



## केन्द्रीय विद्यालय संगठन(मु0)

18 संस्थागत क्षेत्र, शहीदजीत सिंह मार्ग, नई दिल्ली-110016  
KENDRIYA VIDYALAYA SANGATHAN (HQ)

18, Institutional Area, Shaheed Jeet Singh Marg,

New Delhi-110016.

Tel.: 26858570 Fax 26514179

Website:www.kvsangathan.nic.in

F.No. 110029/2017/KVS(HQ)/Acad./SOP/

Dated : 15.09.2017

The Deputy Commissioner,  
Kendriya Vidyalaya Sangathan,  
All Regional Offices.

**Subject: Student Safety in Kendriya Vidyalayas – regarding**

Madam/Sir,

Kindly refer to this office letter no. 110029/2017/KVS(HQ)/Acad./SOP/1402-1429 dated 13.09.2017 on the subject cited above. In this connection, CBSE has also issued a circular no. 19/2017 dated 12.09.2017 along with 11 Annexures.

You are requested to ensure compliance of the same in all the Kendriya Vidyalayas under your jurisdiction.

Yours faithfully,

(U.N. Khaware)

Additional Commissioner (Acad.)

Encl: As above.

Copy to:

1. PS to Commissioner, KVS Hqrs.
2. PS to ADC(Admn.), KVS Hqrs.
3. All Joint Commissioners, KVS Hqrs.
4. SE (Works), KVS Hqrs.
5. Guard File
6. DC (EDP) for uploading on KVS website



केन्द्रीयविद्यालयसंगठन/KENDRIYA VIDYALAYA SANGATHAN  
(Min. of HRD, Deptt. of Education, Govt. of India)  
18-संस्थागतक्षेत्र/18-Institutional Area  
शहीदजीतसिंहमार्ग /ShaheedJeeet Singh Marg  
नईदिल्ली-110016 /NEW DELHI - 110016  
Tel: 26858566-211, Fax No.26514179  
[www.kvsangathan.nic.in](http://www.kvsangathan.nic.in)

F.No11029/2014/KVS (HQ)/Acad./SOP/1402-1429

Date: 13/09/17

The Deputy Commissioner  
Kendriya Vidyalaya Sangathan  
All Regional Offices

Subject: Student Safety in Kendriya Vidyalaya – reg.

Madam/Sir,

The recent mishaps as reported in various schools of the country are quite alarming. These incidents reflect lapses of student safety norms and underline the need to strengthen our existing system to make Kendriya Vidyalayas safe places for students.

2. Recently some embarrassing reports from Kendriya Vidyalaya to circulated in media like open water tanks; un-guarded main gates that led to entry of un-authorized people in school premises have denigrated the image of Kendriya Vidyalayas. It is pertinent to mention that on receipt of reports of dereliction of duties in kendriya Vidyalayas, the KVS has already initiated disciplinary action against erring officials.

3. Therefore, you are requested to issue strong instructions to Principals of all Kendriya Vidyalays under your jurisdiction to implement Standard Operating Procedures in all Kendriya Vidyalayas. You are also requested to instruct Principals to monitor the work of watch and ward services, monitoring and maintaining of CCTV Surveillance System in school, up keep of school building, Police verification of all staff engaged on contract/outsourced in Kendriya Vidyalayas, etc.

4. Safety and Security of students is a paramount concern for the Kendriya Vidyalayas hence any laps and dereliction of duty at any level will be viewed seriously. It is the responsibility of Deputy Commissioners to ensure and monitor the implementation of the required safety measures effectively in all Kendriya Vidyalayas in their respective jurisdiction.

Yours faithfully,

(U.N Khaware)

Additional Commissioner (Acad.)

Copy to:

1. PS to Commissioner, KVS, New Delhi.
2. PS to Additional Commissioner (Admin), KVS, New Delhi.
3. All Joint Commissioners, KVS, New Delhi
4. Guard File
5. DC (EDP) for uploading on KVS Website



NO.CBSE/AFF//SCHOOL SAFETY/19

DATED 12.09.2017

CIRCULAR NO. 19 /2017

TO

THE HEADS OF ALL SCHOOLS AFFILIATED TO THE CBSE

**Sub: SAFETY OF CHILDREN IN SCHOOLS –REG.**

- Ref:** (1) D. O. letter No. 10-11/2014-EE.4 dated 09.10.2014 (Annexure-1)  
(2) Circular No.CBSE/admn.I/14(60)/2004 dated 16.02.2004 (Annexure-2)  
(3) Circular No.28/2004 dated 26.07.2004 (Annexure-3).  
(4) Circular No.24 dated 14.07.2009 (Annexure-4).  
(5) Circular No.15 dated 05.04.2010 (Annexure-5).  
(6) Circular No.01/2012 dated 08.06.2012 (Annexure-6)  
(7) Circular No.06/2013 dated 13/03/2013 (Annexure-7)  
(8) Circular No.20/2014 dated 06.02.2014 (Annexure-8)  
(9) Circular No.17/2015 dated 09.03.2015 (Annexure-9)  
(10) Circular No.04/2016 dated 31.10.2016 (Annexure-10)  
(11) Circular No.8/2017 dated 23.02.2017 (Annexure-11)

As the children are spending most of their time in school, the concern of parents about the safety of school children is increasing every other day regarding their physical safety, mental & emotional health or child abuse owing to increasing incidents involving safety and wellbeing of school children. The onus for safety and security of children in school campus shall solely lie upon the school authorities. It is a fundamental right of a child to engage and study in an environment where he/she feels safe and is free from any form of physical or emotional abuse or harassment.

2. Moreover, the schools should also strive to promote a better understanding amongst their teachers and staff on the laws protecting the safety, security and interests of the students and device means to take immediate remedial and punitive action against such violations. The staff members should also be educated to recognize their protective obligation towards students and to ensure safety and well being of children in schools.

3. The Ministry of Human Resource Development, Govt of India has issued a comprehensive set of guidelines vide D. O. letter No. 10-11/2014-EE.4 dated 09.10.2014 (Annexure-1) regarding preventive mechanisms and procedures for institutionalizing a system to ensure safety and security of children in schools.

4. The Board has also from time to time issued instructions to implement and sensitize the schools for ensuring the safety and security of students during school time and while in transit to school and back home (please see reference quoted above). **These exhaustive provisions are required to be strictly followed by every school affiliated with CBSE to ensure complete safety of school children in school. In addition, the school authorities may immediately take following measures to enhance the security of children in Schools:**

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केन्द्रीय माध्यमिक शिक्षा बोर्ड  
CENTRAL BOARD OF SECONDARY EDUCATION

-2-

- (a) Get the security /safety audit done of their premises and personnel from their respective local police station and follow the security related advice for the safety of School children. This may be complied and reported online on CBSE website [www.cbse.nic.in](http://www.cbse.nic.in) within 2 months of receipt of this circular.
- (b) Install CCTV Cameras at all vulnerable areas/point in the School premises and ensure they are functional at all times.
- (c) They must get the police verification and psychometric evaluation done for all the staff employed. Such verification and evaluation for non-teaching staff such as, bus drivers, conductors, peon and other support staff may be done very carefully and in a detailed manner.
- (d) Ensure that supporting staff is employed only from authorized agencies and proper records are maintained.
- (e) To constitute a parent-teacher-students committee to address the safety needs of the students and to take regular feedback from parents in this regard.
- (f) The access to school building by outsiders should be controlled and visitors monitored.
- (g) To provide training and development for staff to address their responsibilities to protect children from any form of abuse.
- (h) The school shall constitute separate committees for redressal of public/staff/parents/students grievances, Internal Complaints committee on sexual harassment and committees under POCSO (Protection of Children from Sexual Offence) Act, 2012 and details of the these committees along with contact details shall be displayed prominently on School Notice Board and conspicuously on the school website for information of all stakeholders.

5. **It is reiterated, that all schools affiliated with CBSE are hereby directed to strictly adhere to all the guidelines issued by MHRD and Board from time to time. Any violation/lapses with regard to safety and well being of children in school campus would invite appropriate action including the disaffiliation of the school as per the provisions under Affiliation Bye-Laws of the Board.**

*J.P. Chaturvedi*

(JAIPRAKASH CHATURVEDI)  
DEPUTY SECRETARY (AFFILIATION)

Enclosed: As above

...contd/-3



**Copy for information and necessary compliances thereon.**

1. All the Principals of the School Affiliated to the CBSE.
2. All the Managers of the Private unaided Schools Affiliated to the CBSE.
3. The Commissioner, Kendriya Vidyalaya Sangathan, 18-Institutional Area, Shaheed Jeet Singh Marg, New Delhi – 110016
4. The Commissioner, Navodaya Vidyalaya Samiti, A-28, Kailash Colony, New Delhi.
5. The Director of Education, Delhi, Chandigarh, Arunachal Pradesh, Sikkim, Port Blair.
6. The Director, Central Tibetan School Administration, EssEss Plaza, Community Centre, Sector-3, Rohini-85.
7. The Director Secondary Education Departments of all States.
8. All HODs of CBSE.
9. The Director (IT), CBSE, Delhi – For Uploading Circular on CBSE Website.
10. EO to CM.
11. The Joint Secretary (A&L), CBSE, Preet Vihar, Delhi.
12. The Joint Secretary (Co-ordination), CBSE, Delhi.
13. All Regional Offices of CBSE/CoEs of Board
14. The PRO, CBSE, Delhi for due Publicity/Cenbosec.
15. Guard File.

**Copy for information to:**

1. The Joint Secretary, SE-II, MHRD
2. The Deputy Secretary, SS, MHRD.

*J.P. Chaturvedi*

**(JAIPRAKASH CHATURVEDI)  
DEPUTY SECRETARY (AFFILIATION)**



Vrinda Sarup  
Additional Secretary (SE)

Tel: 2338 3226

E-mail: [vsarup@nic.in](mailto:vsarup@nic.in)



सूचना का  
अधिकार

भारत सरकार  
मानव संसाधन विकास मंत्रालय  
स्कूल शिक्षा और साक्षरता विभाग  
शास्त्री भवन  
नई दिल्ली - 110 115  
GOVERNMENT OF INDIA

MINISTRY OF HUMAN RESOURCE DEVELOPMENT  
DEPARTMENT OF SCHOOL EDUCATION & LITERACY  
SHASTRI BHAVAN  
NEW DELHI-110 115

D.O. No.10-11/2014-EE.4

9<sup>th</sup> October, 2014

Dear *Secretary,*

For realization of the goals of universalization of elementary and secondary education, it is critical to ensure safety and well being of children in schools. Suggested preventive mechanisms and procedures should be put in place in the schooling system alongwith relief and redressal strategies in case of any incident.

2. While State Governments have undertaken a number of initiatives to ensure safety and security of children in the schools, a set of guidelines on the same is enclosed, for your attention and appropriate follow up action.
3. I would be grateful if you could provide personal leadership and direction in institutionalizing a system for safety and security of school children in your State.
4. Kindly apprise us of the action taken.

*Vrinda Sarup*

Yours sincerely,

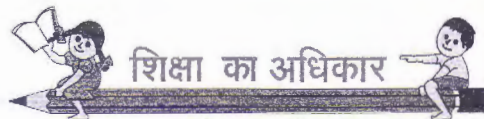
*Vrinda Sarup*  
(Vrinda Sarup)

To

All Education Secretaries

All SPDs, SSA

All SPDs, RMSA



सर्व शिक्षा अभियान  
सब पढ़ें सब बढ़ें

## Guidelines on safety and security of children

### 1. Background:

1.1 Children require a healthy and supportive environment to grow and develop. All children have a right to live in dignity, and have access to education in an environment that is safe, protective and conducive to growth and development. The school environment is associated with overall growth and development, cognitive behaviour, safety and security of a child.

1.2 The country has succeeded in bringing children to schools and achieving near universal enrolment among children at the primary level. Efforts made for enrolment need to be further supported by interventions to ensure safety and overall well-being of students. Schools need to protect their children from risk of natural disasters, health hazards, abuse, violence and accidents.

1.3 Laws provide for instituting mechanisms for safety and security of children and also for monitoring of the same by specified agencies. The State governments and affiliating boards for schools need to take a holistic view for planning and monitoring to ensure that schools provide the safe and child friendly environment, as mandated by various laws enumerated in the succeeding paragraphs.

### 2. Legal provisions

#### 2.1 Constitutional provisions

- Article 21 of the Constitution of India which protects the right to life and dignity includes the right of free and compulsory education for children up to 14 years of age. Any form of harassment, discrimination or corporal punishment amounts to abuse and militates against the freedom and dignity of a child. It also interferes with a child's right to education because fear makes children more likely to avoid school or to drop out altogether. Hence, corporal punishment is violative of the right to life with dignity.
- Article 21A of the Constitution provides that "the State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine." This fundamental right has been operationalized with the enactment of the RTE Act, 2009.
- Article 39(e) directs the State to work progressively to ensure that "... the tender age of children are not abused". Article 39(f) directs the State to work progressively to ensure that "children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment."

#### 2.2 Indian Penal Code (IPC)

Several provisions of the Indian Penal Code (IPC) relating to varying degrees of physical harm and intimidation can be used to prosecute perpetrators of corporal punishment against children in an institutional setting. These include, *inter alia*:

- Section 305: Abetment of suicide committed by a child;
- Section 323: Voluntarily causing hurt;
- Section 325: Voluntarily causing grievous hurt;
- Section 326: Voluntarily causing hurt by dangerous weapons or means;
- Section 352: Assault or use of criminal force otherwise than a grave provocation;
- Section 354: Outraging the modesty of a woman;
- Section 506: Criminal intimidation;
- Section 509: Word, gesture or act intended to insult the modesty of a woman;

Till recently, the provisions of Sections 88 and 89 of the IPC were invoked to explain the power teachers exercised when inflicting corporal punishment. These two provisions in the chapter on 'General Exceptions' cover harms that may be caused without penal consequence. Section 88 exempts an act from being treated as an offence when the harm was caused "to any person for whose benefit it is done in good faith". Section 89 exempts acts "done in good faith for the benefit of a person under 12 years of age ... by or by consent, either express or implied, of the guardian or other person having lawful charge of that person." However, contrary to Sections 88 and 89 of the IPC, the Gujarat High Court in its judgment *Hasmukhbhai Gokaldas Shah v. State of Gujarat*, 17 November 2008, has clearly stated that "corporal punishment to child in present days ... is not recognised by law."

### **2.3 Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989**

Some provisions of the Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989 can be used to prosecute an adult in the general category who inflicts corporal punishment upon a scheduled caste or scheduled tribe child.

### **2.4 Protection of Civil Rights Act, 1955**

Various provisions of the Protection of Civil Rights Act, 1955 can be used to prosecute a person/ manager/trustee as well as warrant resumption or suspension of grants made by the Government to the educational institution or hostel on the ground of untouchability.

### **2.5 The Protection of Children from Sexual Offences Act, 2012**

The act protects children from offences of sexual assault, sexual harassment and pornography and provides for establishment of special courts for trial of such offences and for matters connected with or incidental thereof.

### **2.6 The Right of Children to Free and Compulsory Education (RTE) Act, 2009**

Within the RTE Act, the provisions are as follows:

**Section 3:** Provides for free and compulsory education to all children.

**Sections 8 and 9:** of the RTE Act place a duty on the appropriate Government and the local authority to "ensure that the child belonging to weaker section and the child belonging to disadvantaged group are not discriminated against and prevented from pursuing and completing elementary education on any grounds".



**Section 17:** Makes provision for disciplinary action under the service rules applicable to such person who contravenes the provision that no child shall be subjected to physical punishment or mental harassment.

**Section 19:** Lays down norms for school buildings: (a) Schools should have at least one classroom for every teacher and one office cum store room cum Head's room; (b) Barrier free access; (c) Separate toilet for girls and boys; (d) Safe and adequate drinking water facility for all children; (e) Kitchen where Mid Day Meal is cooked; (f) Playground and (g) Arrangement for secure school building with boundary wall or fencing.

The RTE Act does not preclude the application of other legislation that relates to the violations of the rights of the child, for example, booking the offenses under the IPC and the SC and ST Prevention of Atrocities Act of 1989.

### **3. International Law**

- Article 28(2) of UN-CRC requires the State parties to “take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child’s human dignity and in conformity with the present Convention.”
- Article 29(1) (b) of the Convention emphasises that the “State parties agree that the education of the child shall be directed to the development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations”.
- Article 37(a) of UN CRC requires States Parties to ensure that “no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment”.
- Article 19(1) of the Convention, which requires States to– “Take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.”
- Article 19(2) lays down that–“Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore and, as appropriate, for judicial involvement.”

### **4 Suggested Guidelines for affirmative action**

The safety and security of children may be looked at in multiple dimensions.

## **4.1 Physical:**

### **4.1.1 Location:**

Schools located near the highway, busy main roads, unmanned railway crossings or water bodies/ canals/ seasonal rivers etc. are hazardous for the children, as most of the children come to school and return unattended by guardians. Also during playtime, children may wander off to unsafe surrounding, including under construction civil works within the campus and places where materials are stored. Schools located in commercial areas and having tobacco selling shops nearby the school pose a different type of threat where children's health and safety may be affected insidiously. Even teasing is another problem which the older girls may face at certain locations on the way to schools and this may ultimately lead to school avoidance by girl students.

While new sites for schools may be chosen keeping these points in mind, for the existing schools the following may be considered on priority:

- Boundary wall or double fencing with plantation, with provision of a gate which can be locked.
- Removal of sale points of objectionable materials through special drive, to be repeated at regular intervals. Community policing for sale of tobacco/ drugs etc. could also be taken up.
- Ensuring the safety of the approach to schools may require permanent civil work solutions like building of approach roads/ bridges etc. or behavioural changes like traffic management and escort duty to facilitate children's safety.
- Training of children and teachers to negotiate the specific hazards en route to the school.
- Community awareness needs to be generated to impact parental choice so that they select schools within the neighbourhood, instead of making children commute long distances every day.
- States need to vigorously and constantly enforce traffic rules about colour of school buses/ vehicles and the background of the drivers and helpers engaged therein should be additionally verified by the local police. School buses may also be encouraged to hire women helpers on the vehicles, as an additional safety feature for girls.

### **4.1.2 Building:**

The buildings should be physically sound, all-weather structures with the following facilities and structural parameters:

- Drinking water source and toilets to have clean and aseptic draining/ soak-pits/ waste disposal.
- Secure and separate kitchen shed within the school premises, equipped with storage facilities and a cooking area which can be maintained free of insects, rodents etc.

- The buildings should be resistant to earthquakes, fire, safe from floods and other calamities as the children are more vulnerable to be harmed and less likely to be able to react effectively in case calamity strikes.
- The buildings should be kept free from inflammable and toxic materials. If storage of some inflammable material (eg. fuel for cooking mid-day meal) is inevitable, they should be stored safely.
- The school should have adequate emergency exits.
- There should be adequate supply of water and sand for fire-fighting purposes.
- This essentially means a 'building safety audit' be done for each and every school with the specific points of emergency outlets, school steps/ ramps, buildings to be free of inflammable materials, storage of construction materials and other structural issues.
- Reducing structural vulnerability of existing school buildings, which is often the root cause of death and injury of school children, is a resource intensive solution and would require time. Therefore, as a risk reduction effort, a Disaster Preparedness and Response Plans at individual school levels should be prepared to ensure that the children are in a better position to respond effectively or to tackle any emergency within the school environment. The School Disaster Management Plans may further be supported with constitution of disaster management teams, training of the disaster management teams on basic life supporting skills and development of a school level emergency kit. Existence of such kits at the school level will be of great help during any post disaster search and rescue operation within the school premise or in the nearby area. Many States had taken up this initiative with support from National Disaster Management Authority and the existing Manuals may be used as a starting point till each school is verified for safety requirements.
- Preparation of a standard Checklist to assess the existing structural risks in the school buildings-this particular activity can be taken up at the State level and a ready-made checklist can be provided to for reference of each school. The standardized checklist can then be further modified at the local level as per the requirement.
- In the longer term, preparation of retrofitting guidelines would be needed to strengthen the schools found vulnerable. This will necessitate preparation of phase-wise execution plan for carrying out the retrofitting of school buildings. Along with the strengthening work, a sensitization programme for the students, teachers and surrounding community people on the importance of structural and non-structural retrofitting will also be required.

#### 4.1.3 Campus:

One of the serious hazards for children in schools is uncovered, exposed, loose electricity cables and wires. Out of curiosity or in playful mood or accidentally, there is possibility of touching or pulling the live wires causing fatal hazard to life. The condition of the school play-ground should be levelled to avoid falling down of

children. Digging of wells, bore wells etc. should be cordoned off securely to prevent children from falling in. Schools having secluded rooms/ corners within the campus have the possibility of anti-social activities which can prove to be hazardous for children, particularly for girls. Also construction of additional class rooms/ toilets etc may pose potential danger to children due to exposed construction materials/ building under construction and these should be made out of bounds for children. Review of safety within the campus must be taken up by the head teacher and teachers continuously.

#### **4.1.4 Classroom:**

The class rooms should be white washed at periodic intervals and dusted regularly to maintain the class room hygiene. The windows should be secure and there should be no broken glass or fittings hanging loose. Black board in the class room may be hung, placed in a three legged stand or kept on a chair. Black boards are also attached to the walls of the classroom. In case of loosely placed black board in the classroom, there is a possibility of accidents, both minor and major, to the children while moving around in the class room. While constructing school building, provision of adequate ventilators and windows in the classroom should be considered. Air flowing through the ventilators keeps the class room airy and fresh and the children also feel fresh and energetic to get involved in the teaching-learning process. Class room floor should not be broken or uneven and may need to be repaired/ maintained annually.

#### **4.1.5 Teachers and staff:**

- It is important that the States devise processes to verify the antecedents of not only all teachers but also other contractual or subordinate staff deployed in schools. In addition, oversight by Government's own administrative and monitoring machinery needs to be prescribed realistically so as to ensure that schools and teachers are monitored regularly.
- There should be a conscious attempt to have at least one female teacher in every school and also to have more women as cooks, helpers and other staff in the schools. Head teachers and principals must be tasked to supervise the other teachers and ensure that no child is abused in any manner by the staff or even older children.
- In the event of a teacher or employee being in a drunken/ intoxicated state, the environment of the school is vitiated in addition to the risk posed to the children. Head teachers must show a zero tolerance for such stray incidents.
- Continuous education of teachers on the principles of child rights and the drills for safety and security in the event of disasters and accidents needs to be systematically planned, beyond the ambit of the in-service academic training of teachers. States may do so in convergence with Red Cross, National and State Disaster Management Authorities, SCPCRs or even non-government organisations.
- The aspects of teacher's sensitization on response to disasters and respect for child rights should also be actively woven into the pre-service training of teachers, so that in the years to come the new teachers entering the teaching profession are already well versed with these critical issues. Challenging gender stereotypes and other inherent

biases prevalent in the society can be intensively done in the pre- service teacher training.

#### **4.1.6 Excursions and trips:**

Whenever schools organize excursions and trips, for any reason what-so-ever, the onus of safety and security of the children is totally upon the school authorities. The transportation used must be verified for road worthiness and the driver for antecedents and experience. Sufficient number of male and female teachers must be deployed so that boys and girls are adequately supervised. Arrangements for board and lodging should be made keeping in view the security and safety of the children. Instructions issued vide D.O. letter number 32-5/2014-RMSA- I dated 28.7.2014 of this Department are at *Annexure A* for reiteration.

#### **4.2 Health and hygiene:**

##### **4.2.1 Drinking water:**

Source of drinking water is important as availability of potable water or treatment required for making the water potable depends on the source. Most of the water-borne diseases spread due to ignorance of the quality of drinking water. In case of schools, care is to be taken by the school authorities to ensure that water is safe. Covered water storage and purification through chlorine tablets/ use of filters etc. can also be provided in convergence with the Public Health Engineering and Health Departments in case regular piped supply or quality bore wells are not present.

##### **4.2.2 Toilets:**

There should be separate toilets for girls and boys. For hygienic maintenance of toilets, availability of water is of prime importance. Although the facility of running water is necessary for keeping the toilets clean, yet few schools may not have the provision of running water in toilets. In such cases, alternative methods of transportation and storage of water should be put in place to ensure that the toilets remain functional. For maintenance and cleaning, the annual school grants should be used by the school authorities.

##### **4.2.3 Hygiene:**

Teachers need to be trained to regularly monitor and ensure the general hygiene factors in the school premises and also of the children. Other than the basic hygiene factors, teachers can be sensitized to the local and specific issues, for example, the preventive and curative steps in areas with prevalence of Japanese Encephalitis, filariasis, iodine deficiency etc. There are also reports of substance and drug abuse at a very early age. Teachers should also be alerted on the signs and symptoms to watch out for children, especially as some of these are also linked ~~to~~ absence from schools, where a collaborative approach between teachers and parents would be required.

#### 4.2.4 Mid-day meal:

Intensive and repeated training to cooks and helpers on safe and nutritious cooking is necessary. The training must be followed by be refreshers and visits to see the impact of the inputs in the field, as local conditions like lack of water or storage facilities may affect the practical utility of the trainings. The local infrastructure available to the cook/ helper may be so challenging that he/ she finds no situation to apply the knowledge acquired during training. In such conditions, the local issues will have to be resolved.

In case of any untoward incident occurring after consumption of the MDM/other food materials by children, the school teachers and SMC members should be well acquainted with the standard operating procedures to be followed. The relevant extract on 'Quality and Safety Aspects' in the Guidelines issued by this Ministry on Mid Day Meal in September, 2006 are at *Annexure B*. Guidelines with regard to MDM safety dated 22<sup>nd</sup> July, 2013 are at *Annexure C*.

### 4.3 Psychosocial

#### 4.3.1 Punishment:

Verbal, physical or mental abuse of children has negative impact on young minds and such children gradually develop fear-psychosis. They are unable to speak up, break down emotionally and mentally and ultimately loose the enthusiasm to come to school. Physical punishment inflicted on children in school could lead to minor or major injury or damage to physical health, for example twisting of the ears may damage internal parts of ears leading to deafness. Canning or beating the children could also cause minor or major injury.

The issue of physical punishment and how to prevent it and deal with it has been exhaustively discussed in the guidelines on corporal punishment under the RTE Act, which are available on the [www.mhrd.gov.in](http://www.mhrd.gov.in) website under the link RTE. These are relevant for secondary schools also. The following steps can be taken to eliminate corporal punishment:

- Repeated and intensive training of teachers.
- In the State Service Rules, where duties and responsibilities of teachers are prescribed. specific mention should be made for protection of children, providing them a safe and child friendly environment in school and prohibition of any form of corporal punishment. harassment. discrimination or verbal abuse. The service rules of the teachers and staff should also be amended to reflect the departmental penalties which would be attracted, other than the penal provisions, on contravention of duties and responsibilities prescribed in ~~the~~ RTE Rules.

- The teacher training will have to be supplemented by monitoring visits from academic/ administrative supervisory officials, which also must look into the psychosomatic environment and demeanor of the children. This would entail training of the administrative staff of the education department on child rights and sensitization so that signs and symptoms of infringement can be picked up by them.

#### **4.3.2 Eve teasing/ sexual abuse:**

These are becoming serious issues as incidents get reported from schools and nearby places.

Children should be taught early to differentiate between ‘good touch/ bad touch’ and encouraged to speak out at the first instance. It vests totally with the teachers to ensure that the schools are safe in this regard. The Head Teacher/ principal and teachers must ensure that all parts of the school are accessible to everyone and there are no secluded/ isolated areas. Also the teachers should be sensitized to detect such an occurrence if the child displays any sign, which may include investigating sudden absence or unusual behavior.

#### **4.3.3 School environment:**

- The School environment should be such each child should be feel that help would be available to her if she approached them: The SMC members may facilitate this process by regularly visiting the schools and interacting with students. Children may find it easier to report incidents at the initial stage itself if the school environment is conducive. Other methodologies, like help desk in schools supported by Mahila Samakhya in Kerala, toll free numbers of Odisha, formation of child cabinets/ *kishori manch/ bal sabha*, ‘open house’ with parents etc may also be adopted depending on the local circumstances.
- Training of teachers to ensure safety and security of children itself will cover a wide spectrum from drills for safety, first aid, gender sensitization, principles of no corporal punishment. While training on physical aspects of safety drills may be staggered to cover a specified number of teachers every year, till coverage is complete, however training on gender and other mindset issues will have to cover all teachers every year.
- As far as possible, every school must have at least one female teacher.
- The norms for teacher deployment and hours of access to staff/ others must be laid down clearly and carefully in the case of residential schools and hostels.

### **5 Monitoring by SMCs:**

The School Management Committee, in its overall monitoring of the school should necessarily dwell upon the following aspects:

- a) The SMCs should be made familiar with basic guidelines and standard operating procedure in case of natural calamities, accidents, abuse of children by others, food poisoning in case of MDM etc. This is a wide spectrum for orientation, but should be taken up by the States systematically as the SMCs are the most effective local monitoring mechanisms and their capacity building is critical.
- b) While attempt should be made to post at least one lady teacher in each school, it may not be possible immediately as recruitments and redeployment take time. In the meantime, it may be ensured that women SMC members are more actively engaged in schools. The SMC members, especially women, may be selected by also giving weightage to their ability to contribute time to school monitoring and being available for girls on a day to day basis.
- c) Mid-day meals requires constant oversight by local SMC members. Not only daily supervision by SMCs, but local fixation of weekly menus, depending on seasonal availability of food materials, should be encouraged.
- d) The SMCs have a focal role in ensuring that no eve teasing happens on the way to school or in the locality, as this can lead to girls dropping out. Community awareness and pressure on the culprits can be brought about effectively by the SMCs.
- e) The role of SMCs is critical as an oversight that the school and teachers are providing a safe and child friendly environment. The presence of SMC members during school hours should be encouraged. They may also devise local systems that at time of dispersal when children return home at the end of the school hours, supervision of the SMC is there on rotation to ensure that all the children leave safely.
- f) As far as practicable, SMC members, especially women, may accompany school tours and excursions.
- g) The SMC must have a system to monitor the daily hygiene factors in the school, including class rooms, toilets and mid-day meal.
- h) As prevalence of substance abuse is now reported even at early ages, the SMCs must be entrusted with the task of ensuring that the school premises and area around it is not accessible to vendors of tobacco and other such materials.
- i) The SMC members also need to be trained on signs of neglect or abuse of children, which may even manifest as frequent or long absence from school. The SMCs must be strengthened to be able to track absent children and go into the causes for the absence.
- j) The SMCs themselves should conduct an annual safety audit of physical safety hazards and psychosomatic environment in the school. This should cover whether adequate steps have been taken by the school management to prevent accidents, corporal punishment, child sexual abuse, mental harassment and discrimination and also preparedness to deal with natural disasters and accidents. The exercise should be made public and accessible to the authorities, the parents and to civil society.
- k) SMCs should be encouraged to devise mechanisms for children to express their grievances both in person and anonymously. Drop boxes for complaints may be placed in the school and anonymity of the children/parents maintained while sharing



the details of the complaints/grievances with other agencies such as the media in order to protect their privacy/confidentiality.

- l) Lastly, the SMC must ensure that whenever any untoward occurrence take place in a school, the 'victim child' is always protected and provided the best possible speedy care- medical and psychological.

## **6 Grievance redressal:**

**6.1** For the elementary level, States under their RTE Rules have notified block/district level grievance redressal agencies under the RTE Act. This decentralized grievance redressal mechanism of each State/UT should be made publicly available and posted on all school, panchayat bulletin boards, so that any infringement of children's safety is reported immediately. Some States have created appellate systems too, for instance, that HM/principal will register any incident affecting a child and SMC will take action to redress it within 7 days; if the case remains unsolved then BEO is nominated as appellate authority.

**6.2** The designated Local Authority/ PRIs in States/UTs must invariably fix days for meetings with the community on issues related to school education, prevention of corporal punishment/ abuse and ensuring that safety and security features are in place. Institutionalized public meetings by the Local Authority/ PRIs will not only help monitor, but also address individual cases which will go a long way to change deep seated beliefs on the issue from within the community.

**6.3** The Local Authority/ PRI can also provide for a system of registering grievances related to safety and security of children at both the district and sub-district levels. For instance, a State has notified a mechanism to register corporal punishments cases with the Education Committee of the Gram Panchayat, and where their Block Education Officer will organize a Shiksha Samvad (Education dialogue) on every 2<sup>nd</sup> Saturday of each month. This can be expanded to cover the entire spectrum of issues relating to safety and security of children. Another State has notified a toll free number help line, to establish accountability by a direct line for complaints at State level. This State through an MIS created from the grievances received through the toll free number, can do a trend analysis and compare improvements across districts over time.

## **7 Monitoring by the State:**

**7.1** A safe and secure environment, free of corporal punishment and abuse, with preventive mechanisms to ensure physical and socio-psychological safety of children, should be stipulated as one of the conditions for giving recognition/no-objection certificate (NOC) to a school by the State Government and also as one of the conditions for giving affiliation to a school by the State Board. This would include all features of physical safety of infrastructure as well as the environment within the school.

7.2 This advisory should be used by the State Governments/ UT Administrations to ensure that appropriate State/school level guidelines on safety and security of children and appropriate redressal of any complaints, are framed, disseminated, acted upon and monitored.



**Radha Chauhan, IAS**  
Joint Secretary  
Tele.No. 3888632  
Fax No. 23384306

*Annexure A-*

भारत सरकार  
मानव संसाधन विकास मंत्रालय  
स्कूल शिक्षा और साक्षरता विभाग  
शास्त्री भवन,  
नई दिल्ली - 110 115  
GOVERNMENT OF INDIA  
MINISTRY OF HUMAN RESOURCE DEVELOPMENT  
DEPARTMENT OF SCHOOL EDUCATION & LITER  
SHASTRI BHAWAN,  
NEW DELHI - 110 115

D.O.No.32-5/2014-RMSA-I

July 28, 2014

Dear

Recent tragedy involving students on study tour has once again underlined the need for putting in place a set of standard safety measures by the institutions that undertake such tours.

2. States have been organising study tours for its students and teachers in schools under various schemes of the States as well as Government of India such as the SSA, RMSA etc. There is a need to ensure basic safety measures before a school embarks on such tours.

3. States are requested to kindly issue appropriate guidelines so that necessary safety measures are in place across all schools. Please find enclosed a set of recommendations on the subject that you may like to consider while formulating the State guidelines.


Yours sincerely,

  
(Radha Chauhan)

All Principal Secretaries/Secretaries of Secondary Education (As per list attached)

Coy to: EA(SE&L), JS(SE.II), JS(AE)



  
(Radha Chauhan)  
Joint Secretary (SE-I)

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### Standard safety measures

- (i) The Head of the Institution should ensure that the tour undertaken is required for the benefit of students and is related to the curriculum of the course in which such students are enrolled.
- (ii) The Head of the Institution should ensure issuing security i-cards to all such students and maintain a separate data base of the personal details like guardian/local guardian, home address, mobile, email etc. of such students and the same is carried by the students on his person.
- (iii) The Head of the Institution should ensure that written permission of one of the parents or the local guardian is submitted on behalf of every such student wanting to participate in an educational tour.
- (iv) The Head of the Institution should ensure that there is a senior teacher accompanying the students on such an educational tour. Further, a senior lady teacher should accompany if there are girl students participating in the educational tour.
- (v) The Head of the Institution should ensure that prior permission of the organisation is obtained in advance such educational tours are undertaken.
- (vi) If the tour is undertaken to public places, dam cities, power plants, sea beaches etc., a written communication must be made to the District Magistrate or concerned authorities.
- (vii) If the educational tour has more than 10 participants, it is necessary to hire a local tour operator who is well aware of the local conditions and can advise accordingly.
- (viii) The Head of the Institution should ensure that an undertaking is taken from every participating student that they would abide by all the rules and also that they have submitted the permission by their parents or local guardian before they participate in the educational tour.
- (ix) The Head of the Institution should also certify in the form of an undertaking that the institute will provide all necessary help in case of emergency or otherwise to all such students who are part of the educational tour.

## CHAPTER 4

## QUALITY AND SAFETY ASPECTS

The success of the mid day meal programme revolves around the manner in which it is implemented at the school. Safety and hygiene standards must be set and practiced with rigour. Processes should also be set in place to ensure vibrant community involvement so that the mid day meal programme becomes a peoples' programme, which addresses classroom hunger and also contributes to the overall improvement in teaching learning transaction. Given below are some guidelines for prescription of nutritious mid day meal in an economical manner, observance of safety and hygiene specifications as also regarding community support and health interventions.

#### 4.1 Some suggestions for preparation of nutritious and economical Mid-Day Meal:

The Mid-Day Meal programme does not merely aim to provide a cooked meal, but one satisfying prescribed nutritional norms. At the same time, this has to be done within certain cost norms. Following are some suggestions which would help in achieving the twin-objectives:-

- Foodgrains must be stored in a place away from moisture, in air tight containers/bins to avoid infestation.
- Use whole wheat or broken wheat (dalia) for preparing mid-day meals.
- Rice should preferably be parboiled or unpolished.
- 'Single Dish Meals' using broken wheat or rice and incorporating some amount of a pulse or soyabeans, a seasonal vegetable/green leafy vegetable, and some amount of edible oil will save both time and fuel besides being nutritious. Broken wheat pulao, leafy khicheri, upma, dal-vegetable bhaat are some examples of single dish meals.
- Cereal pulse combination is necessary to have good quality protein. The cereal pulse ratio could range from 3:1 to 5:1.
- Sprouted pulses have more nutrients and should be incorporated in single dish meals.
- Leafy vegetables when added to any preparation should be thoroughly washed before cutting and should not be subjected to washing after cutting.
- Soaking of rice, dal, bengal gram etc. reduces cooking time. Wash the grains thoroughly and soak in just sufficient amount of water required for cooking.
- Rice water if left after cooking should be mixed with dal if these are cooked separately and should never be thrown away.

- 31-
- Fermentation improves nutritive value. Preparation of idli, dosa, dhokla etc. may be encouraged.
  - Cooking must be done with the lid on to avoid loss of nutrients.
  - Over cooking should be avoided.
  - Reheating of oil used for frying is harmful and should be avoided.
  - Leafy tops of carrots, radish, turnips etc should not be thrown but utilized in preparing mid day meals
  - Only "iodised salt" should be used for cooking mid-day meals.

#### 4.2 Safety And Hygiene Specifications:

Special attention must be paid to the following:

- (i) Kitchen-cum-store is a vital part of the mid day meal scheme. Absence of kitchen-cum-store or inadequate facilities would expose children to food poisoning and other health hazards as well as fire accidents. Kitchen-cum-stores should be separate from classrooms, preferably located at a safe, but accessible distance. They should be well ventilated and designed so that there is a separate storage facility with locks to check pilferage. On no account should kitchen-cum-stores have thatched roofs or other inflammables, like straw, bamboo and synthetic material. A prototype design of kitchen-cum-store for a school with a student strength of about 150, is given in Annexure-9.
- (ii) Smokeless chulhas should be used to the extent possible.
- (iii) Fuel (kerosene/fuel wood/charcoal/LPG) should be stored safely, so that there is no fire hazard.
- (iv) To the extent possible firewood should not be used in the interest of environmental protection.
- (v) If kerosene/gas is used for cooking, the cooking staff /agency should be specifically trained in safe handling of stoves, gas cylinders, etc.
- (vi) All cooks, helpers and other functionaries should also be trained in hygienic habits, for example, regular cutting of nails, washing hands and feet with soap before commencement of cooking/serving, etc
- (vi) Kitchen-cum-storage shed must always be kept clean. There should be a raised platform for cooking, adequate light, proper ventilation and arrangement for drainage and waste disposal;
- (vii) Ingredients used for cooking, food grains, pulses, vegetables, cooking oil and condiments, should be free from adulteration and

pest infestation, and should be used only after proper cleaning and washing;

(viii) Ingredients should be stored in proper containers, which should protect them from moisture, pests, etc.

(ix) Cooking and serving utensils should be properly cleaned and dried every day after use.

#### 4.3 Mid-Day Meal not to adversely affect teaching-learning:

There persists a widely held belief that provision of cooked meals disrupts classroom processes: that teachers spend too much time in supervising the cooking operations to the detriment of academic timetables. This has resulted in a general lack of enthusiasm for the programme in some States. Under NP-NSPE States and UT Administrations can make payment of salary of cooks and helpers from the central assistance provided towards cooking costs. Teachers should, therefore, under no circumstances be assigned responsibilities that will impede or interfere with teaching learning. Teachers should, however, be involved in ensuring that (a) good quality, wholesome food is served to children, and (b) the actual serving and eating is undertaken in a spirit of togetherness, under hygienic conditions, and in an orderly manner so that the entire process is completed in 30-40 minutes. It should however, be ensured that the food prepared is tasted by 2 – 3 adults including at least one teacher before it is served to children.

4.5

#### 4.4 Community Support:

School managements should also be encouraged to draw on the support of the community. Gram Panchayats and Village Education Committees may be approached for arranging community members to regularly, on a rotation basis, help the school management in ensuring efficient cooking, serving and cleaning operations. The involvement of teachers and community members in ensuring that children eat together in a spirit of camaraderie and develop sensitivity to their peers with different abilities, by offering them precedence, and instilling values of equality and cooperation would be very valuable support to the implementation of the programme. Support of the community members, including mothers groups, could also be solicited to ensure that children wash their hands with soap before eating, use clean plates and glasses, avoid littering and wastage of food, and clean their plates, rinse their hands and mouth after eating. Advisories issued by Central Government on mobilization of mothers in connection with the programme may be seen at Annexure-10.

MDM Scheme also offers wide opportunity of self-employment to poor

-33-

women who could constitute self-help groups. Such groups can take the responsibility of cooking and serving mid day meal with the over all assistance of the local level implementing agency. Mid Day Meal Scheme can provide the groups the scope for income generating activities such as growing & supplying vegetables, preparing condiments, etc., Mid Day Meal Scheme could also provide opportunity for involvement of SHGs in the management of the programme, thus ensuring that teaching-learning processes in the classroom are not affected, while SHGs take responsibility for regular the procurement, cooking and distribution process. In the selection priority should be given to SHGs with membership of poor women, and whose children are participating in the MDM programme.

School managements may also be encouraged to seek local support for drawing out varied, but wholesome and nutritious menus.

School Managements should maintain a roster of community members who will be involved in the programme. Community members should be encouraged to their observations on the implementation of the scheme and the School Management should make available a register for regular recording of such observations.

#### 4.5 Other Health Interventions:

NP-NSPE, 2006 should also be complemented with appropriate interventions relating to micronutrient supplementation and de-worming, through administration of (a) six monthly dose for de-worming and Vitamin-A supplementation, (b) weekly Iron and Folic-Acid supplement, Zinc and (c) other appropriate supplementation depending on common deficiencies found in the local area. It may be noted that only iodized/ double fortified (iron and iodine) salt should be used for cooking. State Governments are expected to issue detailed guidelines in this behalf.

Technical advice and doses for the above may be obtained by Schools from the nearest Primary Health Centre/Government Hospital, and may be funded from appropriate schemes of the Health Department, or the School Health Programme of the State Government – unless a State Government is able to provide funds for this from its own resources under the Mid-Day Meal Programme itself.

\*\*\*\*



F.No. 1-4/2013-Desk (MDM)  
Ministry of Human Resource Development  
Department of School Education & Literacy  
Mid Day Meal Division  
\*\*\*\*\*

Shastri Bhavan, New Delhi  
Dated 22<sup>nd</sup> July, 2013

To

The Principal Secretaries / Secretaries (Education) and Nodal Departments for  
MDM Scheme of all the States / UTs

**Subject: Guidelines to ensure quality, safety and hygiene under the Mid Day  
Meal Scheme – reg.**

Sir / Madam,

I write this to reiterate the Chapter 4 of the MDM Guidelines, which deal with the quality and safety aspects of the Mid Day Meal Scheme. The States / UTs may please take immediate action on the following points:

i) Setting up of the Management Structure at various levels.

It has been observed that proper monitoring of the Scheme at the State level and below is not being carried out because of the lack of a dedicated structures for MDMS at various levels. This is also affecting the Minimum mandatory inspections by the State official (25%). The Management, Monitoring and Evaluation (MME) component of the Scheme provides funds for setting up of appropriate structures at various levels starting from State to School. A few States viz. Tamil Nadu, Uttar Pradesh, Madhya Pradesh, and Odisha etc. have set up the requisite structures at different levels for effective monitoring of the Scheme. Other States / UTs are requested to set up similar exclusive monitoring structures for the Mid Day Meal Scheme for effective monitoring and implementation of the Scheme. The role and responsibilities of the concerned authorities at different levels should be clearly defined for rigorous monitoring of the Scheme.

ii) Tasting of the meal by at least one teacher

The issue of tasting the food by the teacher is absolutely critical. The MDMS guidelines in this regard should be strictly followed. The teacher should keep a record of having tasted food in a register, to be maintained for the purpose. It could be further strengthened by ensuring that one of the SMC members should also taste the food on a rotation basis along with one of the teacher's

(100)  
-100-

before it is distributed to the children. All the States / UTs should issue necessary instruction to all the teachers to ensure tasting of meals before serving to the students.

iii) Safe storage and proper supply of ingredients to schools.

Central Assistance is provided for construction of kitchen-cum-stores for the safe storage of foodgrains, mid day meal ingredients and fuel items. It has been observed that the foodgrains etc. are not stored in the kitchen-cum-stores. In some cases, the foodgrains are stored at residence of the Head Teacher or Gram Pradhans, which is in violation of the MDM Guidelines. Sufficient funds have been made available to all the States for construction of kitchen-cum-stores. The Ministry has circulated design of the kitchen-cum-store to all the States / UTs for safe storage of food, cooking of mid day meal in hygienic environment and a place for washing hands by the students. The States / UTs are requested to ensure completion of kitchen-cum-stores expeditiously so that the foodgrains etc. are stored properly in the kitchen-cum-stores, in storage bins, to avoid moisture and pest infestation. The storage bins should be procured from the funds available under the Scheme and properly labelled for safe storage to avoid any contamination.

iv) Capacity building

The training of cook-cum-helpers, district resource persons for managing safety of foodgrains and hygienic cooking needs to be further strengthened. The schools of home science in different universities could be used for this purpose. Similarly, the inspection of the MDM centres needs to be rationalised. The capacity of the staff in carrying out inspections needs to be upgraded. The district system should ensure that the inspection reports are discussed in the District level Steering-cum-Monitoring Committee meetings and action taken on the reports.

v) Cooking of mid day meal

The MDM Guidelines provide for cooking cost @ Rs. 3.34 for primary classes and Rs. 5.00 for upper primary classes, per child per day for purchase of pulses, seasonal / green leafy vegetable, salt and condiments, edible oils and fuel. The State Governments of Maharashtra, Odisha, Punjab are procuring and supplying ingredients, through the State PSUs. Others States may consider similar mechanisms for supply of quality Agmark pulses, edible oils and condiments for MDMS to ensure quality nutritional MDMS for the children. Similarly, only "double fortified salt" should be used for cooking mid-day meals. The cooks further need to be advised to carry out cooking with the lid on to avoid loss of nutrients.

vi) Awareness about Mid Day Meal Scheme.

It has been observed that the stakeholders particularly children and community members are not aware about their entitlements and role under the Scheme. As per the MDM Guidelines, the Logo should be painted on outside wall of the school at a prominent place. The entitlements should also be displayed at prominent places for the awareness of children/parents and community members. The guidelines also envisage that the entitlements and other benefits of the Scheme should be publicised through TV, radio, print media etc. All the States / UTs are requested to take steps for wide publicity of the entitlements and benefits of the Scheme. It is also requested that MDM month, preferably November, may be organized to see the preparedness and availability of the foodgrains and funds at various levels. The Ministry of HRD has developed two films on mid day meal Scheme. These could also be used by States as part of the strategy for creating greater awareness about the entitlements under the Scheme.

vii) Convening of Monitoring Committee under the Chairmanship of Member of Parliament.

The District Magistrate as the Member Secretary is also responsible for convening the meeting of the District level Vigilance and Monitoring Committee at least at quarterly intervals under the Chairmanship of the senior most Member of Parliament of the district for review of Mid Day Meal Scheme. The meeting of the Committee should be convened at least once in each quarter and minutes must be circulated along with Action Taken Note to all the members as well as uploaded on the website.

viii) Convening of regular review meetings at District level.

The above activities need to be monitored regularly at the district level for effective implementation. The meeting of the District Task Force should be convened on a fixed day of the month under the Chairmanship of District Magistrate and if District Magistrate is not available the next higher officer should chair the meeting. The representative of the various Departments such as Civil Supplies, Education, Health, Social Welfare, Panchayats, Rural Development, Drinking Water and Sanitation should be invited for proper convergence of the Scheme.

ix) Social Audit

Ministry has conducted social audit of the Scheme on pilot basis in two districts viz. Chittoor and Khammam of Andhra Pradesh during 2012-13. The findings have been very useful for enhancing the effectiveness of the Scheme. It has been decided to extend social audit study in other 5 States during the current

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year. The States may engage reputed Institutes in their State for carrying out such an audit in their respective States and take corrective steps as per their suggestions. The Govt. of Andhra Pradesh has offered all help in this regard.

x) Testing of food samples by reputed institute.

The Govt. of NCT of Delhi has engaged the services of Sriram Institute for Industrial Research, Delhi to collect the samples from fields for testing of the food samples on parameters such as microbiological-presence or absence of e-coli, chemical parameters such as moisture content, fats, proteins and calorific value of the meal. The said laboratory has provided useful reports for enhancing the effectiveness of the Scheme. The States / UTs may consider engaging CSIR institutes / National Accreditation Board for Laboratories recognized labs for carrying out sample checking of MDM, to ensure quality meal to the children.

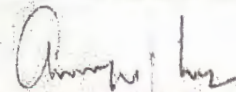
xi) Emergency Medical Plan

The MDM Guidelines envisage that all necessary steps should be taken to avoid any untoward incident in the school. If any such accident does occur in the school, it should be responsibility of the Head Master to inform District Education Officer / District Health Officer / District Magistrate without any delay. All the States / UTs should issue necessary instructions for linkages with primary health centre / community health centre / district hospital to ensure early treatment of the children. The District authorities should ensure that prompt medical attention is provided to children in the nearby medical facility or by deputing a doctor to the school.

xii) The MHRD has engaged independent monitoring institutes for monitoring of the Scheme. Similarly, Joint Review Missions visits the States and offer their recommendations. The States / UTs are requested to take immediate corrective actions on these recommendations and submit an Action Taken Note.

The States may take immediate necessary action on the above issues to enhance the effectiveness of the Mid Day Meal Scheme, the flagship programme of the Govt. of India.

Yours faithfully,



(Dr. Amarjit Singh)  
Additional Secretary (EE.I)  
Tel.: 011-23381096

**CENTRAL BOARD OF SECONDARY EDUCATION**

ACADEMIC BRANCH, SHIKSHA SADAN  
17, ROUSE AVENUE, NEW DELHI-110002

ANNEXURE-2

CBSE/Admn.I/14(60)/2004/

DATED: 16.02.2004

To  
All Heads of Institutions  
Affiliated to the Board

**Sub: Judgement of Hon'ble Supreme Court of India in Vishaka & others Vs. State of Rajasthan & others regarding Sexual harassment of women at work place -Compliance of guidelines and norms - Collection of Quarterly Report from each affiliated independent school**

Dear Principal,

With a view to ensure that the guidelines and norms prescribed by the Hon'ble Supreme Court of India for prevention of sexual harassment of women at work place, are adhered to strictly, you were requested by the Board vide office letter No. Admn.I/14(10)/2001/156603-9602 dated 19.4.2001 and subsequent letter No. Admn.I/14(10)/2001/21546-24795 dated 29.10.2001 and letter No. Admn.I/14(60)/2001/533-3883 dated 15.1.2002 for taking immediate steps and to send Quarterly Action Taken Report on the subject in the prescribed .proforma already provided to the schools.

It was reiterated in the aforesaid letters addressed to the Heads of all the . independent schools affiliated with CBSE that in order to prevent sexual harassment to the female teachers/other female employees, the Head of the school should initiate immediate action to specifically ensure the following remedial measures :

- I. Bring to the notice of those working in the school, the definition of sexual harassment as laid down by the Supreme Court and its express prohibition;
- II. Take all necessary actions to suitably modify the Conduct Rules governing the employees to ensure that they include. the express prohibition of sexual harassment and provide for appropriate penalties against the offender;
- III. Take all steps necessary to ensure that appropriate work conditions are provided in respect of work, leisure, health and hygiene to further ensure that there is no hostile environment towards women at work places and no woman employee has reasonable grounds to believe that she is disadvantaged in connection with her employment.
- IV. Set up complaint mechanism in the school to deal with complaints of sexual harassment and to constitute a Complaint Committee which should be headed by a woman and not less than half of its members should be women. Such Complaint Committee should involve a third party, either NGO or other body who is familiar with the issue of sexual harassment. This Committee may also be empowered to deal with the complaints of girl students also, if there is any.

Action taken in this regard may be reported to the Joint Secretary (Affiliation), CBSE, Shiksha Kendra, 2,

Community Centre, Preet Vihar, Delhi- 110092 immediately so that compliance report could be sent to the Ministry of Human Resource Development, Govt. of India at the earliest.

**Yours faithfully,**

**(SHASHI BHUSHAN)  
JT. SECRETARY (A&L)**

[\[Click here for Proforma\]](#)

CENTRAL BOARD OF SECONDARY EDUCATION  
2, COMMUNITY CENTRE, PREET VIHAR, DELHI - 110092

**NO.D(A)/PA/SCHOOL SAFETY/04**

**26<sup>th</sup> July, 2004**

**Circular No: 28/2004**

To

All the Heads of Institutions affiliated to the Board

**Subject : Safety in schools –Req.**

**Dear Principal,**

As you are aware, the school in any city is a place of vital importance. It is a place of vibrant activity. Thousands of small children assemble for many hours of the day for active interaction. It is important that the schools should own the moral responsibility for safe housing of the students during the period of their stay in the school. It is said that accidents do not happen, but they are caused. Advanced planning, effective implementation strategies, development of right attitude for safety, coordination and cooperation with agencies working in this area are important for ensuring the safety in schools.

The Board, on its part, has stipulated certain conditions in the Byelaws of Affiliation with regard to the nature and housing of the building and safety measures to be taken in the schools. Though these are periodically supervised during the time of inspection, the schools should take up the responsibility of continuous verification of these rules as well as other rules prescribed by the local authorities to ensure the safety of the children being housed in these buildings.

In a school environment, there are several areas where safety concerns exist. It is not possible to identify and list them as most of them may be school specific and need the attention of the school managers and local authorities. However, there are certain broad preventive measures which are common and necessary for all schools. They have been given in the form of a questionnaire and the schools will do well to do some introspection in these areas and take necessary steps. These have to be addressed not necessarily because they exist in the rules book, but all of us have a genuine and humane concern for the younger generation of the country. It is a moral obligation the schools owe to their primary stakeholders.

Some of the issues the Board would like to bring to the immediate attention of the school authorities are:

**Fire Safety Management**

1. How safe is your school from fire hazards? Does your school have a fire safety certificate? Is it current and validated periodically?
2. Do you have adequate fire fighting systems in place to meet any emergency?
3. Are you in touch with local fire fighting agencies for mock drill training to a crisis management group?
4. What emergency steps are in place in the school for fire safety management?
5. Is there a trained management team available in the school for initial fire hazard management? Are you in touch with the local fire safety authorities for training and retraining the people?

**Structural Safety**

1. Does your school have any temporary structure or any class-room/other room which has thatched roofing and which is inflammable? Are you aware such inflammable structures are not permissible under the rules?
2. Is your school situated in old or dilapidated buildings? Has it been brought to the notice of the local authorities or management so that adequate steps are taken for relocating the school?

3. Has your building been certified as safe for housing the students by the local authorities?
4. Are there any cracks in the school structures and are steps being taken to repair them?
5. Is your school located near any rail track? Has the impact of such locations being examined by the local authorities for the safety of the students?

### **Earthquake Management**

1. Is your school situated in the earthquake risk zone?
2. Have necessary steps been taken during construction of the building for earthquake safety for the building?
3. How safe is your construction to face a natural disaster of this kind? Do you need to make modifications in consultation with local authorities?
4. What emergency steps are in place in the school for disaster preparedness?
5. Is there a trained disaster management group available in school for initial response? Are you in touch with the local disaster management authorities for training and retraining them?

### **Flood/Cyclone Management**

1. Is your school situated near seashore or a river?
2. Have you any contingency plans to meet floods, cyclones, cloud bursts and heavy rains?
3. Is there a transport mechanism in place for emergency transport of students or do you have any contacts for their arrangements?

### **Landslide Management**

1. Is your school situated on hilltops or where there is a possibility of landslide?
2. What is the frequency of such slides and is your building safe according to the local authorities?

### **Management from Industrial Products**

1. Is your school located near an industry or a chemical factory producing fatal chemical products? Are you aware of the nature of products? Is your school safe from any eventualities from the leakage of chemicals in this area?
2. Do you have first aid and other medical systems in place to safeguard your students? Are you aware of the procedures to be adopted in case of any emergency?

### **Electrical Safety**

1. How safe are the electrical systems in your school? Are they being checked periodically?
2. Have you ensured limited access to the area of electrical installation only to those who are required?

### **Stampede Management**

1. What is the possibility of any stampede outside your school during any emergency? How would you ensure that students and others do not become victims of a stampede?
2. How safe are the staircases in your school? What alternate mechanisms would you adopt to manage a stampede in the staircase?

### **Safety from Constructional Hazards**

1. Does your school have any ongoing construction?
2. Have you obtained necessary permission from the local authorities for the same?
3. Have the constructions been planned during the lean time of students' presence in the school?
4. Have you put barricades and signboards in the construction area prohibiting the movement of students?
5. Are there water storage sources for such constructions and have they been covered to prevent small children from any possible mishap?

### **Safety in the Playground**

1. Is your playground safe for the students to play games? Are they being maintained well?
2. Who ensures that there are no hazardous materials like rusted nails etc., on the ground that will physically hurt them?



3. Do you have a swimming pool? Have you taken adequate precautions for the safety of the students? Are lifeguards available to help the students?
4. What management systems you have in place to meet any emergency?

#### **Water Safety**

1. Is the drinking water safe in the school plant? Is the water source well protected?
2. Is the water provided to the students tested by the local authorities periodically?
3. Do you ensure safe potable water always?
4. Do you have a water management system in the event of a fire? Is there access to such sources?

#### **Laboratory Safety**

1. Are the laboratories in your school positioned as per rules?
2. Is there space for free mobility for students in case of an emergency?
3. Are the chemicals and instruments kept safely beyond the access of others?
4. Is there a first aid box available in your lab?
5. Do you have an exhaust facility for the gases?
6. Have you displayed the first aid procedures for the students in the laboratory?
7. Is your school team trained to meet any emergency in the laboratory?

#### **Transport Management and Safety**

1. Is your school owning/ running buses on lease for students?
2. Have you complied with the rules and regulations stipulated by the local transport authorities?
3. Are your teachers' delegated responsibilities for transport management?
4. Are your drivers trained and have a regular license?
5. Do they ensure whether the students are cautioned to keep a safe distance before starting the bus?
6. Are there speed governors in your school buses?
7. What controls do you exercise on contractors/ lessees for the safety of the mode of transport?
8. Have your students been trained in orderliness in buses? Have they been exposed to traffic rules?

#### **Trauma Management**

1. Do you have a trauma management team to meet any accident or disaster?
2. Do you have the contacts available for trauma management?
3. Are you or any senior persons in the school aware of the telephone number of the hospitals, ambulance and the fire stations near your school?
4. Do you have a small school nursing room?


#### **Safety of the Challenged**

1. How many physically challenged students are studying in your school?
2. Are you aware of their limitations and procedures to help them in the event of any emergency?
3. Are there any designated official in the school who is entrusted with the exclusive responsibility of their needs in any emergency?

The above questionnaire needs to be answered by each and every school. The Heads of institutions would discuss the issues in the school managements and take appropriate steps in this regard. They should also discuss these issues in their staff meetings to bring greater awareness among the staff and to increase their sensitivity to these issues.

Kindly acknowledge this letter.

**Yours faithfully,**



**(G.BALASUBRAMANIAN)  
DIRECTOR (ACADEMIC)**

**CENTRAL BOARD OF SECONDARY EDUCATION  
2,COMMUNITY CENTRE, PREET VIHAR, DELHI-110092.**

**NO. CBSE/ACAD/VIOLENCE IN SCHOOLS/2009**

**14<sup>th</sup> July 2009  
Circular No: 24**

**All the Heads of the institutions  
affiliated to CBSE.**

**SUBJECT: VIOLENCE AND RAGGING IN SCHOOLS AFFILIATED TO CBSE**

**Dear Principal,**

It has been observed that ragging has reared its ugly head in schools and the recent violence reported in a prestigious institution is a matter of shock and grave concern.

Ragging is any disorderly conduct whether by words, spoken or written or by an act with the effect of teasing, treating or handling with rudeness any other student. It also involves indulging in rowdy or indisciplined activities which is likely to cause annoyance or psychological harm or apprehension or fear in any student or doing any act or performing something which a student will not do in the ordinary course and may cause shame or embarrassment or adversely affect the physique or psyche of one student by another.

Ragging is manifested in several aspects such as psychological, social, cultural and academic dimensions .Exploiting the relationship which has an inherent power structure such as between a senior and junior student for any of the factors mentioned above will fall under ragging .An act or abuse by spoken words, emails, public insults should be considered within the psychological aspects of ragging. Any act which affects the physical, mental, emotional - health, self confidence or self esteem of a student can be categorized as an aspect of ragging.

There have often been incidents of physical and sexual abuse in schools which are brushed under the carpet and not reported even to the parents as it may harm the reputation of the institute. This is a dangerous trend and needs to be stopped immediately. Once these students are left unchecked, they will grow to plague society, hence it is imperative that any act of bullying or abuse, however small must not be allowed to go unnoticed. Moreover the traumatic aftermath of such an incident on the psyche of the victim cannot be undermined as it may lead to irreversible damage.

The onus of preventing any undesirable aspect of ragging rests jointly and individually on all stakeholders which includes the head of the institution, teachers, non teaching staff, students, parents and the local community. A concerted effort by everyone concerned is the need of the hour.

The ambience and environment of a school should be warm and amiable where learning can take place meaningfully and students can engage themselves in intellectual, social, physical and cultural pursuits.

## What Needs To Be Done?

- A Committee, popularly known as **Raghavan Committee**, constituted by the Supreme Court of India to make suggestions for prevention of ragging in educational institutions has also made a strong case for regular and periodic psychological counseling sessions for every student in the school.
- A school should preferably have a full time Counsellor at each level of schooling such as **Primary, Upper-Primary and Secondary/Senior**.
- At Secondary and Senior Secondary stages at least twenty sessions of psychological counseling must be provided to every student in an academic session. **Parents and teachers may also be involved in such sessions.**
- **'Health and Wellness Clubs'** already constituted by schools should act as monitoring cells for maintaining a constant vigil to promote preventive measures to curb violence in any form. In case any act of violence is reported, timely and prompt action must be taken.
- Manuals on **Life Skills, Comprehensive School Health and Adolescence Education** which contain activities on **Value Systems, Human Rights, Gender Sensitivity, Self Esteem, Interpersonal Communication, Coping with Stress, Dealing with Anger, Coping with Emotions, Empathy, and Resisting Peer Pressure** need to be religiously taken up in the activity periods. These can take the form of Role Plays, Street-Theatre (Nukkad Natak), Group-Discussions, Debates etc.
- **Peer Educators** and **Peer Mentors** need to be empowered to create awareness and monitor the sensitive zones in schools such as canteens, playgrounds, corridors, bathrooms and dormitories. Any untoward incident must be immediately reported.
- **Counsellors** in all schools and **Wardens** in boarding and residential schools need to be sensitized to the changing dynamics of student interaction. They should be empathetic and approachable so that students can confide in them. The occurrence of such acts has more probability in case of residential schools due to the amount of time spent together by students.
- Role of parents in Parent Teacher Meetings, representation in various other school Committees and participation in Health Club initiatives must be reinforced. In case a parent needs to report in confidence about any act of bullying, however minor, the Head of the Organisation must put a mechanism in place which must also be circulated to **parents**.
- **"No Act of Violence which includes physical or sexual abuse, bullying or Ragging will go unnoticed or unpunished"** needs to be clearly stated in the

prospectus and other guidelines circulated by the school. Punishment to be meted out incase of a student caught in any act of ragging or bullying should also be clearly spelt out .Parents as well as students need to be aware of the extent of punishment possible.

- Drastic action should be taken against the ragger without risking the identity of the victim. The victim needs counseling which may be taken up by a peer mentor or Counselor.
- Punishment to be meted out must be commensurate with the gravity of the action. It may vary from suspension in attending classes, collective and heavy fine incase of group offenders and even go to the extent of rustication or expulsion.
- **Life Skills** are being reflected in the **Continuous and Comprehensive Evaluation Card**. Any form of deviant or aggressive behaviour must also be recorded in behavioural terms.

Any school which is found to default on any of the above directives will be penalized severely and stringent action to the extent of disaffiliation may be taken against them. In all such cases it is the Head of the Organisation who will be held accountable.

This may be brought to the notice of all the students, teachers and parents.

Regards,

Yours sincerely,



**(Vineet Joshi)**  
**Chairman and Secretary**

**Copy with a request to respective Heads of Directorates/KVS/NVS/CTSA as indicated below to also disseminate the information to all concerned schools under their jurisdiction:**

1. The Commissioner, Kendriya Vidyalaya Sangathan, 18-Institutional Area, Shaheed Jeet Singh Marg, New Delhi-110 016.
2. The Commissioner, Navodaya Vidyalaya Samiti, A-28, Kailash Colony, New Delhi.
3. The Director of Education, Directorate of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi-110 054.
4. The Director of Public Instructions (Schools), Union Territory Secretariat, Sector 9, Chandigarh-160 017.
5. The Director of Education, Govt. of Sikkim, Gangtok, Sikkim – 737 101.
6. The Director of School Education, Govt. of Arunachal Pradesh, Itanagar-791 111
7. The Director of Education, Govt. of A&N Islands, Port Blair-744 101.

8. The Secretary, Central Tibetan School Administration, ESS ESS Plaza, Community Centre, Sector 3, Rohini, Delhi-110 085.
9. All the Regional Officers of CBSE with the request to send this circular to all the Heads of the affiliated schools of the Board in their respective regions.
10. The Education Officers/AEOs of the Academic Branch, CBSE.
11. The Joint Secretary (IT) with the request to put this circular on the CBSE website.
12. The Library and Information Officer, CBSE
13. EO to Chairman, CBSE
14. PA to CE, CBSE
15. PA to Secretary, CBSE
16. PA to Director (Acad.)
17. PA to HOD (AIEEE)
18. PA to HOD (Edusat)
19. PRO, CBSE



**Chairman and Secretary**



**CENTRAL BOARD OF SECONDARY EDUCATION**

(An autonomous Organisation under the Union Ministry of Human Resource Development, Govt. Of India). 'Shiksha Sadan', 17, Institutional Area, Rouse Avenue, New Delhi -110002

**CBSE/ Directot (Acad) / CIRCULAR/ 2010**

**05.04.2010**

All Head of Institutions  
Affiliated to the Board

**Circular No. 15**

**Subject: Standard Operating Procedure (SOP) for dealing with any terrorist attack on schools – reg.**

Dear Principal,

The Ministry of Home Affairs, Govt. of India has advised that experience gained in handling terrorism in recent years has shown that spectacular terrorist actions may be undertaken with a view to gain widespread media and public attention. Places with large number of footfalls such as malls, multiplexes, hostels and schools are soft and most vulnerable targets for terrorist attacks. This necessitates having a standard operating procedure (SOP), defining the role of the officials of the concerned agencies involved in counter measures.

An SOP for preventing/ dealing with any terrorist attacks on schools has been prepared by the Ministry of Home Affairs, Govt. of India and the same is attached for the information of all the CBSE schools. The Principals are requested to:

- a. read the SOP carefully and bring it to the notice of all the staff and the teachers of the schools.
- b. develop a comprehensive action plan to implement the guidelines.
- c. allocate specific roles to different personnel and teachers as per the SOP.
- d. brief the staff about the action to be taken by them in any exigency.
- e. take preventive measures as given in the guidelines in consultation with the local police.
- f. keep the security personnel of the school on the alert
- g. communicate clear guidelines to parents about what they should and should not do in case of any news of such incidents.
- h. conduct advance reconnaissance of the school with the help of the local police.

- i. hold mock drills for students, teachers and staff.

The objective of this circular is purely educative in nature so as to alert the school administration and prepare it for any eventuality. Hence Principals are requested to ensure that this information is disseminated discreetly, without creating any sense of panic.

These guidelines are being circulated to all major schools to equip them in preventing and dealing with such exigencies and they should not be deemed as intimation of any prior information or any specific threat to any particular institution.

I request you to kindly implement these guidelines and intimate the Board.

Yours faithfully

**(C. GURUMURTHY)**  
**DIRECTOR (Academic)**

Encl: SOP Guidelines for dealing with any terrorist attack on schools.

**Copy with a request to respective Heads of Directorates/ KVS/ NVS/ CTSA as indicated below to also disseminate the information to all concerned schools under their jurisdiction:**

1. The Commissioner, Kendriya Vidyalaya Sangathan, 18-Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016.
2. The Commissioner, Navodaya Vidyalaya Samiti, A-28, Kailash Colony, New Delhi.
3. The Director of Education, Directorate of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi- 110054.
4. The Director of Public Instrucions (Schools), Union Territory Secretariat, Sector-9, Chandigarh- 160017.
5. The Director of Education, Govt. of Sikkim, Gangtok, Sikkim- 737101.
6. The Director of School Education, Govt. of Arunachal Pradesh, Itanagar-791111
7. The Director of Education, Govt. of A&N Islands, Port Blair- 744101.
8. The Director of Education, S.I.E., CBSE Cell, VIP Road, Junglee Ghat, P.O. 744103, A&N Islands.
9. The Secretary, Central Tibetan School Administration, ESS ESS Plaza, Community Centre, Sector 3, Rohini, Delhi- 110085
10. All the Regional Officers of CBSE with the request to send this circular to all the Heads of the affiliated schools of the Board in their respective regions.
11. The Education Officers/ AEOs of the Academic Branch, CBSE.
12. The Joint Secretary (IT) with the request to put this circular on the CBSE website.

13. The Library and Information Officer, CBSE.
14. E.O. to Chairman, CBSE
15. DO/ PA to Secretary, CBSE
16. PA to CE, CBSE
17. PA to Director (Acad.)
18. PA to HOD (AIEEE)
19. PA to HOD (Edusat)
20. PRO, CBSE



# **STANDARD OPERATING PROCEDURE FOR DEALING WITH ANY TERRORIST ATTACK ON SCHOOLS.**

## **1. Background:**

Experience gained in handling terrorism in recent years has shown that with a view to gain widespread media and public attention, bold terrorist attacks are undertaken. Places of large number of footfalls, malls, multi-plexes, hotels and schools, are most vulnerable for terrorist attacks. This necessitates to have in place a Standard Operating Procedure defining the role of officials of the concerned agencies participant to counter such attack in schools.

## **2. Aim of SOP:**

The aim of this SOP is to lay down guidelines and procedure for preventing and dealing with extremist attack on schools. However, these are general guidelines. Every terrorist related incident is different and the action should be taken by all concerned keeping in mind the specifics of each situation, keeping in mind these general guidelines.

## **3. Identification of Schools:**

The local police should identify or make a list of prominent/ high profile schools in their jurisdiction for the purpose of SOP.

## **4. Preventive Measures:**

- 4.1 Each school should have concrete boundary wall, with 3 to 4 gates and each gate should be manned by at least 3 guards, on a 24- hours basis.
- 4.2 Details of telephone number of the Police Control Room and local police station should be maintained and updated regularly by the school authorities. These details should be displayed at prominent places so that in case of crisis, the Principal, teachers, students, staff or security guards or any one from the school may contact the Police. A nodal officer may be nominated to look after security arrangement in the school.
- 4.3 A telephone connection should be provided at the main gate of the School so that the guards can inform the Police in case of any emergency without waiting for informing the nodal officer or the Principal.
- 4.4 There should be proper illumination along the perimeter so that nobody can jump over the wall into the school in the night for any nefarious activity.
- 4.5 Concertina wire may be fixed on the iron grills above the boundary wall to deter any one from jumping over the wall.
- 4.6 Installation of CCTV systems all along the boundary as well as some additional locations inside the premises, to monitor the movement of any suspicious person,

- with recording facilities for the last three days, at least. The system should also have requisite video analytics to detect any intrusion and raise an audio as well as visual alarm. CCTV system alarm may also be connected to the identified gates to close them automatically.
- 4.7 Walkie Talkie sets for communication between security guards and nodal security officer be arranged, intercom between main gate/ other perimeter gates to the nodal security officer and the Principal of the School may be provided for efficient communication.
  - 4.8 There should be centralized Public Announcement System between Nodal Officer and all classes/ library etc. by which instructions can be given to the students/ staff in each room, collectively or individually or in selected combination, may be installed.
  - 4.9 A visual anti-sabotage check of the entire school should be carried out by the security staff of the school before the children start arriving in the morning. They should also check the footpath in front of the school, all along the boundary wall including the parking area to detect any suspicious objects lying unattended there.
  - 4.10 **Alarm System:** In order to alert the entire security staff, Principal, Teachers and the students in case of any contingency, a suitable electric bell needs to be installed connecting all the gates to a nodal point in the school. The alarm system should also have a display panel to indicate the location from which the alarm has been raised. The alarm can be manually pressed by the guards or get activated automatically if any vehicle crashes into the gate. The nodal officer should immediately verify the reason for raising the alarm, inform the Principal, take action to initiate the contingency drill in the school and inform the police.

## **5. Action/ Active stage:**

- 5.1 Response of the School Authorities in case of any Contingency: The drill for the School authorities may be divided into two parts namely contingency at the time of arrival/ departure of the children and secondary while the school is already functional.

### **Drill at the time of arrival/ departure of the children:**

- i. Kidnapping of children at the time of their arrival/ departure.**
  - a. The guard on duty at main gate or nodal officer should immediately inform the Police about the incident. Guards should give proper description of the vehicle, colors etc, so that police can impose Red Alert and search the suspected vehicle.
  - b. The guards posted at main gate should immediately rush the children already on the road or footpath inside the school and close the school gates.
  - c. Those who are still in the cars and buses and have not alighted should be told to move forward and leave the area.

- d. The guards at the main gate should immediately press the alarm bell to close the intermediate gates to segregate and secure the children inside the school blocks. He should also inform the nodal security officer/ Principal of the school.

**ii. Random Firing on the road near the School**

- a. There should be two guards at the main gate at the time of arrival/ departure of children. Guard at the main gate should quickly take in all the children and close the gate.
- b. Another guard should direct the buses and vehicles from which the children have not yet alighted to move on quickly and get out of the area.
- c. Guards at main gate to inform the police and also the nodal security officer of the school.
- d. Alarm bells should be rung and intermediate gates be closed to prevent any children from coming outside.
- e. Rush the injured children/ other victims to the hospital.

**iii. Armed Intrusion into the school with Hostage taking:**

In case armed terrorists manage to enter the school and hold up teachers/ students/ others as hostages, the following action should be taken by the school authorities, besides the quick reaction team engaging the terrorists:

- a. Inform the Police
- b. Initially all the children and teachers should stay back in their respective rooms and those in veranda etc. rush into the nearest room, and not to indulge into any any rash act in panic like running out towards door to escape etc. They should close the doors from inside and lie low in the classroom to escape random firing.
- c. The security guards should be identified gate-wise. They should rush out from their positions with the keys of the concerned gates to open them for safely sending the children out as and when possible. They shall check that the area outside is clear of miscreants and a passage is available, and open the gates when told to do so by teachers/ nodal security officer.
- d. If the location of the terrorists is known and there is safe passage available from the other classrooms to any of the gates, the children under the leadership of the respective teachers in a single file without making any noise should be taken out.
- e. Children may not be asked to collect/ gather in any open ground as they can become easy targets.
- f. In case of any doubt, there should be no movement and teacher/ school authority should wait for the police to arrive, contain the situation, surround the terrorist and provide a secured passage for the children to move out from their respective places to outside the school.
- g. One of guards available should rush to the main gate and direct the cars/ buses arriving subsequently to go back to their homes.

**iv. Suspected explosive object found in the vicinity of school or inside the premises:**

- a. School staff, teacher and students should be regularly briefed not to touch any unattended object lying anywhere inside/ outside the school. In case any such object is found, the person who finds it should immediately bring it to the notice of the nodal security officer of the school. In case it is seen by a student, he should immediately bring it to the notice of his first available teacher, who in turn will inform the nodal security officer/ principal of the school. All should also be briefed to keep away from such an object.
- b. If there is a bomb scare, then children should not be collected in one place without first checking that area. Some place can be designated like auditorium/ field and there should be team of 8-10 people from the school who will quickly spread out and carry out a check of that area before collecting the children there.
- c. In case the bomb has already exploded, then cars and buses coming to the school with children should be told to go back home.
- d. The injured/ casualties be rushed to the hospitals.
- e. The nodal officer or the Principal or even the security guards available in the school should inform the Police at the earliest opportunity. The call will activate the police drill and they will respond accordingly.

**Drill when the school is already functional:**

- a. All the gates on the perimeter wall should be closed and locked after the arrival of children. The guard should open the door only for bonafide reasons. Once the gates are locked, the probability of forcible intrusion considerably reduces, as even the intruder understands that in case he tries to enter forcibly, the school authorities can call the police and they may be intercepted even before they can achieve their objectives. However, in case somebody tries to forcibly enter the school premises by forcing open the gate under threat of life to the guard or crash open the gate by driving the vehicle into the gate or jump over the wall, the following action should be taken:
- b. Guard at the main gate should inform police and the nodal security officer immediately.
- c. In case the guards on other gates notice the intrusion or any being threatened by intruders to open the gate, they should also immediately press the alarm bell. A code can be defined for ringing the bell in such a situation to convey the type of threat.
- d. The Nodal Security Officer should immediately raise general alert in the school and through centralized PA system inform the concerned to follow the security drill i.e. all children/ staff to go inside the rooms and to close them from inside.
- e. Nodal Security Officer to inform the Principal of the school.
- f. However, if the criminals/ terrorists still manage to enter the school and indulge in any criminal act, then the following drill should be followed for various acts:

**(i) Kidnapping of children / Random firing with intention of mass killing of children inside the school:**

It is presumed that the terrorists/ criminals having done their act have managed to escape. In such a case

- Inform the police again giving description of criminals/ terrorists, their number, along with details of escape vehicle, if noted.
- Nodal Security Officer to announce on PA system for teachers/ students and staff to stay inside their rooms.
- Injured/casualties, if any, be rushed to the hospitals.
- Those who have seen the kidnappers and noted their description be identified and requested to collect at one place to assist the police in investigation.
- Drill be activated to inform the parents and return of children.

**(ii) For other situations the drill will be same as mentioned in para.**

4.1 (A)

**6. Communication with the Parents:**

It is very likely that the news of such an incident will breakout very fast and parents in panic would rush to the school. In order to ensure that parents do not rush to school and create obstructions in the subsequent operations by the police forces, they need to be informed to come to a pre-identified central place as close to the school as possible for the briefing as well as for handing over of rescued children. This can be achieved if the school can have a system of having the mobile nos. of all the parents of the children in a centralized database. A SMS can be drafted explaining the situation giving the necessary facts, place of their assembly for briefing etc. and the message sent to all. For this purpose, the local police should identify the place of assembly, in advance and provide a list, locality wise to all schools and also to the District Hqrs. And State Hqrs.

**7. General Suggestions:**

- 1) School gates be kept closed immediately after the arrival of children till the dispersal of children begins, to prevent any easy intrusion.
- 2) The telephone numbers of nearest hospital(s), police stations and assistance desks should be displayed prominently in the school.
- 3) Guards should be identified for each gate and there should be a list put up to specify who has keys to which gate. All gates should be covered by guards.
- 4) A centralized alarm system and also a PA system, through which classes can be addressed collectively as well as individually and selected combination should be installed.
- 5) All teachers/ staff should be briefed properly and apprised of any possible threats.
- 6) There should be a list with duties specified by names like which teacher/ staff would be responsible for controlling children, which one would inform police/

- hospital authorities, which one would be responsible for informing the parents and so on.
- 7) All the bus drivers to be briefed to respond quickly and drive away their buses with children if they see any commotion/ attack at the gate and directed by security guards to do so.
  - 8) The guard at the gate should be alert to notice any suspicious person moving around or standing near the school.
  - 9) A security check can be carried out in school by the staff to check if any object is lying unclaimed at various points such as in the classroom, at any gate, in the field and so on.
  - 10) The antecedents of all the new staff members being employed in the school should be verified properly.
  - 11) All labourers working in the school should be issued a temporary photo I- Card and they can be generally checked by security guards to prevent anyone of them from bringing anything (like bomb/ IED) to be implanted in the school.
  - 12) School authorities should provide a copy of lay out plan of the school to the local police station in advance.

#### **8. Advance Recce:**

Local police along with the school may carry out an advance reconnaissance of the schools to prepare the operation to deal with any such contingency in future.

#### **9. Mock Drill:**

School authorities may conduct the briefing of the teachers/ students/ staff as well as the drill as per this SOP to ensure that everybody knows his/ her role in such an eventuality. They can also include local Police in their Mock Drill.

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## **CENTRAL BOARD OF SECONDARY EDUCATION**

(An Autonomous Organization under the Union Ministry of Human Resource Development Govt. of India)  
"SHIKSHA KENDRA", 2, COMMUNITY CENTRE, PREET VIHAR, DELHI – 110 301

CBSE/AFF/Circular /2012

8<sup>th</sup> June, 2012  
Circular No.01/2012

All the Principals of Schools affiliated with the CBSE

**Sub.: Modified Point No. 5, under 'Physical Facilities' at serial no. 8 of Chapter II of Affiliation Bye-laws**

**Dear Principal,**

As you are aware that safe transportation of students from picking up point to school and vice versa has been a matter of concern for the Board. In the past, this issue has been raised by the Parents, Transport Department and the Hon'ble Supreme Court of India. The directions in this matter have been issued by the Board and also by the High Court and Supreme Court from time to time.

The Board has modified its Affiliation Bye-laws to include Transport Precautions. The point no. 8.5 of Chapter II of Affiliation Bye-laws would be read as follows: -

**"The School should scrupulously observe prescription from the Municipal Authority/District Collectorate/Transport Department regarding drinking water, fire safety and transport precautions in the school. A certificate from the Municipal/Fire/Transport Authority regarding sanitary conditions, water/fire/transport safety should be submitted along with the application. A fresh certificate regarding fulfillment of these requirements should be obtained and submitted to the Board every five years. The Format of Certificates of fire and water safety are give at appendix VII & VIII. Precautions to be observed for transport are also annexed at Annexure IX."**

Yours faithfully,

**SECRETARY**

**Copy to the respective heads of Directorates, Organizations and Institutions as indicated below with a request to disseminate the information to all the schools under their jurisdiction:**

- The Commission, Kendriya Vidyalaya Sangathan, 18 Institutional Area, Shaheed Jeet Singh Marg, New Delhi – 110016
- The Commissioner, Navodaya Vidyalaya Samiti, A-28, Kailash Colony, New Delhi
- The Director of Education, Directorate of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi – 110054
- The Director of Public Instructions (Schools), Union Territory Secretariat, Sector-9, Chandigarh-160017
- The Director of Education, Govt. of Sikkim, Gangtok, Sikkim -737101
- The Director of School Education, Govt. of Arunachal Pradesh, Itanagar – 791111
- The Director of Education, Govt. of A&L Islands, Port Blair – 744101
- The Director of Education, S.I.E. CBSE Cell, VIP Road, Junglee Ghat, P.O. 744103 A & L Islands.
- The Secretary, Central Tibetan School Administration, ESS ESS Plaza, Community Centre, Sector-3, Rohini, Delhi -110085
- All the Regional Officers of CBSE with the request to send this circular to all the Heads of the affiliated schools of the Board in their respective regions.
- The Education Officers/AEOs of the Academic Branch, CBSE
- The **HOD (IT)** with the request to put this circular on the CBSE website
- The Library and Information Officer, CBSE
- E.O. to chairman, CBSE
- DO/PA to Secretary, CBSE
- PA to CE, CBSE
- PA to Director (Acad.), CBSE
- PA to Director (Spl. Exams.), CBSE
- PA to Director (Edusat), CBSE
- PRO, CBSE



**FIRE SAFETY CERTIFICATE**

**No.**

**Dated:**

Certified that the ..... (name of the building or premises) at ..... (address) comprised of ..... basement(s) and ..... (upper floors) owned/occupied by ..... (name of the Institution) have complied with the fire prevention and fire safety requirements in accordance with rule of State/UT Fire Service Rules, and verified by the officers concerned of Fire Service on ..... (date of inspection) in the presence of ..... (name and addresses of the Manager/Secretary or his representative) and that the building/premises is fit for occupancy class ..... with effect from ..... for a period of ..... years in accordance with rule and subject to compliance of the conditions.

Issued on ..... at ..... by

\* Strike out whichever is not applicable.

**Signature with Seal :** \_\_\_\_\_

**Name :** \_\_\_\_\_

**Designation :** \_\_\_\_\_

**To**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**(Name & Address of the Institution)**

**ENDORSEMENT**

The No Objection Certificate issued by Fire Service stand cancelled and annulled due to ..... (reasons to be recorded).

(Name and designation of the authorized signatory)

**PROFORMA REGARDING SAFE DRINKING WATER AND SANITARY CONDITION  
CERTIFICATE.**

No. \_\_\_\_\_

Date : \_\_\_\_\_

It is certified that an inspection team headed by \_\_\_\_\_  
\_\_\_\_\_ (Name of Officers  
with designation) from \_\_\_\_\_ (Name of  
Department/Office) inspected the \_\_\_\_\_  
\_\_\_\_\_ (Name & Address of  
the School) on \_\_\_\_\_ and found that the \_\_\_\_\_  
\_\_\_\_\_ (Name of school) has safe  
drinking water facilities for the students and members of staff of the institution and is maintaining  
the hygienic sanitation condition in the school building & the campus as per the norms  
prescribed by the Central/State/U.T Govt.

The above valid for a period of \_\_\_\_\_.

**Signature with Seal :** \_\_\_\_\_

**Name :** \_\_\_\_\_

**Designation :** \_\_\_\_\_

**To**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(Name & Address of the Institution)**

## **Transport precautions to be observed by Schools**

### **A. Exterior of the Bus**

- All the school buses must be painted with uniform colour preferably Yellow with the name of the school written prominently on both sides of the bus so that these can be identified easily.
- The word "School Bus" must be written on the back and front of the bus. If it is hired bus, "On School Duty" should be clearly indicated.
- Telephone number of the school and/or telephone number of any contact person shall also have to be written prominently in a prominent place in each school bus so that in case of necessity the public can inform the school authority/police or other authorities.

### **B. Fixture and furniture of the Bus**

- The windows of Bus should be fitted with horizontal grills and with mesh wire.
- The doors of the Bus should be fitted with reliable locks that can be locked.
- All school buses must be fitted with speed control devices so that they do not exceed the speed limit of 40 Kmph.
- There should be a fire extinguisher in the Bus

### **C. Manpower in the Bus**

- There must be a qualified attendant in the Bus to attend to Children.
- Each school should designate one Transport Manager/ Coordinator who will ensure the safety of the school children.
- The provision shall also to be made by the school authorities for travelling of at least one teacher in each school bus, keeping in view the safety of the school students all through out the journey and no outsider except the conductor or the said authorized teacher or one person authorized by the guardians shall be allowed to board school bus.
- Medical check up regarding the physical fitness of the driver including the eye testing shall be made every year.

### **D. Facilities in the Bus**

- Bus should have a First Aid Box.
- To keep the school bags safely, there should be a space fitted under the seats or as convenient.
- The buses should be fitted with alarm bell/siren so that in case of emergency every one can be alerted.

## **E. Permits**

- The driver should have valid licence and at least 5 years of experience of driving heavy vehicles.
- A driver who has been challaned more than twice in a year for offences like red light jumping, violation of lane discipline or allowing unauthorized person to drive cannot be employed.
- A driver who has been challaned even once for the offence of over speeding, driving dangerously or for the offences under Section 279,337,338 and 304A of the Indian Penal Code cannot be employed.
- Every vehicle shall carry a suitable photograph of the authorized driver duly certified by the RTA.
- Periodical fitness certificate regarding roadworthiness of the vehicle shall have to be obtained.
- Any school authority and/or driver found to have violated the provision of the Motor Vehicles Act, 1988 and the rules framed thereunder as well as of the directions must be penalized.

## **F. Arrangements in the Schools**

- All the affiliated schools will make safe arrangement for boarding and de-boarding of school children from the school bus.
- The school authority shall ensure that the doors of the buses remain shut while in running condition.
- They will ensure that buses halt only at bus stops designated for the purpose and within the marked area.
- Refresher course of driver training so as to fine tune and increase the proficiency of the driver shall be given to the drivers of the school buses periodically, i.e. least twice in a year.
- No person shall be allowed to drive the school bus in drunken condition. Regular check in the respect shall be undertaken by the school authorities and in case of any doubt in that regard such drivers must be subjected to medical test immediately and proper action including the action for cancellation of the license have to be taken.
- All drivers of the school buses have to be dressed in a distinctive uniform with their names inscribed in it.
- In every school bus there shall be another qualified person to keep attending children travelling in such buses, as conductor, who have to be dressed in distinctive uniform with their names inscribed in it.
- The school authority must provide one set of mobile phone in each school bus so that in case of emergency the bus can be contacted or the driver/conductor can contact the police or State authority as well as the school authority.
- The authority shall ensure that the school buses are not permitted to over take any other four wheelers while carrying the school children in the bus.
- The School authority shall ensure that the students maintain discipline when boarding and disembarking the bus so that no children get hurt.

- Effort shall be made by the school to make necessary arrangement for parking the school bus inside the school campus at least at the time of boarding and disembarking. In case it is not possible to park such vehicle inside the school campus, the buses must be parked in such a way so that it does not create any traffic problem for other vehicles.
- The school should encourage its children to conduct programmes through play, exhibition etc. during Road Safety Week to create an awareness in public.
- Periodic feed-back from students using school Transport facility with regards to driver/conductor be taken and records are to be maintained.

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## **CENTRAL BOARD OF SECONDARY EDUCATION**

(An Autonomous Organization under the Union Ministry of Human Resource Development Govt. of India)  
"SHIKSHA KENDRA", 2, COMMUNITY CENTRE, PREET VIHAR, DELHI - 110 301

CBSE/AFF/Circular /2013

13<sup>th</sup> March, 2013  
Circular No.06/2013

All the Managers/Heads of CBSE affiliated schools

Sub.: Protection of Children from Sexual offences Act, 2012 (32 of 2012)

Dear Principal,

This is to inform to all the Heads of CBSE affiliated schools that Protection of Children from Sexual Offences Act, 2012 (32 of 2012) has come into force w.e.f its Gazette notification dated 14<sup>th</sup> November, 2012 alongwith the rules framed under the Act (copy of Gazette Notification of Govt. of India No. 580 dated 14.11.2012) has been uploaded on the CBSE website [www.cbseaff.nic.in](http://www.cbseaff.nic.in) in bilingual form.

The above facts have been brought to the notice of the Board by the Addl. Secretary (SE) MHRD, Department of School Education and Literacy vide D.O Letter No 14-37/2012-E.E.8 dated 1<sup>st</sup> February, 2013 with the directions to the Board to give wide publicity to the provisions of the Act through all schools. It is, therefore, stressed that teachers, management and all employees of your institution need to be made aware about the provisions of the Act, some of which cast a duty on them to report instances of child abuse, as in Sections 19 (I) and 21. Sexual offences committed by the persons who are in the ownership, management of staff of educational institutions and persons in positions of Trust and Authority over children are liable for higher punishment as per the provisions of Sections 5, 6, 9 and 10 of the Act. Awareness of the provisions of the Act will help to prevent such offences against children and enable timely action to protect children from sexual and exploitation.

In the light of above, I am directed to request all the Heads of CBSE affiliated schools and their Managements to download the above said Gazette Notification and give wide publicity to the provisions of the Act. The schools are further requested to keep at least one copy of downloaded Gazette Notification with spiral bound in the school library for instant reference.

The Manager as well as the Head of the school is advised to take personal attention in this matter.

Thanking you,

Yours faithfully,

(U.C BODH)

DEPUTY SECRETARY



# भारत का राजपत्र

## The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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नई दिल्ली, बुधवार, नवम्बर 14, 2012/कार्तिक 12, 1934

No. 580]

NEW DELHI, WEDNESDAY, NOVEMBER 14, 2012/KARTIKA 12, 1934

महिला और बाल विकास मंत्रालय

अधिसूचना

नई दिल्ली, 14 नवम्बर, 2012

मा.का.नि. 823(अ).—केंद्रीय सरकार, लैंगिक अपराधों से बालकों का संरक्षण अधिनियम, 2012 (2012 का 32) की धारा 4E की उपधारा (2) के खंड (क) से खंड (घ) के साथ पठित उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है, अर्थात् :-

1. संक्षिप्त नाम और प्रारंभ -- (1) इन नियमों का संक्षिप्त नाम लैंगिक अपराधों से बालकों का संरक्षण नियम, 2012 है।

(2) ये नियम राजपत्र में प्रकाशन तारीख को प्रवृत्त होंगे।

2. परिभाषाएं -- (1) इन नियमों में जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,—

(क) “अधिनियम” से लैंगिक अपराधों से बालकों का संरक्षण अधिनियम, 2012 (2012 का 32) अभिप्रेत है ;

(ख) “जिला बाल संरक्षक एकक” से किशोर न्याय (बालकों की देखरेख और संरक्षण) संशोधन अधिनियम, 2006 की धारा 62क के अधीन राज्य सरकार द्वारा स्थापित जिला बाल संरक्षक एकक अभिप्रेत है ;

(ग) “विशेषज्ञ” से मानसिक स्वास्थ्य, औषधि, बाल विकास या अन्य संबंधित शाखा में प्रशिक्षित ऐसा व्यक्ति अभिप्रेत है, जिससे किसी ऐसे बालक के साथ, जिसकी उपाधात, निःशक्तता या किसी अन्य भेद्यता द्वारा संसूचित करने की योग्यता प्रभावित हो गई है, संपर्क को सुकर बनाने की अपेक्षा की जाए ;

(घ) “विशेष शिक्षक” से विशेष आवश्यकताओं वाले बालकों के साथ किसी बालक की व्यक्तिगत भिन्नताओं और आवश्यकताओं का, जिसके अंतर्गत विद्वता और संसूचना, भावात्मक और व्यवहारिक विकारों, शारीरिक निःशक्तता और विकासात्मक विकारों की चुनौतियां भी हैं, पता लगाने की दृष्टि से संपर्क करने में प्रशिक्षित व्यक्ति अभिप्रेत है ;

(ङ) “बालक के साथ संपर्क करने की रीति से सुपरिचित व्यक्ति” से किसी बालक के माता-पिता या कुटुंब का सदस्य या उसकी सांझी गृहस्थी का कोई सदस्य या कोई

ऐसा व्यक्ति अभिप्रेत है, जिसमें बालक भरोसा या विश्वास रखता है, जो बालक की अद्वितीय संपर्क रीति से सुपरिचित होता है और जिसकी उपस्थिति बालक के साथ अधिक प्रभावी संपर्क के लिए अपेक्षित या सहायक हो सकेगी ;

(च) “सहायक व्यक्ति” से बाल कल्याण समिति द्वारा नियम 4 के उपनियम (8) के अनुसार बालक को अन्वेषण और विचारण की प्रक्रिया के माध्यम से सहायता देने के लिए नियुक्त कोई व्यक्ति या अधिनियम के अधीन किसी अपराध की बाबत विचारण-पूर्व या विचारण प्रक्रिया में बालक को सहायता करने वाला कोई अन्य व्यक्ति अभिप्रेत है ।

(2) उन अन्य शब्दों या पदों के, जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं, किंतु अधिनियम में परिभाषित हैं, वही अर्थ होंगे, जो अधिनियम में क्रमशः उनके हैं ।

3. दुभाषिया, अनुवादक और विशेष शिक्षक--(1) प्रत्येक जिले में जिला बाल संरक्षण एकक, अधिनियम के प्रयोजनों के लिए दुभाषियों, अनुवादकों और विशेष शिक्षकों के नाम, पते और अन्य संपर्क ब्यौरों के साथ एक रजिस्टर रखेगा और यह रजिस्टर विशेष किशोर पुलिस यूनिट (जिसे इसमें इसके पश्चात् ‘एस.जे.पी.यू.’ कहा गया है), स्थानीय पुलिस, मजिस्ट्रेट या विशेष न्यायालय के लिए, जब कभी अपेक्षित हो, उपलब्ध रहेगा ।

(2) अधिनियम की धारा 19 की उपधारा (4), धारा 26 की उपधारा (3) और उपधारा (4) और धारा 38 के प्रयोजनों के लिए नियुक्त दुभाषियों, अनुवादकों, विशेष शिक्षकों और विशेषज्ञों की अर्हताएं और अनुभव वह होगा, जो इन नियमों में उपदर्शित किया जाए ।

(3) जहां किसी दुभाषिए, अनुवादक या विशेष शिक्षक की उपनियम (1) के अधीन जिला बाल कल्याण एकक द्वारा अनुरक्षित सूची से भिन्न नियुक्ति की जाती है, वहां इस नियम के उपनियम (4) और उपनियम (5) के अधीन विहित अपेक्षाओं को सुसंगत अनुभव के साथ या औपचारिक शिक्षा या प्रशिक्षण या दुभाषिए, अनुवादक या विशेष शिक्षक द्वारा सुसंगत भाषाओं में प्रदर्शित धारा प्रवाहिता के सबूत के आधार पर, जिला बाल कल्याण एकक, विशेष न्यायालय या अन्य संबंधित प्राधिकरण के समाधानप्रद रूप में शिथिल किया जा सकेगा ।

(4) उपनियम (1) के अधीन नियुक्त दुभाषिए या अनुवादक को किसी बालक द्वारा बोली जाने वाली भाषा और राज्य की राजभाषा से, या तो ऐसी भाषा उसकी मातृभाषा होने के परिणामस्वरूप या कम से कम प्राथमिक स्तर तक विद्यालय में शिक्षा का माध्यम होने के परिणामस्वरूप या दुभाषिए या अनुवादक द्वारा उसके व्यवसाय या वृत्ति या उस क्षेत्र में, जहां वह भाषा बोली जाती है, निवास स्थान होने के कारण अर्जित ज्ञान के परिणामस्वरूप कार्यात्मक रूप से सुपरिचित होना चाहिए ।

(5) उपधारा (1) के अधीन रजिस्टर में प्रविष्ट किए गए संकेतभाषा दुभाषियों, विशेष शिक्षकों और विशेषज्ञों के पास किसी मान्यताप्राप्त विश्वविद्यालय या भारतीय सुधार परिषद् द्वारा मान्यताप्राप्त किसी संस्था से संकेत भाषा या विशेष शिक्षा में अथवा किसी विशेषज्ञ की दशा में सुसंगत शाखा में सुसंगत अर्हताएं होनी चाहिए ।

(6) ऐसे दुभाषिए, अनुवादक, विशेष शिक्षक या विशेषज्ञ की सेवाओं के लिए, जिनका नाम उपधारा (1) के अधीन अनुरक्षित रजिस्टर में या अन्यथा प्रविष्ट किया जाता है, भुगतान, राज्य सरकार द्वारा किशोर न्याय (बालकों की देखरेख और संरक्षण) अधिनियम, 2000 की धारा 61 के अधीन अनुरक्षित निधि से या जिला बाल संरक्षण एकक के नियंत्रणाधीन अन्य निधियों से, उनके द्वारा अवधारित दरों पर और ऐसे प्ररूप में, जो राज्य सरकार द्वारा इस निमित्त विहित करे, अध्यक्षता की प्राप्ति पर किया जाएगा ।



(7) अधिनियम की धारा 19 की उपधारा (1) के अधीन सूचना की तारीख के पश्चात्, दुभाषिए, अनुवादक, विशेष शिक्षक या विशेषज्ञ के लिंग के बारे में बालक द्वारा व्यक्त की गई किसी अधिमानता पर विचार किया जा सकेगा और जहां आवश्यक हो, वहां एक से अधिक ऐसे व्यक्ति को, बालक के साथ संपर्क को सुकर बनाने हेतु नियुक्त किया जा सकेगा ।

(8) अधिनियम के प्रयोजनों के लिए सेवाएं उपलब्ध कराने हेतु नियुक्त दुभाषिए, अनुवादक, विशेष शिक्षक विशेषज्ञ या बालक के साथ संपर्क करने की रीति से सुपरिचित व्यक्ति निष्पक्ष और समदर्शी होगा और किसी वास्तविक या विदित हित विरोध को प्रकट करेगा । वह दंड प्रक्रिया संहिता, 1973 की धारा 282 के अनुसार किन्ही परिवर्धन या लोप के बिना पूर्ण और यथार्थ निर्वचन या अनुवाद करेगा ।

(9) विशेष न्यायालय, धारा 38 के अधीन कार्यवाहियों में यह सुनिश्चित करेगा कि क्या बालक पर्याप्त रूप से न्यायालय की भाषा बोलता है या नहीं और किसी दुभाषिए, अनुवादक, विशेष शिक्षक या बालक के साथ संपर्क करने की रीति से सुपरिचित अन्य व्यक्ति, जिसे बालक के साथ संपर्क को सुकर बनाने के लिए नियुक्त किया गया है, जी नियुक्ति में कोई हित विरोध तो अंतर्वलित नहीं है ।

(10) अधिनियम या उसके नियमों के उपबंधों के अधीन नियुक्त कोई दुभाषिया, अनुवादक, विशेष शिक्षक या विशेषज्ञ, भारतीय साक्ष्य अधिनियम, 1872 की धारा 126 के साथ पठित धारा 127 के अधीन यथा वर्णित गोपनीयता के नियम से आबद्ध होगा ।

4. **दखरेख आर संरक्षण - (1)** जहां किसी एसजेपीयू (विशेष किशोर पुलिस यूनिट) या स्थानीय पुलिस को किसी व्यक्ति से जिसके अंतर्गत बालक भी है, अधिनियम की धारा 19 की उपधारा (1) के अधीन कोई भी सूचना प्राप्त होती है वहां ऐसी सूचना की रिपोर्ट प्राप्त करने वाली एसजेपीयू (विशेष किशोर पुलिस यूनिट) या स्थानीय पुलिस रिपोर्ट करने वाले व्यक्ति को तुरंत निम्नलिखित ब्यौरे प्रकट करेगी :-

- (i) उसका नाम और पदनाम ;
- (ii) पता और दूरभाष नंबर ;
- (iii) उस अधिकारी का नाम, पदनाम और संपर्क ब्यौरे जो सूचना प्राप्त करने वाले अधिकारी का पर्यवेक्षण करता है ।

(2) जहां, यथास्थिति, किसी एसजेपीयू (विशेष किशोर पुलिस यूनिट) या, स्थानीय पुलिस को अधिनियम की धारा 19 की उपधारा (1) के अधीन अंतर्विष्ट उपबंधों के अनुसरण में किसी ऐसे अपराध की बाबत जो किया गया है या करने का प्रयत्न किया गया है या जिसका किया जाना संभाव्य है, की सूचना प्राप्त होती है वहां संबंधित प्राधिकारी, जहां लागू हों,-

(क) दंड प्रक्रिया संहिता, 1973 की धारा 154 के उपबंधों के अनुसार प्रथम इत्तला रिपोर्ट अभिलिखित और रजिस्ट्रीकृत करने के लिए जाएगा और संहिता की धारा 154 की उपधारा (2) के अनुसार ऐसी रिपोर्ट करने वाले व्यक्ति को उसकी एक प्रति मुफ्त देगा ;

(ख) जहां बालक को अधिनियम की धारा 19 की उपधारा (5) के अधीन या इन नियमों के अधीन यथावर्णित आपात चिकित्सा देखरेख की आवश्यकता है वहां बालक की नियम 5 के अनुसरण में ऐसी देखरेख करवाने की व्यवस्था करेगा ;

(ग) बालक को अधिनियम की धारा 27 के अनुसरण में चिकित्सा प्रक्रिया के लिए अस्पताल ले जाएगा ;

(घ) यह सुनिश्चित करेगा कि न्यायालयिक जांच के लिए एकत्रित नमूने शीघ्रातिशीघ्र न्यायालयिक प्रयोगशाला में भेज दिए गए हैं ;

(ङ) बालक और उसके माता पिता या संरक्षक या अन्य व्यक्ति जिस पर बालक का भरोसा और विश्वास है, को सहायक सेवाओं, जिसमें मंत्रणा भी है, की प्राप्यता के बारे में सूचना देगा और उनकी ऐसे व्यक्ति से संपर्क करने में सहायता करेगा जो ऐसी सेवाएं और अनुतोष देने के लिए उत्तरदायी है ;

(च) बालक और उसके माता पिता या संरक्षक या अन्य व्यक्ति जिस पर बालक का भरोसा और विश्वास है, को अधिनियम की धारा 40 के अनुसरण में बालक को विधिक सलाह का अधिकार और परामर्शी और किसी अधिवक्ता द्वारा प्रतिनिधित्व किए जाने के अधिकार के बारे में सूचना देगा ।

(3) जहां एसजेपीयू (विशेष किशोर पुलिस यूनिट) या स्थानीय पुलिस अधिनियम की धारा 19 की उपधारा (1) के अधीन सूचना प्राप्त होती है और यह युक्तियुक्त आशंका है कि बालक की उसी या साझी गृहस्थी में रहने वाले किसी व्यक्ति द्वारा अपराध किया गया है या करने का प्रयत्न किया गया है या किया जाना संभाव्य है या बालक किसी बाल देखरेख संस्था में रह रहा है और माता पिता की सहायता के बिना है या बालक किसी भी गृह या माता पिता की सहायता के बिना पाया गया है तो संबंधित एसजेपीयू (विशेष किशोर पुलिस यूनिट) या स्थानीय पुलिस ऐसी रिपोर्ट प्राप्त होने के 24 घंटे के भीतर सीडब्ल्यूसी द्वारा ब्यौरेवार निर्धारण के अनुरोध सहित

जिसमें लिखित में दिए जाने वाले ऐसे कारण भी होंगे कि क्या बालक को अधिनियम की धारा 19 की उपधारा (5) के अधीन देखरेख और संरक्षण की आवश्यकता है, बालक को बाल कल्याण समिति (जिसमें इसमें इसके पश्चात् "सीडब्ल्यूसी" कहा गया है) के समक्ष पेश करेगी।

(4) उपनियम (3) के अधीन किसी रिपोर्ट की प्राप्ति पर संबंधित सीडब्ल्यूसी को स्वप्रेरणा से या किसी सामाजिक कार्यकर्ता की सहायता से किशोर न्याय अधिनियम, 2000 की धारा 31 की उपधारा (1) के अधीन अपनी शक्तियों के अनुसरण में तीन दिन के भीतर यह अवधारण करने के लिए अग्रसर होना चाहिए कि क्या बालक को उसके कुटुंब या साझी गृहस्थ की अभिरक्षा से अलग ले जाने और उसे किसी बालगृह या आश्रयगृह में रखने की आवश्यकता है।

(5) उपनियम (4) के अधीन अवधारण करते समय सीडब्ल्यूसी बालक द्वारा अभिव्यक्त किसी भी अधिमान या राय के साथ ही साथ बालक के सर्वोत्तम हित पर निम्नलिखित बातों को ध्यान में रखते हुए विचार करेगा :-

(i) बालक की तुरंत देखरेख और संरक्षण आवश्यकताओं की पूर्ति करने के लिए, जिसके अंतर्गत चिकित्सीय आवश्यकताएं और मंत्रणा भी है, माता पिता या माता या पिता या कोई अन्य व्यक्ति, जिस पर बालक को भरोसा और विश्वास है, की समर्थता ;

(ii) बालक की उसके माता पिता, कुटुंब और विस्तृत कुटुंब में रहने की आवश्यकता और उनके साथ संबंध बनाए रखना ;

(iii) बालक की आयु और परिपक्वता का स्तर, लिंग और सामाजिक और आर्थिक पृष्ठभूमि ;

(iv) बालक की निःशक्तता, यदि कोई हो ;

(v) ऐसी कोई भी दीर्घकालिक रूग्णता जिससे बालक ग्रस्त हो सकता है ;

(vi) बालक या बालक के कुटुंब के किसी सदस्य को अंतर्वलित करने वाली कौटुंबिक हिंसा का कोई इतिहास ; और

(vii) कोई अन्य सुसंगत कारण जो बालक के सर्वोत्तम हित पर प्रभाव डालता हो :

परंतु ऐसा अवधारण किए जाने के पूर्व एक जांच ऐसे रूप में की जाएगी जिससे बालक को अनावश्यक रूप से कोई क्षति या असुविधा नहीं हो।

(6) बालक और उसके माता पिता या संरक्षक या किसी ऐसे व्यक्ति, जिस पर बालक का भरोसा और विश्वास है और जिनके साथ बालक रह रहा है जो कि ऐसे अवधारण से प्रभावित हुआ है, को यह सूचना दी जाएगी कि ऐसे अवधारण पर विचार किया गया है।

(7) सीडब्ल्यूसी, अधिनियम की धारा 19 की उपधारा (6) के अधीन किसी रिपोर्ट की प्राप्ति पर या उपनियम (5) के अधीन अपने निर्धारण के आधार पर और बालक और उसके माता पिता या संरक्षक या अन्य व्यक्ति, जिस पर बालक का भरोसा और विश्वास है, की सहमति से अन्वेषण और विचारण की प्रक्रिया के माध्यम से बालक की सहायता करने के लिए एक सहायक व्यक्ति की व्यवस्था कर सकेगी। ऐसा सहायक व्यक्ति बालक अधिकारों के क्षेत्र में कार्य करने वाला कोई व्यक्ति या संगठन या बाल गृह या बालक की अभिरक्षा रखने वाले आश्रयगृह का कोई पदधारी या डीसीपीयू द्वारा नियोजित कोई व्यक्ति हो सकेगा :

परंतु इन नियमों की कोई बात बालक और उसके माता पिता या संरक्षक या अन्य व्यक्ति जिन पर बालक का भरोसा और विश्वास है, को इस अधिनियम के अधीन कार्यवाहियां करने के लिए किसी व्यक्ति या संगठन की सहायता मांगने से नहीं रोकेगी।

(8) सहायक व्यक्ति हर समय बालक से संबंधित सभी सूचनाओं, जिन तक उसकी पहुंच है, की गोपनीयता बनाए रखेगा। वह बालक और उसके माता पिता या संरक्षक या अन्य व्यक्ति जिस पर बालक का भरोसा और विश्वास है, मामले की कार्यवाहियों के बारे में सूचित करता रहेगा जिसके अंतर्गत उपलब्ध सहायता, न्यायिक प्रक्रियाएं और संभावी परिणाम भी हैं, वह बालक को न्यायिक प्रक्रिया में उसके द्वारा अदा की जा सकने वाली भूमिका के बारे में भी सूचित करेगा और यह सुनिश्चित करेगा कि बालक से संबंधित उसकी अभियुक्त से सुरक्षा और वह रीति जिस पर वह अपना परिसाक्ष्य देना चाहेगा, के बारे में सुसंगत प्राधिकारियों को बताएगा।

(9) जहां बालक को कोई सहायक व्यक्ति दिया गया है, वहां एसजेपीयू (विशेष किशोर पुलिस यूनिट) या स्थानीय पुलिस ऐसे समनुदेशन करने के 24 घंटे के भीतर लिखित में विशेष न्यायालयों को सूचना देगा।

(10) सीडब्ल्यूसी (बालक कल्याण समिति), बालक और उसके माता पिता या संरक्षक या उस व्यक्ति के, जिस पर बालक का भरोसा और विश्वास है, अनुरोध पर सहायक व्यक्ति की सेवाएं समाप्त कर सकेगा और ऐसा अनुरोध करने वाले बालक से ऐसे अनुरोध के लिए कोई भी कारण देने की अपेक्षा नहीं की जाएगी। विशेष न्यायालय को ऐसी सूचना लिखित में दी जाएगी।

(11) एसजेपीयू (विशेष किशोर पुलिस यूनिट) या स्थानीय पुलिस का बालक और उसके माता पिता या संरक्षक या किसी अन्य व्यक्ति की, जिस पर बालक का विश्वास और भरोसा है और जहां सहायक व्यक्ति समनुदेशित किया गया है वहां ऐसे व्यक्ति को मामले की प्रगति के बारे में सूचना देने का उत्तरदायित्व होगा जिसके अंतर्गत अभियुक्त की गिरफ्तारी, फाइल किए गए आवेदन और अन्य न्यायालयिक कार्यवाहियां भी है।

(12) एसजेपीयू (विशेष किशोर पुलिस यूनिट), स्थानीय पुलिस, या सहायक व्यक्ति, द्वारा बालक और उसके माता पिता या संरक्षक या अन्य व्यक्ति जिस पर बालक का भरोसा और विश्वास है को दी जाने वाली सूचना में निम्नलिखित है किंतु निम्नलिखित तक ही सीमित नहीं है :-

- (i) लोक और निजी आपात और संकटावस्था सेवाओं की उपलब्धता ;
- (ii) किसी दांडिक अभियोजन में अंतर्वलित प्रक्रियात्मक कदम ;
- (iii) पीड़ित के प्रतिकर फायदों की प्राप्यता ;
- (iv) अपराध के अन्वेषण की प्रास्थिति, जहां तक उसकी सूचना पीड़ित को देना उपयुक्त है और जहां तक इससे अन्वेषण में हस्तक्षेप नहीं होगा ;
- (v) किसी संदिग्ध अपराधी की गिरफ्तारी ;
- (vi) किसी संदिग्ध अपराधी के विरुद्ध आरोप फाइल करना ;
- (vii) न्यायालयिक कार्यवाहियों की समयानुसूची जिस पर या तो बालक के उपस्थित होने की अपेक्षा की गई है या वह उपस्थित होने का हक रखता है ;
- (viii) किसी अपराधी या संदिग्ध अपराधी की जमानत, उसे छोड़े जाने या निरोध की प्रास्थिति ;
- (ix) विचारण के पश्चात् किसी अधिमत का दिया जाना ; और

(X) किसी अपराधी पर अधिरोपित दंडादेश ।

5. आपात चिकित्सा देखरेख - (1) जहां एसजेपीयू (विशेष किशोर पुलिस यूनिट), या स्थानीय पुलिस के किसी अधिकारी को अधिनियम की धारा 19 के अधीन यह सूचना प्राप्त होती है कि अधिनियम के अधीन का कोई अपराध किया गया है और उसका समाधान हो जाता है कि उस बालक को, जिसके विरुद्ध कोई अपराध किया गया है, तुरंत चिकित्सा देखरेख और संरक्षण की आवश्यकता है तो वह यथाशक्य शीघ्र किंतु ऐसी सूचना प्राप्त होने के 24 घंटे के अफश्चात्, ऐसे बालक को आपात चिकित्सा देखरेख के लिए निकटतम अस्पताल या चिकित्सा देखरेख प्रसुविधा केन्द्र ले जाने की व्यवस्था करेगा :

परंतु जहां कोई अपराध अधिनियम की धारा 3, धारा 5, धारा 7 या धारा 9 के अधीन किया गया है वहां पीडित आपात चिकित्सा देखरेख के लिए ले जाया जाएगा ।

(2) आपात चिकित्सा देखरेख, ऐसी रीति में, जिससे बालक की निजता की सुरक्षा हो सके, और उसके माता पिता या संरक्षक या किसी ऐसे व्यक्ति की उपस्थिति में जिस पर बालक का भरोसा और विश्वास है, की जाएगी ।

(3) किसी बालक की आपात चिकित्सा देखरेख करने वाला कोई भी चिकित्सा व्यवसायी, अस्पताल या अन्य चिकित्सा प्रसुविधा केन्द्र ऐसी देखरेख करने के लिए पूर्व अपेक्षा के रूप में किसी भी विधिक या मजिस्ट्रेट की अध्यक्षता या अन्य प्रलेखीकरण की मांग नहीं करेगा ।

(4) आपात चिकित्सा देखरेख करने वाला रजिस्ट्रीकृत चिकित्सा व्यवसायी बालक की आवश्यकताओं की पूर्ति करेगा जिसके अंतर्गत निम्नलिखित भी है :-

(i) कट (विदारण); नीलों, और अन्य क्षतियों जिसके अंतर्गत जननेन्द्रिय क्षति, यदि कोई हों भी हैं, का उपचार ;

- (ii) लैंगिक पारेषित रोग (एसटीडीज) के उच्छन्न जिसके अंतर्गत परिलक्षित एसटीडीज का रोग निरोध भी है, का उपचार ;
- (iii) संक्रामक रोग विशेषज्ञ से आवश्यक परामर्श के पश्चात् ह्यूमन इम्यूनोडेफियंसी वायरस (एचआईवी) के उच्छन्न जिसके अंतर्गत एचआईवी का रोग निरोध भी है, का उपचार ;
- (iv) यौवनागम बालक और उसके माता पिता या किसी अन्य व्यक्ति से, जिस पर बालक का भरोसा और विश्वास है, के साथ संभाव्य गर्भास्तित्व और आपात गर्भ निरोधक के बारे में चर्चा करनी चाहिए ; और
- (v) जहां आवश्यक हो, मानसिक या मनोवैज्ञानिक स्वास्थ्य के लिए संदर्भालोकन या परामर्श या अन्य संत्रणा की जानी चाहिए ।

(5) आपात चिकित्सा देखरेख करने के प्रक्रम पर एकत्रित किए गए किसी भी न्याय संबंधी साक्ष्य का अधिनियम की धारा 27 के अनुसरण में एकत्रित किया जाना चाहिए ।

6. अधिनियम के कार्यान्वयन की मॉनीटरी - (1) यथास्थिति, राष्ट्रीय बालक अधिकार संरक्षण आयोग (जिसे इसमें इसके पश्चात् "एनसीपीसीआर" कहा गया है) या राज्य बालक अधिकार संरक्षण आयोग, (जिसे इसमें इसके पश्चात् "एससीपीसीआर" कहा गया है), बालक अधिकार संरक्षण अधिनियम, 2005 के अधीन उनको समनुदेशित कृत्यों के अतिरिक्त अधिनियम के उपबंधों के कार्यान्वयन के लिए निम्नलिखित कार्य करेगा :-

- (क) राज्य सरकारों द्वारा विशेष न्यायालयों के पदाभिधान को मॉनीटर करना ;
- (ख) राज्य सरकारों द्वारा लोक अभियोजकों की नियुक्ति को मॉनीटर करना ;
- (ग) राज्य सरकारों द्वारा, बालक की विचारण पूर्व और विचारण के स्तर पर सहायता से सहबद्ध गैर सरकारी संगठनों, व्यवसायियों और विशेषज्ञों या मनोविज्ञान, सामाजिक कार्य, शारीरिक स्वास्थ्य, मानसिक स्वास्थ्य और बालक विकास का ज्ञान रखने वाले

व्यक्तियों के उपयोग के लिए अधिनियम की धारा 39 में वर्णित मार्गनिर्देश बनाने को मॉनीटर करना और इन मार्गनिर्देशों को लागू करने को मॉनीटर करना ;

(घ) इस अधिनियम के अधीन अपने कार्यों के प्रभावी निर्वहन के लिए प्रशिक्षण पुलिस कार्मिकों और अन्य संबंधित व्यक्तियों, जिसके अंतर्गत केन्द्रीय और राज्य सरकारों के अधिकारी भी हैं, के लिए निश्चायिका के डिजाइन और कार्यान्वयन को मॉनीटर करना ;

(ङ) मीडिया, जिसके अंतर्गत टेलीविजन, रेडियो और प्रिंट मीडिया भी हैं, के माध्यम से नियमित अंतरालों पर अधिनियम के उपबंधों से संबंधित सूचनाओं के प्रसार के लिए केन्द्रीय सरकार और राज्य सरकारों को मॉनीटर करना और उनकी सहायता करना जिससे अधिनियम के उपबंधों के प्रति जनसाधारण, बालकों के साथ ही साथ उनके माता पिता और संरक्षकों को जागरूक किया जा सके ।

(2) यथास्थिति, एनसीपीसीआर या एससीपीसीआर किसी सीडब्ल्यूसी की अधिकारिता के नीचे आने वाले बालक लैंगिक दुरुपयोग के किसी भी विनिर्दिष्ट मामले पर रिपोर्ट मांग सकेंगे ।

(3) यथास्थिति, एनसीपीसीआर या एससीपीसीआर स्वप्रेरणा से या सुसंगत अभिकरणों से लैंगिक दुरुपयोग के रिपोर्ट किए गए मामले और अधिनियम के अधीन स्थापित प्रक्रिया के अधीन उनके निपटारे की बाबत सूचना और आंकड़े एकत्रित कर सकेंगे जिसके अंतर्गत निम्नलिखित सूचना भी है :-

(i) अधिनियम के अधीन रिपोर्ट किए गए अपराधों की संख्या और ब्यौरे ;

(ii) क्या अधिनियम और नियमों के अधीन विहित प्रक्रियाओं का अनुसरण किया गया है जिसके अंतर्गत समयसीमा से संबंधित प्रक्रिया भी है ;

(iii) अधिनियम के अधीन अपराधों के पीड़ितों की देखरेख और संरक्षण के लिए व्यवस्था के ब्यौरे जिसके अंतर्गत आपात चिकित्सा देखरेख और चिकित्सा परीक्षा की व्यवस्था भी है ; और

(iv) संबंधित सीडब्ल्यूसी द्वारा किसी भी विनिर्दिष्ट मामले में किसी बालक की देखरेख और संरक्षण के लिए आवश्यकता के निर्धारण की बाबत ब्यौरे ।



(4) यथास्थिति, एनसीपीसीआर या एससीपीसीआर इस प्रकार एकत्रित सूचना का प्रयोग अधिनियम के उपबंधों के कार्यान्वयन को निर्धारित करने के लिए कर सकेगी। अधिनियम की मॉनीटरी पर रिपोर्ट को एनसीपीसीआर या एससीपीसीआर की वार्षिक रिपोर्ट में एक अलग अध्याय में सम्मिलित किया जाएगा।

7. प्रतिकर - (1) विशेष न्यायालय, समुचित मामलों में स्वप्रेरणा से या बालक द्वारा या उसकी ओर से फाइल किए गए आवेदन पर प्रथम इत्तला रिपोर्ट के रजिस्ट्रीकरण के पश्चात् किसी भी स्तर पर बालक के अनुतोष या पुनर्वास की तुरंत आवश्यकता की पूर्ति के लिए अंतरिम प्रतिकर का आदेश पारित कर सकेगा। बालक को संदत्त ऐसे अंतरिम प्रतिकर को अंतिम प्रतिकर, यदि कोई हों, के विरुद्ध समायोजित किया जाएगा।

(2) विशेष न्यायालय, स्वप्रेरणा से या पीड़ित द्वारा या उसकी ओर से फाइल किए गए किसी आवेदन पर जहां अभियुक्त को दोषसिद्ध किया गया है या जहां मामले का परिणाम दोषमुक्ति या उन्मोचन है या अभियुक्त का पता नहीं लगा है या पहचान नहीं की गई है और विशेष न्यायालय की राय में बालक ने उक्त अपराध के परिणामस्वरूप हानि या क्षति उठाई है तो प्रतिकर अधिनिर्णीत करने की सिफारिश कर सकेगा।

(3) जहां विशेष न्यायालय दंड प्रक्रिया संहिता की धारा 357क की उपधारा (2) और उपधारा (3) के साथ पठित अधिनियम की धारा 33 की उपधारा (8) के अधीन पीड़ित को प्रतिकर अधिनिर्णीत करने का निदेश देता है तो पीड़ित को हुई हानि या क्षति से संबंधित सभी सुसंगत कारणों पर विचार करेगा जिसके अंतर्गत निम्नलिखित भी है :-

(i) दुरूपयोग का प्रकार, अपराध की संगीनता और बालक द्वारा उठाई गई मानसिक और शारीरिक अपहानि और क्षति की गंभीरता ;

(ii) शारीरिक और/या मानसिक स्वास्थ्य के लिए उस पर उपगत या उपगत किए जाने के लिए संभाव्य व्यय ;

- (iii) अपराध के परिणामस्वरूप शैक्षिक अवसरों की हानि जिसके अंतर्गत मानसिक आघात, शारीरिक क्षति, चिकित्सा उपचार, अपराध के अन्वेषण और विचारण के कारण या किसी अन्य कारण से विद्यालय से अनुपस्थिति भी है ;
- (iv) अपराध के परिणामस्वरूप नियोजन की हानि जिसके अंतर्गत मानसिक आघात, शारीरिक क्षति, चिकित्सा उपचार, अपराध के अन्वेषण और विचारण के कारण या किसी अन्य कारण से नियोजन के स्थान से अनुपस्थिति भी है ;
- (v) अपराधी के साथ बालक का संबंध, यदि कोई हो ;
- (vi) क्या ऐसा दुरुपयोग एक अकेली घटना थी या ऐसा दुरुपयोग अलग-अलग समय पर बार-बार पर होता रहा ;
- (vii) क्या बालक अपराध के परिणामस्वरूप गर्भवती हो गई है ;
- (viii) क्या बालक अपराध के परिणामस्वरूप किसी लैंगिक पारेषित रोग (एसटीडी) से संसर्ग-प्राप्त हो गया है ;
- (ix) क्या बालक अपराध के परिणामस्वरूप ह्यूमन इन्फ़्यून्डोफ़ियसी वायरस (एचआईवी) से संसर्ग-प्राप्त हो गया है ;
- (x) अपराध के परिणामस्वरूप बालक द्वारा वहन की गई कोई भी निःशक्तता ;
- (xi) उस बालक की वित्तीय स्थिति जिसके विरुद्ध अपराध किया गया है जिससे उसके पुनर्वास की आवश्यकता को अवधारित किया जा सके ;
- (xii) कोई अन्य कारण जो विशेष न्यायालय सुसंगत समझे ।

(4) विशेष न्यायालय द्वारा अधिनिर्णीत प्रतिकर राज्य सरकार द्वारा पीड़ित के लिए प्रतिकर निधि या उसके द्वारा दंड प्रक्रिया संहिता की धारा 357क या तत्समय प्रवृत्त किसी अन्य विधि के अधीन पीड़ित के प्रतिकर और पुनर्वास के प्रयोजनों के लिए स्थापित कोई अन्य स्कीम या निधि से किया जाना है या जहां ऐसी निधि या स्कीम नहीं है वहां राज्य सरकार द्वारा किया जाना है ।

(5) राज्य सरकार विशेष न्यायालय द्वारा आदेशित प्रतिकर का संदाय ऐसे आदेश की प्राप्ति के 30 दिन के भीतर करेगी ।

(6) इन नियमों की कोई बात बालक या उसके माता पिता या संरक्षक या किसी अन्य व्यक्ति, जिस पर बालक का भरोसा और विश्वास है, को केन्द्रीय सरकार या राज्य सरकार के किन्हीं अन्य नियमों और स्कीम के अधीन अनुतोष मांगने के लिए आवेदन देने से नहीं रोकेगी।

[फा. सं. 22-14/2012-सोडब्ल्यू-1]

डॉ. विवेक जोशी, संयुक्त सचिव

**MINISTRY OF WOMEN AND CHILD DEVELOPMENT**

**NOTIFICATION**

New Delhi, the 14th November, 2012

**G.S.R. 823(E).**— In exercise of the powers conferred by sub-section (1), read with clauses (a) to (d) of sub-section (2), of section 45 of the Protection of Children from Sexual Offences Act, 2012 (32 of 2012), the Central Government hereby makes the following rules, namely -

**1. Short title and commencement** - (1) These rules may be called the Protection of Children from Sexual Offences Rules, 2012.

(2) These rules shall come into force on the date of their publication in the Official Gazette.

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

(a) "Act" means the Protection of Children from Sexual Offences Act, 2012 (32 of 2012);

(b) "District Child Protection Unit" (DCPU) means the District Child Protection Unit established by the State Government under section 62A of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2006;

(c) "Expert" means a person trained in mental health, medicine, child development or other related discipline, who may be required to facilitate communication with a child whose ability to communicate has been affected by trauma, disability or any other vulnerability;

(d) "Special educator" means a person trained in communication with children with special needs in a way that addresses the child's individual differences and needs, which include challenges with learning and communication, emotional and behavioural disorders, physical disabilities, and developmental disorders;

(e) "Person familiar with the manner of communication of the child" means a parent or family member of a child or a member of his shared household or any person in whom the child reposes trust and confidence, who is familiar with that child's unique manner of communication,

and whose presence may be required for or be conducive to more effective communication with the child;

(f) "Support person" means a person assigned by a Child Welfare Committee, in accordance with sub-rule (8) of rule 4, to render assistance to the child through the process of investigation and trial, or any other person assisting the child in the pre-trial or trial process in respect of an offence under the Act;

(2) Words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them under the Act.

**3. Interpreters, translators and Special educators –** (1) In each district, the DCPU shall maintain a register with names, addresses and other contact details of interpreters, translators and special educators for the purposes of the Act, and this register shall be made available to the Special Juvenile Police Unit (hereafter referred to as "SJP.U"), local police, magistrate or Special Court, as and when required.

(2) The qualifications and experience of the interpreters, translators, Special educators, and experts, engaged for the purposes of sub-section (4) of section 19, sub-sections (3) and (4) of section 26 and section 38 of the Act, shall be as indicated in these rules.

(3) Where an interpreter, translator, or Special educator is engaged, otherwise than from the list maintained by the DCPU under sub-rule (1), the requirements prescribed under sub-rules (4) and (5) of this rule may be relaxed on evidence of relevant experience or formal education or training or demonstrated proof of fluency in the relevant languages by the interpreter, translator, or special educator, subject to the satisfaction of the DCPU, Special Court or other authority concerned.

(4) Interpreters and translators engaged under sub-rule (1) should have functional familiarity with language spoken by the child as well as the official language of the state, either by virtue of such language being his mother tongue or medium of instruction at school at least up to primary school level, or by the interpreter or translator having acquired knowledge of such language through his vocation, profession, or residence in the area where that language is spoken.

(5) Sign language interpreters, Special educators and experts entered in the register under sub-rule (1) should have relevant qualifications in sign language or special education, or in the case of an expert, in the relevant discipline, from a recognized University or an institution recognized by the Rehabilitation Council of India.

(6) Payment for the services of an interpreter, translator, Special educator or expert whose name is enrolled in the register maintained under sub-rule (1) or otherwise, shall be made by the State Government from the Fund maintained under section 61 of the Juvenile Justice Act, 2000, or from other funds placed at the disposal of the DCPU, at the rates determined by them, and on receipt of the requisition in such format as the State Government may prescribe in this behalf.

(7) Any preference expressed by the child at any stage after information is received under sub-section (1) of section 19 of the Act, as to the gender of the interpreter, translator, Special educator, or expert, may be taken into consideration, and where necessary, more than one such person may be engaged in order to facilitate communication with the child.

(8) The interpreter, translator, Special educator, expert, or person familiar with the manner of communication of the child engaged to provide services for the purposes of the Act shall be unbiased and impartial and shall disclose any real or perceived conflict of interest. He shall render a complete and accurate interpretation or translation without any additions or omissions, in accordance with section 282 of the Code of Criminal Procedure, 1973.

(9) In proceedings under section 38, the Special Court shall ascertain whether the child speaks the language of the court adequately, and that the engagement of any interpreter, translator, Special educator, expert or other person familiar with the manner of communication of the child, who has been engaged to facilitate communication with the child, does not involve any conflict of interest.

(10) Any interpreter, translator, Special educator or expert appointed under the provisions of the Act or its rules shall be bound by the rules of confidentiality, as described under section 127 read with section 126 of the Indian Evidence Act, 1872.

**4. Care and Protection –** (1) Where an SJPU or the local police receives any information under sub-section (1) of section 19 of the Act from any person including the child, the SJPU or local police receiving report of such information shall forthwith disclose to the person making the report, the following details:-

- (i) his name and designation;
- (ii) the address and telephone number;
- (iii) the name, designation and contact details of the officer who supervises the officer receiving the information.

(3)

(2) Where an SJPU or the local police, as the case may be, receives information in accordance with the provisions contained under sub-section (1) of section 19 of the Act in respect of an offence that has been committed or attempted or is likely to be committed, the authority concerned shall, where applicable, -

(a) proceed to record and register a First Information Report as per the provisions of section 154 of the Code of Criminal Procedure, 1973, and furnish a copy thereof free of cost to the person making such report, as per sub-section (2) of section 154 of the Code;

(b) where the child needs emergency medical care as described under sub-section (5) of section 19 of the Act or under these rules, arrange for the child to access such care, in accordance with rule 5;

(c) take the child to the hospital for the medical examination in accordance with section 27 of the Act;

(d) ensure that the samples collected for the purposes of the forensic tests are sent to the forensic laboratory at the earliest;

(e) inform the child and his parent or guardian or other person in whom the child has trust and confidence of the availability of support services including counselling, and assist them in contacting the persons who are responsible for providing these services and relief;

(f) inform the child and his parent or guardian or other person in whom the child has trust and confidence as to the right of the child to legal advice and counsel and the right to be represented by a lawyer, in accordance with section 40 of the Act.

(3) Where the SJPU or the local police receives information under sub-section (1) of section 19 of the Act, and has a reasonable apprehension that the offence has been committed or attempted or is likely to be committed by a person living in the same or shared household with the child, or the child is living in a child care institution and is without parental support, or the child is found to be without any home and parental support, the concerned SJPU, or the local police shall produce the child before the concerned Child Welfare Committee (hereafter referred to as "CWC") within 24 hours of receipt of such report, together with reasons in writing as to whether the child is in need of care and protection under sub-section (5) of section 19 of the Act, and with a request for a detailed assessment by the CWC.

(4) Upon receipt of a report under sub-rule (3), the concerned CWC must proceed, in accordance with its powers under sub-section (1) of section 31 of the Juvenile Justice Act, 2000, to make a determination within three days, either on its own or with the assistance of a social worker, as to whether the child needs to be taken out of the custody of his family or shared household and placed in a children's home or a shelter home.

(5) In making determination under sub-rule (4), the CWC shall take into account any preference or opinion expressed by the child on the matter, together with the best interests of the child, having regard to the following considerations:

- (i) the capacity of the parents, or of either parent, or of any other person in whom the child has trust and confidence, to provide for the immediate care and protection needs of the child, including medical needs and counselling;
- (ii) the need for the child to remain in the care of his parent, family and extended family and to maintain a connection with them;
- (iii) the child's age and level of maturity, gender, and social and economic background;
- (iv) disability of the child, if any;
- (v) any chronic illness from which a child may suffer;
- (vi) any history of family violence involving the child or a family member of the child; and,
- (vii) any other relevant factors that may have a bearing on the best interests of the child:

Provided that prior to making such determination, an inquiry shall be conducted in such a way that the child is not unnecessarily exposed to injury or inconvenience.

(6) The child and his parent or guardian or any other person in whom the child has trust and confidence and with whom the child has been living, who is affected by such determination, shall be informed that such determination is being considered.

(7) The CWC, on receiving a report under sub-section (6) of section 19 of the Act or on the basis of its assessment under sub-rule (5), and with the consent of the child and his parent or guardian or other person in whom the child has trust and confidence, may provide a support person to render assistance to the child through the process of investigation and trial. Such support person may be a person or organisation working in the field of child rights or child protection, or an official of a children's home or shelter home having custody of the child, or a person employed by the DCPU:

Provided that nothing in these rules shall prevent the child and his parents or guardian or other person in whom the child has trust and confidence from seeking the assistance of any person or organisation for proceedings under the Act.

(8) The support person shall at all times maintain the confidentiality of all information pertaining to the child to which he has access. He shall keep the child and his parent or guardian or other person in whom the child has trust and confidence, informed as to the proceedings of the case, including available assistance, judicial procedures, and potential outcomes. He shall also inform the child of the role he may play in the judicial process and ensure that any concerns that the child may have, regarding his safety in relation to the accused and the manner in which he would like to provide his testimony, are conveyed to the relevant authorities.

(9) Where a support person has been provided to the child, the SJPU or the local police shall, within 24 hours of making such assignment, inform the Special Court in writing.

(10) The services of the support person may be terminated by the CWC upon request by the child and his parent or guardian or person in whom the child has trust and confidence, and the child requesting the termination shall not be required to assign any reason for such request. The Special Court shall be given in writing such information.

(11) It shall be the responsibility of the SJPU, or the local police to keep the child and his parent or guardian or other person in whom the child has trust and confidence, and where a support person has been assigned, such person, informed about the developments, including the arrest of the accused, applications filed and other court proceedings.

(12) The information to be provided by the SJPU, local police, or support person, to the child and his parents or guardian or other person in whom the child has trust and confidence, includes but is not limited to the following:-

- (i) the availability of public and private emergency and crisis services;
- (ii) the procedural steps involved in a criminal prosecution;
- (iii) the availability of victims' compensation benefits;
- (iv) the status of the investigation of the crime, to the extent it is appropriate to inform the victim and to the extent that it will not interfere with the investigation;
- (v) the arrest of a suspected offender;



- (vi) the filing of charges against a suspected offender;
- (vii) the schedule of court proceedings that the child is either required to attend or is entitled to attend;
- (viii) the bail, release or detention status of an offender or suspected offender;
- (ix) the rendering of a verdict after trial; and
- (x) the sentence imposed on an offender.

5. **Emergency medical care** - (1) Where an officer of the SJPU, or the local police receives information under section 19 of the Act that an offence under the Act has been committed, and is satisfied that the child against whom an offence has been committed is in need of urgent medical care and protection, he shall, as soon as possible, but not later than 24 hours of receiving such information, arrange to take such child to the nearest hospital or medical care facility centre for emergency medical care:

Provided that where an offence has been committed under sections 3, 5, 7 or 9 of the Act, the victim shall be referred to emergency medical care.

- (2) Emergency medical care shall be rendered in such a manner as to protect the privacy of the child, and in the presence of the parent or guardian or any other person in whom the child has trust and confidence.
- (3) No medical practitioner, hospital or other medical facility centre rendering emergency medical care to a child shall demand any legal or magisterial requisition or other documentation as a pre-requisite to rendering such care.
- (4) The registered medical practitioner rendering emergency medical care shall attend to the needs of the child, including --
  - (i) treatment for cuts, bruises, and other injuries including genital injuries, if any;
  - (ii) treatment for exposure to sexually transmitted diseases (STDs) including prophylaxis for identified STDs;
  - (iii) treatment for exposure to Human Immunodeficiency Virus (HIV), including prophylaxis for HIV after necessary consultation with infectious disease experts;

- (iv) possible pregnancy and emergency contraceptives should be discussed with the pubertal child and her parent or any other person in whom the child has trust and confidence; and,
- (v) wherever necessary, a referral or consultation for mental or psychological health or other counselling should be made.

(5) Any forensic evidence collected in the course of rendering emergency medical care must be collected in accordance with section 27 of the Act.

**6. Monitoring of implementation of the Act –** (1) The National Commission for the Protection of Child Rights (hereafter referred to as “NCPCR”) or the State Commission for the Protection of Child Rights (hereafter referred to as “SCPCR”), as the case may be, shall in addition to the functions assigned to them under the Commissions for Protection of Child Rights Act, 2005, perform the following functions for implementation of the provisions of the Act:-

- (a) to monitor the designation of Special Courts by State Governments;
- (b) to monitor the appointment of Public Prosecutors by State Governments;
- (c) to monitor the formulation of the guidelines described in section 39 of the Act by the State Governments, for the use of non-governmental organisations, professionals and experts or persons having knowledge of psychology, social work, physical health, mental health and child development to be associated with the pre-trial and trial stage to assist the child, and to monitor the application of these guidelines;
- (d) to monitor the designing and implementation of modules for training police personnel and other concerned persons, including officers of the Central and State Governments, for the effective discharge of their functions under the Act;
- (e) to monitor and support the Central Government and State Governments for the dissemination of information relating to the provisions of the Act through media including the television, radio and print media at regular intervals, so as to make the general public, children as well as their parents and guardians aware of the provisions of the Act.

(2) The NCPCR or the SCPCR, as the case may be, may call for a report on any specific case of child sexual abuse falling within the jurisdiction of a CWC.

(3) The NCPCR or the SCPCR, as the case may be, may collect information and data on its own or from the relevant agencies regarding reported cases of sexual abuse and their disposal under the processes established under the Act, including information on the following:-

- (i) number and details of offences reported under the Act;
- (ii) whether the procedures prescribed under the Act and rules were followed, including those regarding timeframes;
- (iii) details of arrangements for care and protection of victims of offences under this Act, including arrangements for emergency medical care and medical examination; and,
- (iv) details regarding assessment of the need for care and protection of a child by the concerned CWC in any specific case.

(4) The NCPCR or the SCPCR, as the case may be, may use the information so collected to assess the implementation of the provisions of the Act. The report on monitoring of the Act shall be included in a separate chapter in the Annual Report of the NCPCR or the SCPCR.

#### 7. Compensation -

(1) The Special Court may, in appropriate cases, on its own or on an application filed by or on behalf of the child, pass an order for interim compensation to meet the immediate needs of the child for relief or rehabilitation at any stage after registration of the First Information Report. Such interim compensation paid to the child shall be adjusted against the final compensation, if any.

(2) The Special Court may, on its own or on an application filed by or on behalf of the victim, recommend the award of compensation where the accused is convicted, or where the case ends in acquittal or discharge, or the accused is not traced or identified, and in the opinion of the Special Court the child has suffered loss or injury as a result of that offence.

(3) Where the Special Court, under sub-section (8) of section 33 of the Act read with sub-sections (2) and (3) of section 357A of the Code of Criminal Procedure, makes a direction for the award of compensation to the victim, it shall take into account all relevant factors relating to the loss or injury caused to the victim, including the following:-

- (i) type of abuse, gravity of the offence and the severity of the mental or physical harm or injury suffered by the child;

- (ii) the expenditure incurred or likely to be incurred on his medical treatment for physical and/or mental health;
- (iii) loss of educational opportunity as a consequence of the offence, including absence from school due to mental trauma, bodily injury, medical treatment, investigation and trial of the offence, or any other reason;
- (iv) loss of employment as a result of the offence, including absence from place of employment due to mental trauma, bodily injury, medical treatment, investigation and trial of the offence, or any other reason;
- (v) the relationship of the child to the offender, if any;
- (vi) whether the abuse was a single isolated incidence or whether the abuse took place over a period of time;
- (vii) whether the child became pregnant as a result of the offence;
- (viii) whether the child contracted a sexually transmitted disease (STD) as a result of the offence;
- (ix) whether the child contracted human immunodeficiency virus (HIV) as a result of the offence;
- (x) any disability suffered by the child as a result of the offence;
- (xi) financial condition of the child against whom the offence has been committed so as to determine his need for rehabilitation;
- (xii) any other factor that the Special Court may consider to be relevant.

(4) The compensation awarded by the Special Court is to be paid by the State Government from the Victims Compensation Fund or other scheme or fund established by it for the purposes of compensating and rehabilitating victims under section 357A of the Code of Criminal Procedure or any other laws for the time being in force, or, where such fund or scheme does not exist, by the State Government.

(5) The State Government shall pay the compensation ordered by the Special Court within 30 days of receipt of such order.

(6) Nothing in these rules shall prevent a child or his parent or guardian or any other person in whom the child has trust and confidence from submitting an application for seeking relief under any other rules or scheme of the Central Government or State Government.

[F. No. 22-14/2012-CW-I]

DR. VIVEK JOSHI, Jt. Secy.



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## CENTRAL BOARD OF SECONDARY EDUCATION

(An Autonomous Organisation under the Union Ministry of Human Resource Development Govt. of India)  
"SHIKSHA KENDRA", 2, COMMUNITY CENTRE, PREET VIHAR, DELHI – 110 301

CBSE/AFF/Circular /2014 / 675578

06<sup>th</sup> February, 2014

Circular No.20/2014

All the Heads of CBSE affiliated schools

### **SUB: ADHERENCE OF PROVISIONS OF THE AFFILIATION BYE-LAWS OF CBSE BY THE EDUCATIONAL INSTITUTIONS AFFILIATED TO THE BOARD.**

Sir/Madam,

Adherence of various provisions of Affiliation Bye-Laws is the prime responsibility of every affiliated school of CBSE. Therefore, the attention of all the Heads of the Institutions affiliated to the Board is drawn to its earlier Circular No. 01 dated 29.7.2009 on the subject matter in the light of recent observations and reports that a large number of CBSE schools are not adhering to the provisions laid down in the Affiliation Bye-laws of the Board which are mandatory in nature in their day to day functioning.

In recent days representations against schools for violation of provisions of Affiliation Bye-Laws such as non payment of salaries and admissible allowances to the staff, charging fees not commensurate with the facilities, adopting discriminatory practices in admission of students, failing to ban corporal punishment, not providing facilities for the physically challenged, not addressing cases of sexual harassment at work place, non supply of enough clean water or lack of adequate facility for hygienic toilets and sanitation, use of practices relating to commercialization, running of coaching classes etc. are in a rise.

Therefore, careful attention of Management and Heads of schools is solicited towards each one of the concerns mentioned in the following paragraphs as the students, parents, local community and the society at large take note of discrepancies and lapses on the part of the school and bringing it to the notice of the Board.

It has also been reported that some of the schools are running coaching institutions within the school premises under the pretext of providing preparations for entrance examinations. This is not approved by the Board and schools need to stop such malpractices immediately. In case they do not adhere to the conditions as provided in the Affiliation Bye-laws, appropriate action is liable to be taken against them.

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The details of major issues raised before the Board by the parents, teachers, students and general public alleging violation of provisions of Affiliation/Examinations Bye-Laws of the CBSE by the schools and the related provisions of Affiliation/Examination Bye-Laws are brought to your notice, once again to ensure adherence of Affiliation Bye-Laws of the Board by the Managements of Affiliated schools.

#### **A. CHARGING OF EXBORBITANT FEE/CAPITATION FEE/DONATIONS ETC.**

##### **Rule 11.1, 2 &3:-**

- (i) *Fees charges should be commensurate 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 and the school should not subject the child or his or her parents or guardians to any screening procedure. In case of such malpractices, the Board may take drastic action leading to disaffiliation of the school.*

*Further, any school or person violates the above provisions is liable for the following:-*

- (i) *Receives capitation fee, shall be punishable with fine which may extend to ten times the capitation fee charged;*
- (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.*
2. In case a student leaves the school for such compulsion as transfer of parents or for health reason or in case of death of the student before completion of the session, prorata return of quarterly/term/annual fees should be made.
3. The unaided schools should consult parents through parents' representatives before revising the fees. The fee should not be revised during the mid session.

#### **B. COMMERCIALISATION**

##### **Rule 19.1 (ii) & ii(a):-**

**19.1(ii)** It shall ensure that the school is run as a community service and not as a business and that commercization does not take place in the school in any shape whatsoever.

**19.1(ii)a** Any franchisee school making payment on account of use of name, motto and logo of franchiser institution or any other non-academic activities would be termed as commercialization of institution and to provide an affidavit that the school/society has not entered into any such contract to use Name, logo, motto for consideration of fee.

-: 2 :-

### **C. TEACHER INVOLVED IN CORPORAL PUNISHMENT**

#### **Rule 44.1 (d & e) :-**

*He/she is charged with cruelty/ physical punishment or mental harassment towards any student or any employee of the school.*

Or

He/she is charged with misbehavior towards any parent, guardian student or employee of the school;

### **D. ADMISSION TO A SCHOOL**

#### **1. Rule 6.1 of Examination Bye-Laws prescribes the following regarding admission of a student to a school, Transfer / Migration of students:-**

- (a) A student seeking admission to any class in a 'School' will be eligible for admission to that Class only if he :
- (i) has been studying in a School recognised by or affiliated to this Board or any other recognised Board of Secondary Education in India;
  - (ii) has passed qualifying or equivalent qualifying examination making him eligible for admission to that Class;
  - (iii) satisfies the requirements of age limits (minimum and maximum) as determined by the **State/U.T. Government** and applicable to the place where the School is located;
  - (iv) produces:
    - a) the School Leaving Certificate/Transfer Certificate signed by the Head of the Institution last attended and countersigned, if required as provided elsewhere, in these Byelaws;
    - b) document(s) in support of his having passed the qualifying or equivalent qualifying examination; and
    - c) 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.**
    - d) 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.**

#### **2. Rule 12.(i, ii & iii) of Affiliation Bye-Laws contain the following provisions with respect to admission in schools:-**

- (i) *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.*

- (ii) For the purpose of admission and extent of schools responsibility for Free and Compulsory 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.
- (iii) 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.

#### **E. PREVENTION OF SEXUAL HARRASMENT OF WOMEN AT WORK PLACE**

##### **Rule 10.9:-**

Check gender specific violence, strictly comply with the guidelines and norms prescribed by the Hon'ble Supreme Court of India in the writ petition (Criminal) No. 666-70 of 1992 Vishaka and others V/s State of Rajasthan and others delivered on 13-8-1997 for protection of women from sexual harassment at the work place." Detailed circular dated 16.2.2004 issued by the Board is available on website [www.cbse.nic.in](http://www.cbse.nic.in)

#### **F. SALARY AND SERVICE CONDITIONS OF STAFF**

##### **Rules 3.3 (v) and Rule 10.2:-**

**Rules 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." Further, the service conditions as per Rule 10 and Rules 24 to 49 of Affiliation Bye-Laws also be adhered to.

**Rule 10.2** Salary should be paid through Electronic Clearing Service (ECS) from the date of first appointment of the teachers on probation.

#### **G. CONTINUOUS SPONSORING OF STUDENTS AT BOARD EXAMINATION**

##### **Rule 13.12 (iv):-**

Every affiliated school shall sponsor regularly its bonafide and eligible students in Boards Class X and Class XII examinations from the year mentioned while granting affiliation/upgradation without break or inform with reasons thereof in writing well in time about the non-sponsoring of the candidates. Failure to do so will lead to suo moto withdrawal of the affiliation of the school for Secondary and Senior Secondary Examinations as the case may be.

Every affiliated school shall present a list of number of students and their particulars in respect of Classes IX, X, XI & XII at the time of beginning of an academic session.

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- 4 -



## **H. RUNNING OF UNAFFILIATED BRANCH SCHOOLS / SPONSORING OF UNAUTHORIZED STUDENTS**

### **Rule 13.12 (ii):-**

No affiliated school shall endeavour to present the candidates who are not on its roll nor shall it present the candidates of its unaffiliated Branch/School to any of the Board's Examinations.

## **I. RUNNING CLASSES OF COACHING INSTITUTIONS**

Running of classes of coaching institutions in the school premises in the pretext of providing coaching to the students for various entrance examinations is not approved by the Board. Some schools are organizing such programmes by naming it as an integrated school programme that teaches both CBSE syllabus and prepare students for various entrance examinations to mislead the students and their parents.

The premises of CBSE schools should not be used for any commercial activity. Every school should ensure devotion of minimum periods for teaching various subjects as per the syllabi and course prescribed by the Board. No coaching classes or parallel classes should be run in the school that consumes and affects the regular time table of the school or that deviates the focus of students from regular course of study.

## **J. FACILITIES FOR PHYSICALLY CHALLENGED**

### **Rules 8.2 and Rule 13.11:-**

**Rule 8.2** Every institution will provide proper facilities like ramps toilets for wheel chair users and auditory signals in elevators in lifts in accordance with the provisions laid down in PWD Act, 1995 and in conformity with National Policy of Education.

**Rule 13.11** Every school shall promote inclusion of student with disabilities/special needs in the normal school as per provisions of the 'Persons with Disabilities Act 1995' and in conformity with National Policy of Education.

## **K. HEALTH, SANITATION AND FIRE SAFETY**

### **Rules 3.3 (vii), Rule 8.5 and Rule 23.11 :-**

**Rule 3.3(vii)** Every institution will provide adequate facilities for potable drinking water and clean healthy and hygienic toilets with washing facilities for boys and girls separately in proportion to the number of students.

**Rule 8.5** The School should scrupulously observe prescription from the Municipal Authority/District Collectorate/Transport Department regarding drinking water, fire safety and transport precautions in the school. A certificate from the Municipal/Fire/Transport Authority regarding sanitary conditions, water/fire/transport safety should be submitted along with the application. A fresh certificate regarding fulfillment of these requirements should be obtained and submitted to the Board every five years. The Format of Certificates of fire and water safety are given in Affiliation bye-laws at appendix VII & VIII. Precautions to be observed for transport are also annexed at Annexure IX".

**Rule 23.11** Make satisfactory arrangements for the supply of good drinking water and provide other facilities for the pupils and ensure that the school building, its fixtures and furniture, office equipment, lavatories, play grounds, school garden and other properties are properly and carefully maintained.

**L. MAKING AVAILABILITY OF SCHOOL INFRASTRUCTURE AND TEACHERS FOR EXAMINATIONS CONDUCTED BY THE BOARD AND EVALUATION OF ANSWER SCRIPTS**

**Rule 13.4 :-**

The building and furniture of affiliated Institutions shall be placed at the disposal of the Board for conducting any examination and spot evaluation free of charge. The Management and the Principal shall cooperate with the Board in the conduct of examinations and evaluation of scripts. If asked by the Board, the school shall provide atleast one examiner in each subject offered by the school and more than one, if more than 200 students have been sent for the examination. In case they fail to do so, the Board shall have the right to take appropriate action including initiating action for disaffiliation of the school. However, the size of the school will be taken into account before such a condition is imposed in order to avoid disruption of academic work in the school.

**M. DEVELOPMENT OF SCHOOL WEBSITE.**

**Rule 8.8 (iv & v):-**

- (i) Every affiliated school to develop their own website containing comprehensive information such as affiliation status, details of infrastructure, details of teachers, number of students, address-postal and e-mail, telephone nos. etc.
- (ii) Every school should prepare its annual report containing above information and upload the same on its website before 15<sup>th</sup> Sept. of a year.

**N. TEACHER TRAINING PROGRAMME**

**Rule 3.3 h (vi):-**

Every school should organize at least one week training programme for teachers every year in association with any teachers training institute recognized by the State or Central Government or by any agency identified by the Board.

A Circular has been issued by the Board vide Circular No. 7 dated 15.4.2013.

**O. APPOINTMENT OF HEALTH WELLNESS TEACHERS**

**Rule 53.5:-**

- (i) Every secondary and senior secondary school shall appoint a person on full time basis for performing the duties of a Health Wellness teacher having the following qualification:



-:6:-

*Graduate/Post Graduate in psychology.*

OR

*Post Graduate in Child Development.*

OR

*Graduate/Post Graduate with Diploma in Career Guidance and Counselling.*

- (ii) *Schools having enrolment of less than 300 students in classes from IX to XII can appoint a counsellor on part-time basis.*
- (iii) *Schools which are already affiliated shall appoint a Health Wellness teacher as mentioned at sub clause 1 and 2 above within two years from the date this Rule comes into force.*

#### **P. ADHERENCE OF ANIMAL PROTECTION ACT**

A Circular No. 03 dated 21<sup>st</sup> May, 2013 on adherence of Wild Life Protection Act has been issued by the Board, an abstract of the same is reproduced below for compliance:-

The Board once again reiterates strict adherence to the provisions of Wild Life Protection Act while procuring plants and animals for the use in laboratories by the school. The detailed list of rare/endangered species protected under the above said Act can be accessed from <http://www.envfor.nic.in/legis/wildlife/wildlife1.html>.

In case of any live stock or specimen is brought or made available in the school lab, the same must immediately be handed over to its nearest Wild Life Forest Department. Storing or keeping possession of livestock or specimen for practical purposes by any school is a serious offence and besides proceeding under relevant provisions of Wild Life Act, the Board would also initiate action against such defaulter schools which may lead to withdrawal of affiliation by the Board.

It would be highly appreciated, if the school makes a self declaration that no animal is used for dissection for science practical purposes.

#### **Q. DEVELOPMENT OF PARENTS, STUDENTS AND TEACHERS GRIEVANCE REDRESSAL SYSTEM**

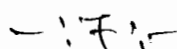
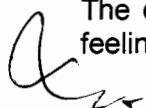
***Rule 42.3 (iv):-***

To make any representation to the management for the redressal of any bonafide grievance, subject to the condition that such representation is not made in rude or indecorous language.

#### **R. BOOKS IN SCHOOL**

***Rule 15.1 (d):-***

The school will follow the syllabus on the basis of curriculum prescribed by NCERT/CBSE and text books publishing by NCERT/CBSE for the Middle Classes as far as practicable or exercise extreme care while selecting books of private publishers. The content must be scrutinised to preclude any objectionable content that hurts the feelings of any class, community, gender, religious group in society. If found



prescribing books having such content, the school will have to take responsibility of such content.

Provided that the school would put a list of such books prescribed by it on its website with the written declaration duly signed by the Manager and the Principal to the effect that they have gone through the contents of the books prescribed by the school and own the responsibility.

## **S. CRUELTY TOWARD STUDENTS**

The school Management shall provide the right ambience and climate to the students to develop and enrich talents to facilitate total development of personality. To develop a creative human being in a fearless environment schools should encourage teachers to adopt alternative strategies to corporal punishment. Rule 44.1 empowers the school Managing Committee to take action against an employee if he is charged with cruelty towards any students or any employee of the school.

All the Heads of Schools are advised to take note of the above and also bring it to the knowledge of school Managing Committee. Please also note that violation of the guidelines of the Board would constrain to invoke Penal Provisions of Affiliation Bye-Laws against the erring schools.

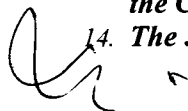
This issues with the approval of the Competent Authority of the Board.

Yours faithfully,

  
(Joseph Emmanuel)  
Secretary

Copy for information and necessary action to:

1. *The Commissioner, Kendriya Vidyalaya Sangathan, 18-Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 16.*
2. *The Commissioner, Navodaya Vidyalaya Samiti, B-15, Institutional Area, Sector-62, NOIDA-201307.*
3. *The Director of Education, Directorate of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi- 110054.k*
4. *The Director of Public Instructions (Schools), Union Territory Secretariat, Sector-9, Chandigarh- 160017.*
5. *The Director of Education, Govt. of Sikkim, Gangtok, Sikkim- 737101.*
6. *The Director of School Education, Govt. of Arunachal Pradesh, Itanagar-791111*
7. *The Director of Education, Govt. of A&N Islands, Port Blair- 744101.*
8. *The Director of Education, S.I.E., CBSE Cell, VIP Road, Junglee Ghat, P.O. 744103, A&N Islands.*
9. *The Secretary, Central Tibetan School Administration, S S Plaza, Community Centre, Sector 3, Rohini, Delhi-85*
10. *All the Regional Officers of CBSE with the request to send this circular to all the Heads of the affiliated schools of the Board*
11. *The Education Officers/ AEOs of the Academic Branch, CBSE.*
12. *The Director (IT) with the request to put this circular on the CBSE website.*
13. *The Research Officer (Tech.), CBSE, Rouse Avenue with request to put this circular on the CBSE Academic website.*
14. *The Joint Director, Academic & Vocational Branch, CBSE*



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15. *The Library and Information Officer, CBSE.*
16. *PS to Chairman, CBSE*
17. *PS to Secretary, CBSE*
18. *PS to CE, CBSE*
19. *PS to Director (Acad. & Trg.)*
20. *PS to Director (Special Examinations)*
21. *PS to Director (Edusat and Vocational Education)*
22. *PRO, CBSE.*



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# केन्द्रीय माध्यमिक शिक्षा बोर्ड



(मानव संसाधन विकास मंत्रालय, भारत सरकार, के अधीन एक स्वायत्त संगठन)

शिक्षा सदन, 17, इन्स्टिट्यूशनल क्षेत्र, राउज एवेन्यु, दिल्ली-110002.

## CENTRAL BOARD OF SECONDARY EDUCATION

(An Autonomous Organization under the Union Ministry of Human Resource Development, Govt. of India)

“Shiksha Sadan”, 17, Institutional Area, Rouse Avenue, Delhi-110002

CBSE/Acad/Dir(Arti)/2015

Circular No. Acad.-17/2015

Dated: 09<sup>th</sup> March, 2015

All the Heads of Institutions  
affiliated to CBSE

Subject: Guidelines for prevention of Bullying and Ragging in Schools, Reg: (D.O. No. 12-19/2012-RMSA-I)

Dear Principal,

There have been reports in the media of instances of bullying and ragging in schools. Recent research in school education indicates that a major issue and cause for concern among students in schools is bullying. Bullying/ragging is a damaging feature in schools. Nature of bullying can be, diverse and complex. It is often not recognized as a major problem and assumed negligible and therefore not much attention is paid to its occurrence.

Bullying can be **directly from the bully to the victim** (e.g., through physical intimidation or attacks, verbal abuse, unwanted attention and advances, damaging property), or it can be **indirect** (e.g., through spreading malicious rumours). It can also include **cyber-bullying** (e.g., sending unpleasant SMS messages, photographs or emails, to the victim or to others).

Bullying has severe detrimental effects on those who are bullied. The effects can be immediate. They can also be long-term and can cause lifelong damage. In every bullying situation, there are typically three key parties: the victim, the bully or bullies, and those who stand by (by-standers), who are aware of the bullying. Each of these three parties is affected negatively by bullying.

The responsibility of preventing any undesirable aspect of bullying and ragging rests jointly and also individually on all stakeholders, which includes the *head of the institution teacher, non-teaching staff, students, parents and local community*. A systematic response to the bullying problem is needed within the schools. Some indicative interventions which schools might consider are outlined below:

1. The message that “**Bullying is strictly prohibited inside the school premises and no such act will go unnoticed or unpunished**” may be clearly stated in the school prospectus and other guidelines circulated by the school.
2. Schools must create an amiable environment and positive school climate where learning can take place peacefully. They must build a trusting, respectful relationship among students, school administration and families. They should provide a confidential way for students to report about any incident which is of concern to them. Structures and procedures must be established to provide accessible, confidential, secure and effective means of reporting incidents of bullying, for victims and for bystanders who are aware of it taking place and to identify and manage incidents of bullying, including appropriate counselling and sanctions/punishments on those engaged in bullying. An **Anti- Bullying Committee** may be constituted in school, comprising of *Vice- Principal, a Senior teacher, School Doctor, Counsellor, PTA representative, School Management representative, Legal representative, Peer Educators* etc whose roles and responsibilities would include:
  - a. development and review of School Bullying Prevention Plan,
  - b. development and implementing bullying prevention programmes,

- c. developing training programmes for staff, students, and parents,
  - d. creating awareness through various programmes
  - e. being vigilant and observing signs of bullying and responding quickly and sensitively
  - f. names and contact numbers of members of the committee should be clearly displayed everywhere in the school premises, etc.
3. Arrangements for a **Counsellor** for Primary, and Middle, and for Secondary and Senior Secondary school may be made where possible, occurrence of acts of bullying and ragging has more probability in case of residential schools due to the amount of time spent together by students, making it essential that Counsellors and Wardens in boarding and residential schools need to be sensitized to the changing dynamics of student interaction. They should be empathetic and approachable so that students can confide in them. The school management may appoint "*Sentinels/ Monitors/ Peer Educators*". These sentinels may be from the prefectorial/ school council board of the schools, Life Skills trained Peer Educators or those who had been victims of bullying. Sentinels should be keen observers and thoroughly trained for '*risky situations*'. They must report cases of bullying in a non-threatening/polite manner.
  4. The right attitude is formed only during the formative period of schooling. Thus it is necessary that students are sensitized about *human rights, democratic values, respect for diversity and equality, and respect for privacy and dignity of others*. Schools must take initiative to conduct activities to educate and develop the understanding of students, staff and parents about the problem and effects of bullying. It is essential that schools take initiatives to provide *Adolescence Education, Values Education, Human Rights, Gender Sensitivity and Awareness. Life Skills education including- building of positive Self-Esteem, Empathy, Interpersonal Communication skills, coping with stress and emotions, dealing with anger, and resisting peer pressure* need to be conscientiously taken up in the activity periods. These can take the form of **role-plays, street- theatre (nukkad-natak), group-discussions, debates, special assemblies in schools, poster competitions**, etc. Anti-bullying campaigns and training programmes may also be organized.
  5. The family background and values play a very crucial role in emotional and psychological well being of a child. The role of parents must be reinforced in *Parent Teacher Meetings* and representation in various other school Committees. There is a need for orientation and sensitization of the community and thus parents should also be oriented. Parents must be motivated to support the school in bullying-prevention efforts. They must be sensitized to report in confidence about any act of bullying which is brought to their notice by their child. Orientation programmes may be conducted for the school staff and teachers on regular basis.
  6. Curriculum for **Teacher training** courses should mandatorily include topics on sensitization and prevention of bullying in schools.
  7. The methods of intervention are as important as methods of prevention. It is recommended that there be a graded response system to address the cases of bullying and a clear cut process needs to be followed by schools as there might be cases which deserve utmost attention and stringent action. The responsibility and authority of school administration must be defined. The implications of neglect must also be clearly defined. School's decision, taken after following process of fair investigation, should not be ordinarily challengeable. Comprehensive guidelines may be developed for School Management which includes the various actions and penalties which may be taken by the School Management as per observation and understanding the gravity of the misconduct. Some of the recommended actions include:
    - (i) Oral/written warning.
    - (ii) Suspension from attending classes/school for a specified period.
    - (iii) Withholding or cancelling the results.
    - (iv) Imposition of fine upto a specified amount.
    - (v) Expulsion/rustication from school in rarest of rare cases.
    - (vi) The option of transferring a student from one school to another school may also be looked into.
  8. It is the responsibility of the school that the post-bullying atmosphere is calmed down. The school must be cautious that the victim/bully is not branded and he/she might be given opportunities for change.

9. It is very critical to promote an atmosphere of confidence and trust among every student and to provide a platform to students where they can raise their concerns. A confident reporting system may be established that allows students to report victimization. Schools may keep a **complaint /suggestion box** and regularly monitor the feedback received. The necessary issues may be discussed and appropriately addressed. If there are any good suggestions received from the students, these should be announced in assemblies and be articulated in school functions. Strategies may be developed to reward students for positive behaviour. For younger children, age appropriate communication strategies should be developed and teachers should engage in dialogue with them to identify any problem. The role of class teacher, counsellor, school nurse/doctor may be enriched and children should be motivated and made aware with whom they can discuss such matters with confidentiality.
10. Engage all students, teaching and non-teaching staff and parents in the effort against bullying on a continual basis, as part of the moral and administrative fabric of the school.

Judicious implementation of these interventions will surely help in curbing the menace of bullying and make school environment conducive and considerate so as to ensure that there will not be any incident that is not in conformity with the child's human dignity thus ensuring an enabling and positive learning environment.

**Sd/-**

**(Dr. Sadhana Parashar)**

Professor & Director (Academic, Research, Training and Innovation)

**Copy with a request to respective Heads of Directorates/KVS/NVS/CTSA as indicated below to also disseminate the information to all concerned schools under their jurisdiction:**

1. The Commissioner, Kendriya Vidyalaya Sangathan, 18-Institutional Area, Shaheed Jeet Singh Marg, New Delhi-110016.
2. The Commissioner, Navodaya Vidyalaya Samiti, B-15, Sector-62, Institutional Area, Noida-201309.
3. The Director of Education, Directorate of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi-110 054.
4. The Director of Public Instructions (Schools), Union Territory Secretariat, Sector 9, Chandigarh-160 017.
5. The Director of Education, Govt. of Sikkim, Gangtok, Sikkim - 737101.
6. The Director of School Education, Govt. of Arunachal Pradesh, Itanagar - 791 111
7. The Director of Education, Govt. of A&N Islands, Port Blair - 744101.
8. The Director of Education, S.I.E., CBSE Cell, VIP Road, Junglee Ghat, P.O. 744103, A&N Islands.
9. The Secretary, Central Tibetan School Administration, ESS Plaza, Community Centre, Sector 3 Rohini, Delhi-110085.
10. The Additional Director General of Army Education, A -Wing , Sena Bhawan, DHQ, PO, New Delhi-110001.
11. The Secretary AWES, Integrated Headquarters of MoD(Army),FDRC Building No. 202,Shankar Vihar (Near APS),Delhi Cantt-110010.
12. All Regional Directors/ Regional Officers of CBSE with the request to send this circular to all the Heads of the affiliated schools of the Board in their respective regions.
13. All Associate Professor & Additional Directors/ Advisors/ Consultants
14. All Additional Director/ Joint Director/ Deputy Director/ Assistant Director, Vocational Cell, CBSE.
15. The Research Officer (Technology) with the request to put this circular on the CBSE websites.
16. All Assistant Professor & Joint Directors ,CBSE
17. All Assistant Professor & Deputy Directors, CBSE
18. The Deputy Director (Examination & Reforms), CBSE
19. The Assistant Librarian, CBSE
20. The Public Relations Officer, CBSE
21. The Hindi Officer, CBSE
22. PS to Chairman, CBSE
23. PS to Secretary, CBSE
24. PS to Controller of Examinations, CBSE
25. PS to Director(Special Exams and CTET), CBSE
26. PA to Professor & Director (Academics, Research, Training & Innovation),CBSE
27. PA to Director (Information Technology)

**Professor & Director (Academic, Research, Training and Innovation)**





**CENTRAL BOARD OF SECONDARY EDUCATION**

(An Autonomous Organisation under the Union Ministry of Human Resource Development Govt. of India)  
"SHIKSHA KENDRA", 2, COMMUNITY CENTRE, PREET VIHAR, DELHI – 110092

No. CBSE/Aff. 04/Circular/2016/1152509

Dated : 28.10.2016

**Sub: Guidelines on work profile of teachers in CBSE affillated schools-reg.**

The primary function of the teaching profession lies in facilitating the educational process of the children which is becoming challenging in modern times. While, the students acquire knowledge from multiple sources including internet, the role and importance of the teachers cannot be underestimated.


2. The academic role of teachers in imparting education has been acknowledged by statutes and regulations. In terms of Section 27 under Chapter-IV of the RTE Act-2009 "No teacher shall be deployed for any non-educational purposes other than the decennial population census, disaster relief duties or duties relating to elections to the local authority or the State Legislatures or Parliament, as the case may be". The Guidelines were also issued from the Ministry of Human Resource Development, Govt. of India vide Letter No. F-1-3/2010-EE4 dated 13.09.2010 regarding implementation of the Section 27 of the RTE Act-2009.
3. The issue of engaging teachers in activities other than academic was also raised by the representatives of various states in the meeting of the Central Advisory Board on Education (CABE) held on October 25<sup>th</sup>, 2016.
4. In view of the above, schools affiliated to CBSE shall ensure that teachers will not be engaged in activities other than those related to direct teaching, professional upgradation, examination, evaluation, etc. For activities of ministerial nature, transport or canteen for similar related tasks, separate trained staff may be deployed by the schools.
5. It is further informed that the Para C as stated in the Appendix IX of the CBSE Circular No. 01/2012 dated June 8, 2012 stands modified as under:

**Manpower in the Bus**

Existing guidelines	Amended guidelines
<ul style="list-style-type: none"><li>• There must be a qualified attendant in the Bus to attend to Children.</li><li>• Each school should designate one Transport Manager/ Coordinator who will ensure the safety of the school children.</li><li>• The provision shall also to be made by the school authorities for travelling of at least one teacher in each school bus, keeping in view the safety of the school students all throughout the journey and no outsider except the conductor or the said authorized teacher or one person authorized by the guardians shall be</li></ul>	<ul style="list-style-type: none"><li>• There must be a qualified attendant in the Bus to attend to Children.</li><li>• Each school should designate one Transport Manager/ Coordinator who will ensure the safety of the school children.</li><li>• The provision shall also to be made by the school authorities for travelling of at least one lady attendant / lady guard in each school bus, keeping in view the safety of the school students all throughout the journey and no outsider except the conductor or the said authorized lady attendant/ lady guard or one person</li></ul>

<p>allowed to board school bus.</p> <ul style="list-style-type: none"> <li>• Medical checkup regarding the physical fitness of the driver including the eye testing shall be made every year.</li> </ul>	<p>authorized by the guardians shall be allowed to board school bus.</p> <ul style="list-style-type: none"> <li>• Medical check up regarding the physical fitness of the driver including the eye testing shall be made every year</li> </ul>
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6. It will be the responsibility of the Principal of the school and the Secretary of the Society/ Trust to ensure strict compliance of these guidelines.

  
 (Joseph Immanuel)  
 Secretary

Copy with a request to respective Heads of Directorates/KVS/NVS/CTSA as indicated below to also disseminate the information to all concerned schools under their jurisdiction:

1. Principals of the affiliated Schools of the Board.
2. Secretary of the Society/ Trust of the School.
3. The Commissioner, Kendriya Vidyalaya Sangathan, 18-Institutional Area, ShaheedJee Singh Marg, New Delhi-16.
4. The Commissioner, Navodaya Vidyalaya Samiti, B-15, Sector-62, Institutional Area, Noida-201309.
5. The Director of Education, Directorate of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi-110 054
6. The Director of Public Instructions (Schools), Union Territory Secretariat, Sector 9, Chandigarh-160 017.
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8. The Director of School Education, Govt. of Arunachal Pradesh, Itanagar - 791 111
9. The Director of Education, Govt. of AndN Islands, Port Blair - 744101.
10. The Director of Education, S.I.E., CBSE Cell, VIP Road, Jungle Ghat, P.O. 744103, AndN Islands.
11. The Secretary, Central Tibetan School Administration, ESS Plaza, Community Centre, Sector 3 Rohini, Delhi-85.
12. The Additional Director General of Army Education, A-Wing, Sena Bhawan, DHQ, PO, New Delhi-110001.
13. The Secretary AWES, Integrated Headquarters of MoD (Army), FDRC Building No. 202, Shankar Vihar, Delhi Cantt-
14. All Regional Directors/ Officers of CBSE .
15. All officers in the Academics and Vocational Units upto the rank of Assistant Director.
16. The Deputy Secretary( I.T.) with the request to put this circular on the CBSE websites.
17. The Public Relations Officer, CBSE
18. EO to Chairman, CBSE
19. SPS to Secretary, CBSE
20. SPS to Controller of Examinations, CBSE
21. SPS to Director (Information Technology)

**Secretary**



No.: CBSE/AFF./Circular-8/2017/1217401

Dated: 23.02.2017

**Sub.: Safety of school children in the school bus.**

The Central Board of Secondary Education (CBSE) has always been an ardent advocate of pursuing 'Student centric policies' which inter alia includes curricular, co-curricular and health aspects for holistic development of the child's personality. The advisories issued by the Board in form of various circulars, the emphasis on compliance of its Affiliation bye-laws and various directives of the Government as well as the judgments pronounced by the Courts – aim at achieving this endeavor.

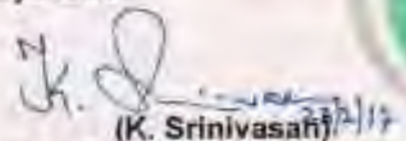
2. Hon'ble Supreme Court of India, vide judgment dated 16-12-1997 in W.P.(Civil) 13029 of 1985 in the case of Sh. M.C Mehta Vs Union of India & Others, sensing the gravity of the issue has issued the order which, inter alia includes guidelines for safe plying of school buses and to ensure the safety of school children travelling in the bus.

3. However, the recent unfortunate instances reported in the media about callous approach by certain schools with respect to the safety of school children during transit to and fro to the school have again agitated deep concern regarding the safety of the school children. The time has come to make the schools sensitive to this serious issue and to take proactive remedial measures to ensure that safe transport for school children becomes one of the paramount safety objectives for every CBSE affiliated school.

4. CBSE Affiliation bye-laws (Chapter II, Rule 8.5) read with CBSE Circulars No.28/2004 dated 26.07.2004, No.01/2012 dated 08.06.2012, No.20/2014 dated 06.02.2014 and No.04 dated 28.10.2016 bear exhaustive provisions which are to be followed by every CBSE affiliated school for safety of school children during transit. The faith, trust and responsibility reposed in schools by parents should be the cardinal guiding beacon for every school to meet the expectations and contribute towards nurturing of young citizens of the country.

5. Taking into consideration the judgment pronounced by the Hon'ble Supreme Court, the statutory provisions, directives of the State Governments, provisions in Affiliation bye-laws and circulars issued by CBSE from time to time, a comprehensive guidelines have been consolidated, which is enclosed as Annexure- I. These guidelines should be scrupulously followed and complied with by all affiliated schools, as an integral part of Affiliation bye-laws.

6. The Management and the Head of the CBSE affiliated schools will be held responsible for any lapse in this regard which would invite appropriate action including the disaffiliation of the school as per the provisions under Affiliation bye-laws.

  
(K. Srinivasan) 23/2/17

Deputy Secretary (Affiliation)

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**Copy for information and compliance:**

- i. All the Principals of the Schools Affiliated to the CBSE.
- ii. All the Managers of the Private unaided Schools Affiliated to the CBSE.
- iii. The Director of Education, Delhi, Chandigarh, Arunachal Pradesh, Sikkim, Port Blair.
- iv. The Director, Secondary Education Department of all States.
- v. The Commissioner, Kendriya Vidyalaya Sangathan, 18-Institutional Area, Shaheed Jeet Singh Marg, New Delhi – 110016.
- vi. The Commissioner, Navodaya Vidyalaya Samiti, A-28, Kailash Colony, New Delhi.
- vii. The Director, Central Tibetan School Administration, Ess Ess Plaza, Community Centre, Sector-3, Rohini-85.
- viii. EO to Chairman, CBSE
- ix. All HODs of CBSE.
- x. The Director (IT), CBSE, Delhi – for uploading the Circular on CBSE Website.
- xi. The Joint Secretary (A&L), CBSE, Preet Vihar, Delhi.
- xii. The Joint Secretary (Co-ordination), CBSE, Delhi.
- xiii. All Regional Officers of CBSE- for dissemination of the circular and guidelines through bulk mail to all affiliated schools in their respective region.
- xiv. The PRO, CBSE, Delhi for appropriate dissemination and publicity.
- xv. The Research Officer (Technology), Affiliation, CBSE – for further circulation to all stakeholders.
- xvi. Guard File.

  
23/2/17  
(K.Srinivasan)  
Deputy Secretary (Affiliation)



## GUIDELINES FOR TRANSPORT FACILITIES IN SCHOOLS

### 1. Exterior of the Bus

- School buses should be painted yellow with name of the School written prominently on both sides of the bus so that these can be identified easily.
- "School bus" must be prominently written on the back and front of the bus carrying school children. If, it is a hired bus, "On School Duty" should be clearly written.
- Details of the Driver (name, address, licence number, badge number) and Telephone no. of the school or owner of the bus, Transport Department's Helpline number and Registration number of the vehicle shall be displayed at prominent places inside and outside the bus in contrast colour. It is to be clearly visible to all the passengers in the bus and to the public so that in case of necessity, the school authority/ police or other authorities can be informed.

### 2. Interior of the Bus

- The windows of the bus should be fitted with horizontal grills and with mesh wire.
- The doors of the bus should be fitted with reliable locks that can be locked.
- The school authorities must ensure that emergency exit doors are installed in each school bus.
- The school buses should be fitted with speed governors with maximum speed limit of 40 km/ph.
- The school authorities should ensure that every school bus should possess two fire extinguishers of ABC type of 5 kg capacity having ISI mark. One of which should be kept in the driver's cabin and second near the emergency exit door. Similarly, training should be given to the driver, conductor and lady attendant/guard to operate the fire extinguisher.
- The seats of the school bus must be of non-combustible materials for safety of school children.
- Global Positioning System (GPS) and CCTV arrangement should be made compulsorily in each school bus. It shall be ensured by the owner of the bus that the GPS and CCTV thus installed, is kept in working condition at all the time.



### 3. Manpower in the Bus

- a) Each school should designate one Transport Manager who will be entrusted with the responsibility to ensure the safety of school children travelling by school bus. Name and contact details of the Transport Manager of the school must be prominently displayed outside and inside the school bus.
- b) The driver of the school bus shall possess a valid driving licence and must have minimum five years of experience of driving heavy vehicles.
- c) In addition to the driver, there shall be a conductor, holding a valid licence, deployed in each bus, and his qualification, duties and functions should be in consonance with the provisions in Rule 17 of Motor Vehicles Rules, 1993.
- d) Provision shall be made by the school authorities for at least one well-trained lady attendant, preferably a lady guard, in each school bus, to attend the school children travelling in the bus, who will ensure safe travel of the children during the entire journey and also render adequate assistance for safe boarding and de-boarding of the children.
- e) The school authorities are also directed to voluntarily evolve an arrangement, as far as possible, that in each school bus at least one parent should be present, who would oversee the conduct of the driver and other staff present in the bus during the journey. This step would ensure that safety measures are complied with in letter and spirit and the driver drives carefully.
- f) Under no circumstances any outsider except the bus driver, conductor, the authorized well trained lady guard and one parent of wards, shall be allowed to board the school bus.

### 4. Facilities in the Bus

- a) The school bus must have a First Aid Box and drinking water.
- b) To keep the school bags safely, there shall be a space fitted under the seats or at a convenient place inside the bus.
- c) The school buses shall be fitted with alarm bell and siren so that in case of emergency everyone can be alerted.
- d) The school bus shall not be fitted with curtains or glasses having films.
- e) The school bus shall have sufficient white lighting inside the bus.
- f) Activities inside the school bus should be visible from outside whenever the bus is plying on road.



## 5. Permits

- a) Affiliated schools shall not own or hire any transport service which does not have valid permit or do not fulfill the requisite permit conditions prescribed by the State Transport Departments.
- b) There should be valid Insurance of the school bus as well as passengers in the bus as per "The Motor Vehicles Act 1988".
- c) Medical checkup regarding the physical fitness of the driver including eye testing shall be made every year. Fitness certificate issued by the competent authority shall be obtained as per the safety standard under "The Motor Vehicles Act 1988".
- d) The driver who has been challaned more than twice in a year for any kind of offences which inter alia include red light jumping, violation of lane discipline or allowing unauthorized person to drive, cannot be employed by the school authorities.
- e) The driver who has been challaned even once for the offence of over speeding, driving dangerously or for the offences under section 279, 337, 338 and 304A of the Indian Penal Code or under POCSO Act, 2012 cannot be employed by the school authorities.
- f) The driver shall be dressed in the uniform of grey trouser and jacket or as prescribed by the State Transport Department with his name plate along with name of owner of the school bus distinctly embossed.
- g) The school bus shall be driven by a driver having valid public service vehicle badge with photograph issued by the State Transport Department.
- h) If age of the students is below 12 years, the number of students carried shall not exceed 1 ½ times the permitted seating capacity and the students above 12 years shall be treated as one person.
- i) Periodical fitness certificate regarding roadworthiness of the school bus shall be obtained as per "The Motor Vehicles Act 1988".
- j) Any school authority and/or the driver of the school bus found to have violated the provision of "The Motor Vehicles Act 1988" and the rules framed thereunder as well as of the directions of the Board, State Government and the Courts must be penalized.
- k) In case of hired school buses, the school authorities shall enter into a 'valid agreement' with the owner / transporter of the school bus and the driver of the school bus shall carry a copy of such agreement.
- l) The record having details of the students ferried indicating the name, class, residential address, blood group, points of stoppage, route plan should always be kept in readiness with the bus conductor inside the school bus.



- m) Whenever a contract carriage is used for carrying the school children, the owner of the vehicle must give intimation to the local police station as well as the concerned District Traffic Police Authority clearly indicating the name of the driver and particulars of the vehicle etc.
- n) **The school bus drivers are restricted to use mobile phone while driving the school bus and are restricted to have interactions with the students and bus staff beyond a limit.**

#### 6. Arrangements to be made by school authorities

- a) The school authority shall ensure that the doors of the school buses shall remain shut while the bus is in moving condition.
- b) They will ensure that the school buses halt only at bus stops designated for the purpose and within the marked area.
- c) The school authority shall make safe arrangement for boarding and de-boarding of school children from the school bus.
- d) The school bus will remain in stationary mode while boarding and de-boarding of school children from the school bus.
- e) Refresher training course with a view to fine-tune and increased proficiency of driving shall be imparted to drivers of the school bus periodically i.e. twice in a year.
- f) No driver shall be allowed to drive the school bus in a drunken condition. Regular check up in this regard shall be undertaken by the school authorities. In case of any suspicion, the driver of the school bus must be subjected to 'Medical Test' immediately and appropriate action including action for cancellation of the driving licence shall be undertaken.
- g) The school authority must provide one mobile phone in each school bus so that in case of emergency the school bus can be contacted or the driver/ conductor of the school bus can contact the Police, State authority and the school authority.
- h) The school authority shall ensure that the school buses are not permitted to over-take any four wheeler while carrying the school children.
- i) The school authority shall ensure to train the students to maintain discipline while boarding, commuting and de-boarding the school bus so that no one gets hurt.
- j) The school authority shall make necessary arrangements for parking of the school buses inside the school campus at the time of boarding and de-boarding of school children.





- k) In case it is not possible to park the school buses inside the school campus, the school buses must be parked in such a way so that it does not create any traffic hazard for other vehicles.
- l) Periodic feed-back from school children using school Transport facility with regards to driver/conductor be taken and records are to be maintained.
- m) The school authority should encourage the students to conduct programs through play, exhibition etc. during the Road Safety Week to create the awareness in public.

#### 7. Advisory to Parents

- a) Parents are equally responsible for the safety of their children during school journeys.
- b) Parents must ensure that the mode of transport arranged by the school authorities or by themselves is absolutely safe for children.
- c) They should note down the violations committed by the driver and other staff of the school buses and immediately report to the school authorities or the concerned State authorities.
- d) Parents must participate in PTA meetings and discuss the safety aspects of their children.
- e) Parents must avoid using the transport services from vehicles not having valid licence or permit to carry the school children.
- f) Parents must play the role of a vigilant observer on this sensitive subject.

  
(K. Srinivasan)

Deputy Secretary (Affiliation)