shall make adequate provision for -(a)the appointment of teachers on the basis of teacher-pupil ratio;(b)constructing, taking on hire or otherwise securing accommodation; and(c)the supply of equipment.

6. Part-time instruction.

[Sections 8 and 22(1)] - A scheme may also provide for the part-time education in an approved school, for children who are unable to attend such school on a whole-time basis due to economic or other circumstances connected with the families to which they belong.(2)Such education shall be arranged primarily with a view to meeting the requirements of children who work in for their families.(3)The total period of part-time education shall be not less than days in a week and not less than one hour and a half on any day.

7. Approval of scheme and taking of steps in pursuance thereof.

[Section 3(3) and 22(1)] - (1) On receipt of a direction from the State Government under Rule 4, the Director of Public Instruction shall, as soon as may be, prepare a scheme and submit the same to the State Government for approval.(2)When a scheme is submitted to the State Government for approval it may approve the same with such modification as it may deem fit.(3)The approved scheme shall be sent to the Director of public Instruction for taking such steps with regard to the matters referred to in Rule 5 as may be specified therein within such period as may be fixed. Such steps shall be deemed to be the prescribed steps for the purposes of sub-section (3) of Section 3 of the Act.

8. Discretionary service, to be provided.

[Section 22(1)] - The State Government shall endeavour to make suitable provision in an approved scheme for -(a)the grant of assistance to needy children for purchase of books and such other educational equipment as may be specified by the Director of Public Instruction;(b)destitute, delinquent and mentally or physically handicapped children; and(c)the institution of a school health service inclusive or exclusive of school meals.

9. List of children liable to compulsory attendance.

[Sections 4(2) and 22(2)(d)] - (1) In every specified area, the attendance authority shall cause to be prepared a list in Form II of all children within sixty days, or such other interval as the State Government may specify, of the date on which the order under sub-section (1) of Section 3 is published in the Official Gazette. The procedure specified above shall also be applicable to the annual preparation of such lists.(2)As soon as the lists are ready, the attendance authority shall cause to be prepared a separate list for each approved school, existing or proposed within the specified area.(3)A copy or each such list shall be sent to the headmaster of the approved school

concerned at least sixty days, or such period as the State Government may specify, before the beginning of the next academic year.

10. Notice to parents.

[Sections 4(4) and 22(1)] - (1) The parent of every child to whom the order under Section 3 applies shall be served with a notice under sub-section (4) of Section 4 in Form III at least thirty days, or such period as the State Government may specify, before the beginning of the next academic year. (2) The notice shall be deemed to have been served on the parent if it is - (a) sent to him through post; (b) delivered to him in person; or (c) affixed to the house where he is known to have last resided : Provided that the State Government may, keeping in view the local requirements, specify any other manner for service of any particular area.

11. Prescribed authority under Section 2(d).

- The prescribed authority for the purpose of clause (d) of Section 2 shall be the Director of Public Instruction.

12. Prescribed distance for purposes of Sections 6(a) and 22(2)(e)

- For the purposes of clause (a) of Section 6 the Act the prescribed distance shall be two miles for sparsely populated areas and one mile for other cases.

13. Reasonable excuse for non-attendance.

[Sections 6(f) and 22(2)(f)] - For the purposes of the clause (f) of Section 6 of the Act the following circumstances shall be deemed to constitute a reasonable excuse for non-attendance :- (a) when the child is prevented from attending an approved school for a period exceeding fifteen days due to sickness or other unavoidable cause certified as such by the attendance authority; or (b) when the child has left India for a period exceeding six months.

14. Exemption orders.

[Sections 5 and 22(1)]. - (1) Within fifteen days from the date of the notice under Rule 10 any parent may, by application in writing addressed to the headmaster of the approved school, claim that his child has a reasonable cause for non-attendance. (2) On receipt of such application the headmaster shall enquire or cause an enquiry to be made, into it through one of his teachers. Such enquiry shall include a visit to the home of the child or a contact with his parent. (3) After the enquiry referred to in sub-rule (2) has been completed the headmaster shall - (a) if the exemption is claimed temporarily for a period not exceeding two months decide the application himself, and (b) if the exemption is claimed permanently, submit the application, with his report thereon, to the attendance authority for decision. (4) The attendance authority may, if necessary, give an opportunity to the parent of the child for whom exception has been claimed to be present to represent his case. (5) The decision of the

headmaster or the attendance authority, as the case may be, on such application shall be final and shall be communicated to the parent before the beginning of the next academic year.(6)A copy of the order of exemption issued by the attendance authority shall be sent to the headmaster of the approved school which the child was required to attend.

15. Report of non-attendance.

[Section 22(1)] - The headmaster of every approved school shall send to the attendance authority, before the fifth day of each month, a list of all parents whose children have not been exempted from attendance under Rule 14 and are not attending the school or have failed to comply with the attendance requirements as fixed by the Director of Public Instruction.

16. Issue of attendance orders.

[Sections 9, 22(2)(g) and 22(2)(h)] - (1) Where the report of headmaster under Rule 15 is with respect to a child against whom no attendance order has been passed, the attendance authority may, after making such enquiry as it deems fit, pass an attendance order in Form IV directing the parent to cause the child to attend an approved school with effect from a date to be specified in the order :Provided that no such order shall be passed without giving the parent a reasonable opportunity of being heard.(2)The attendance order shall be passed within a period of twenty days of the date of receipt of the list referred to in Rule 15 :Provided that the attendance authority may, for reasons to be recorded in writing, pass such order after the expiry of the aforesaid period.

17. Manner of inquiry under Section 9(6).

[Sections 9(6) and 22(2)(g)] - On receipt of an application under sub-section (6) of Section 9 the attendance authority may after such inquiry as it deems fit, decide the application :Provided that no order rejecting such application shall be passed without giving the parent a reasonable opportunity of being heard.

18. Filing of complaints.

[Sections 13(1) and 22(1)] - When the report of the headmaster under Rule 15 is with respect to a parent against whom an attendance order has been passed under Section 9 of the Act, the attendance authority shall call upon the parent to show cause why action should not be taken against him under sub-section (1) of Section 13 of the Act, and if no satisfactory explanation is forthcoming within the period specified for that purpose it may file a complaint under sub-section (1) of Section 13 of the Act.

19. Employment of children in contravention of Section 10

[Sections 10 and 22(1)] - Whenever an attendance authority has reason to believe that any person is employing a child to whom an order under Section 3 applies in a manner which prevents him from

attending an approved school, it shall serve him with a notice calling upon him : (a) to desist from employing such child in contravention of the provisions of Section 10; and (b) to show cause why action should not be taken against him under Section 14 of the Act; and if after the service of the notice the person continues to employ the child or fails to show cause within the period specified for that purpose, the attendance authority may file a complaint against him under Section 14 of the Act. Form I (See Rule 4) Scheme for the introduction of compulsory primary education

1. Description of area.
2. Date from which compulsion is to be introduced.
3. Age group of children to be brought under compulsion.
4. Estimated number of children in the specified age group at the beginning of the next academic year. Boys Girls Total
5. (i) Municipalities/villages recommended to be excluded from the scheme (Tahsilwise lists to be attached, if necessary).
- (ii) Estimated number of children of the specified age group. Boys Girls Total
- (iii) Reasons for recommending the exclusion referred to in (i) such as :-
 - (a) absence of educational facilities.
 - (b) inadequacy of accommodation.
 - (c) other reasons.
6. (i) Whether compulsion is recommended to be applied to boys or girls or both.
- (ii) Estimated number of children of either sex recommended to be excluded.
- (iii) Reasons for not recommending compulsion for children of either sex.
7. (i) The class of persons or community for which compulsion is not recommended.
- (ii) Estimated number of children belonging to the class or community in the specified age group Boys Girls Total
- (iii) Reasons for not recommending such class and community for compulsion.
8. Estimated total number of children in the specified age group to be brought under compulsion, that is column 4 minus 5(ii), 6(ii), and 7(ii). Boys Girls Total
9. Total number of children expected to attend class of compulsion in the normal course on the first day of the academic year, if an order under Section 3(1) is not issued Boys Girls Total
10. Estimated number of additional children to be brought under compulsion, that is, column 8 minus 9.
11. Number of approved schools and schools proposed to be declared as approved schools in the area of compulsion.
12. Recommendations with regard to matters specified in Rule 5.

Director of Public Instructions, Punjab Dated : Form II (See Rule 9) Form of List of Children District _____ Tehsil _____ Village/Municipality and ward _____

Serial No.	Name of the child with father's name.	Name and address of the parent.	Date of birth (in words).	Age of the child computed in accordance with the provisions of Section 12.	Name of the school attended or to which the child is to be sent.	*Certificate by the parent.	Remarks.	Signature of the parent preparing the list with date.
1	2	3	4.	5	6	7	8	9

*Note. - This certificate shall be given by the parent in column No. 7 in the following form in respect of each child separately, and shall bear the signature/thumb impression of the parent of the child : "The birth/date as entered here is correct to the best of my knowledge and belief". Form III (See Rule 10) Form of Attendance Notice To Sir/Madam, As your son/daughter/ward will attain/has attained the age of 6 years on _____ you are required under the provisions of Section 5 of the Punjab Primary Education Act, 1960, to ensure that he/she attends _____ school regularly from _____. If you wish him/her to attend a school other than the above, you should apply to me stating the school which you wish him/her to attend. If you consider that you have a reasonable excuse under Section 6 of the Act for not sending him/her to school, you should apply to within fifteen days from the date of this notice showing cause why he/she should be exempted from attending school. Attendance Authority Dated : _____ Form IV (See Rule 16) Form of Attendance Order No. _____ Attendance Order To Sir/Madam, Whereas under the attendance Notice No. _____ dated the _____ you were required under the provisions of Section 5 of the Punjab Primary Education Act, 1960, to ensure that your son/daughter/ward attends _____ school regularly on and from _____; And whereas you have failed to cause your son/daughter/ward to attend the school mentioned in the said notice or other approved school; And whereas you have not also given any reasonable excuse within the meaning of Section 6 of the said Act for failure to cause your son/daughter/ward to attend approved school; Now, therefore, in exercise of the powers conferred by Section 9 of the said Act, I hereby direct you to cause your son/daughter/ward to attend an approved school regularly on and from _____ and keep him in attendance till the end of the academic year in which he attains the age of eleven years. Take notice that in the event of failure to comply with the provisions of this order, legal steps as prescribed under Section 13 of the said Act will be taken against you. Attendance Authority Dated : _____