

Regulatory Requirements for Starting a School in Poona

Radhika Joshi

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Centre for Civil Society

K-36 Hauz Khas Enclave, New Delhi 110016
Tel: 2653 7456/ 2652 1882 Fax: 2651 2347
Email: ccs@ccsindia.org Web: www.ccsindia.org

Poona is commonly referred to as the 'Oxford of the East'. It is a city, which is thronged by students from all over the country, who come to pursue a variety of courses. Over the past few years, there has been a sudden splurge in the number of private educational institutes that have been mushrooming in the city. However how easy is it for private institutes to set up in Poona? What are the regulatory requirements? Are there any barriers to entry? What is the minimum time taken and what are the costs involved?

This study tries to answer the above-mentioned questions. The study is limited only to primary and secondary schools and hence all other educational institutes are beyond the scope of this study.

At present there are 106 registered primary and secondary schools in Poona. They have been classified as follows:

- Private Aided
- Private Unaided
- Schools run by the Government (State)
- Schools run by the Local Body

The players in starting a new school are:

Private Bodies

- Private institution wishing to set up a school
- Agencies selling forms
- Private consultants

Government agencies

- Registrar of societies
- Charity commissioners' office
- Zilla Parishad
- Pune Municipal Corporation (P.M.C.)
- Maharashtra board of secondary education

Authorities involved and their individual functions

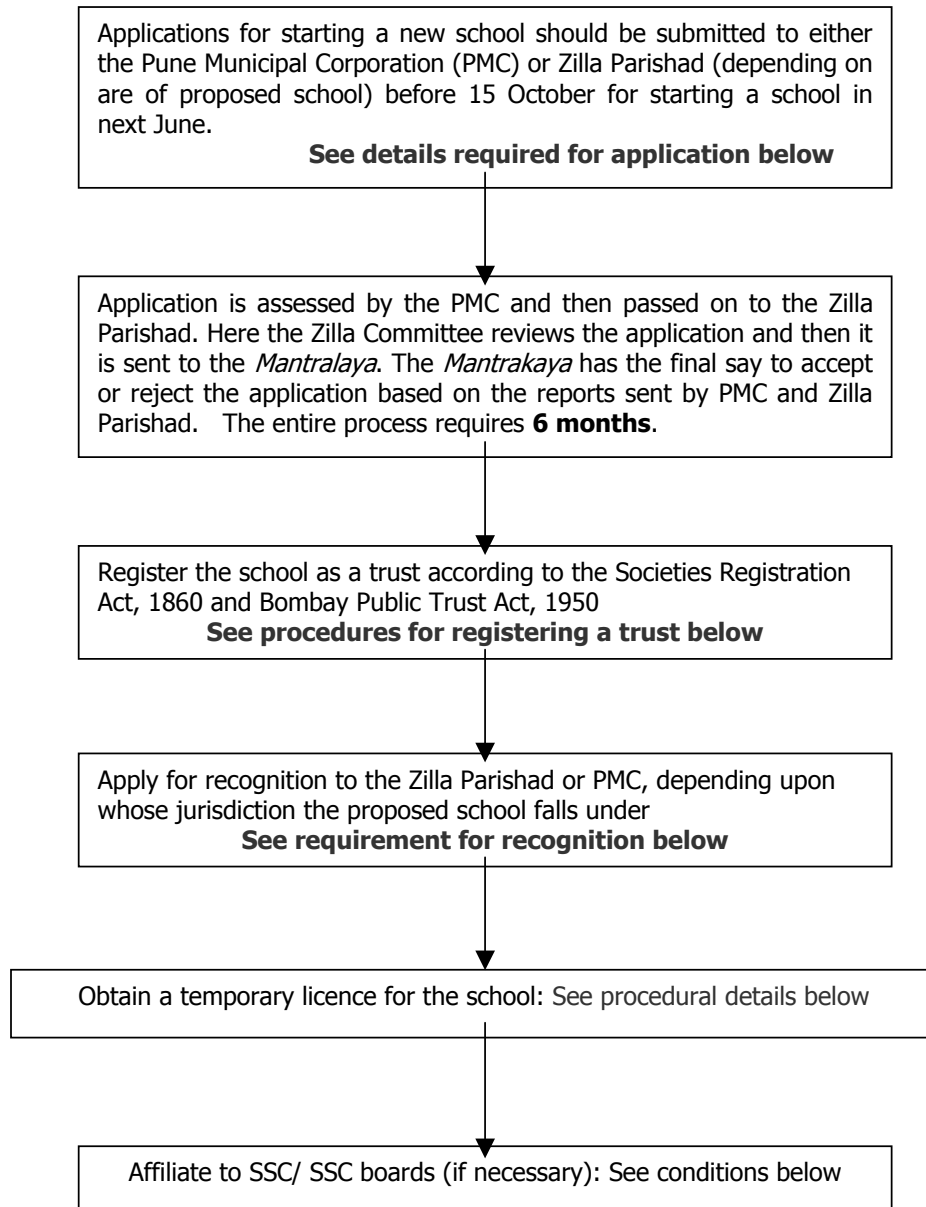
1. Registrar of Societies: Handles all registration under the Societies Registration Act.
2. Charity commissioner's office: This office is responsible for overseeing all the societies or trusts that run in Pune.
3. Zilla Parishad: Provision, Duties and Functions
 - To provide for the welfare of children attending primary schools
 - Maintain an adequate number of private schools (there are currently 106 schools in Poona)
 - Provide adequate accommodation and equipment
 - Maintain adequate staff of Assistant Administrative Officers, Supervisors, attendance officers, clerks, teachers, inferior servants and other staff.
 - Maintain adequate number of engineering staff required for the construction and maintenance of schools and other buildings.
 - To determine the distance measured according to the nearest road between an approved school and the residence of a child (1.5 km for urban areas and 5 km for rural areas)
 - To determine the hours of instruction and the number and duration of vacations
 - Determine exact location of primary schools

- Sanction all tenders for the supply of forms, stationary, furniture or equipment
 - Open additional schools
 - Recommend to the director such modifications in the curriculum as may seem necessary to suit local requirements
 - Advise the state government generally with respect to primary education
 - Carry on propaganda for the expansion of primary education
 - Provide supply books, slates, educational requisites, milk, meals or clothes to children of any age receiving primary education, if provision for such supply is made
4. Pune Municipal Corporation: The PMC has a separate building where issues pertaining to opening and running of schools are dealt with. This division is known as the Shikshan Mandal Karyalaya (Pune Mahanagarpalika).

Duties and Functions:

- To make adequate provisions for maintaining the existing primary schools and opening new schools wherever necessary
 - To grant aid for approved schools other than primary schools
 - Provide adequate accommodation and equipment for primary schools
 - Make facilities for the free primary education for all children
 - To sanction with or without variation the budget of the municipal school board
 - The authorized municipality shall, subject to the sanctions of the (state) government make regulations-
 - Determine qualifications, pay and terms of employment of the Assistant Administrative Officers, Supervisors, attendance officers, clerks, teachers, inferior servants and other staff.
 - Regulating the administration, management and control of primary schools
 - Provide supply books, slates, educational requisites, milk, meals or clothes to children of any age receiving primary education, if provision for such supply is made
5. Maharashtra board of Secondary Education is concerned with schools under the following categories:
- Secondary Schools (Std V to Std X)
 - Higher Secondary (Junior College)
 - Multipurpose (both)
 - Vocational schools
 - Night schools for students above the age of 11 years
6. Nandkumar Agencies: Private agency appointed by the Zilla Parishad to sell forms for opening a new school on their behalf.

Actual Procedure for starting a school



Application

The minimum capital required to open a new school is Rs. 1 lac. Application forms for starting a school are available with private agencies, which are authorised to sell the forms on behalf of the Zilla Parishad. The cost of these forms is as follows:

Pre- Primary: Rs 15

Primary: Rs 75

Secondary: Rs 40

Acceptance Form: Rs 20

Details required for application are as follows:

- 1) Name and address of institution
- 2) Name of school
- 3) Acts under which the institution is registered

- 4) Medium of teaching
- 5) Area/ Location of school – Taluka, Zillah, city, etc
(Depending on the population density of the given area the government decides the number of schools that should be set up)
- 6) Address of school
- 7) Possibility of students attending school in proposed area
- 8) Number of schools currently registered in proposed area
- 9) Proof of facilities
 - a) School Building
 - b) Classrooms
 - c) Principals rooms and staff room
- 10) Is the area self owned, rented or free?
- 11) Does the school have a playground? How far is it from the school?
- 12) Does the school have washrooms? If yes, what are their sizes, method of construction, and distance from school?
- 13) Does the school have the required furniture? If not, will it be ready by the time the school starts?
- 14) Finances required to run the school. Please include bank statement.
- 15) Proposed Fees
- 16) Does the trust under which the school is registered have any other schools currently running under their name?
- 17) Proposed number of students and teachers.
- 18) Other forms to be submitted
 - Description and Boundaries of property
 - Form of proprietorship
 - Application form for registration for Grant-in –aid (if necessary)

Registering school as a trust

All schools have to register as a trust (to prove the non- profit motive of the institution), only then are the licenses for running a school issued. The application fee is Rs 25. The cost of application forms is Rs 4. This is usually approved by the District Committee, except in case of technical schools where the application is submitted to the regional deputy director of technical education.

Requirements for starting a trust are as follows:

1. Memorandum of Association

Name of society

Registered office of Society

Jurisdiction

Objects

Governing Board- At least 7 members (President, Vice- President, Secretary, Treasurer and Members)

Certificate to prove that there is no other society of the same name

2. Rules and Regulations regarding

Jurisdiction

Members of Subha

Ceasing of membership

Way of filling in vacancy in managing committee

Authorities of Subha

Governing Council

Powers of Governing Council

Provision for Loan and Investment
Provision for purchase and sell of immovable property
Duty of officers of society/ office bearers

3. Consent letter: A letter to declare that all the contents submitted are true and correct and that the concerned individual does not want to state anything more than what is in the application. (Signed by all members of the managing committee).
4. Authority Letter: Signed by all members of the managing committee in favour of the applicant.
5. Affidavit: Affidavit of the applicant regarding the address of the society along with its properties. Affidavit is done on Rs 20 stamp paper and court fee stamp of Rs 1.25 is affixed thereto.

Recognition

Subject to the provisions of the Zilla Parishad, applications for recognition of a new private school shall be made to the competent authority not later than the 1st of November of any year. Benefits of recognition are as follows:

- A private school recognized as an approved school shall be eligible for grant-in –aid on application made in that behalf.
- Recognition will also entitle the management of the school to present its pupil at any public examinations or scholarships.
- A recognized school may also be eligible to claim other benefits from time to time.

If schools satisfy all the following criteria, they are given a provisional recognition, which applies to the first 5 years. After this, if the school continues to comply with the given rules and fulfil the mentioned objects, they are given permanent recognition. However, if the school at any point is unable to satisfy criteria then the deputy director holds power to withdraw the recognition.

Criteria

1. It should be proven that the school is actually needed in the locality and that it shall not cause unhealthy competition with existing institutions. (For areas which already have several schools, the applicants should prove superior objects or higher quality of education compared to other existing schools in order to obtain the requires permission).
2. The management should be competent and reliable
3. Financial stability of the school should be assured
4. The premises should be healthy, ventilated, lighted and well furnished
5. Education imparted must be considered by the appropriate authority and the use of recommended textbooks must be made
6. Staff must be qualified
7. Proper registers pertaining to attendance and progress reports of students must be maintained
8. All recognized schools must also have a school committee and an academic council
9. There should be no more that 60 students per division and the area of the premises should be 7 square feet per student
10. The school should have 2 terms (June- October, November- April). Maximum holidays excluding Sundays should be 80 and there should be a minimum of 195 instructional days.
11. For Aided Schools only:

34% seats must be reserved for students and teachers of backward classes of which:
Schedule Caste and Navabuddhas: 13%
Schedule Tribes: 7%
Denotified and nomadic tribes: 4%
Other Backward Class: 10%

Licenses

Once approved, schools are given temporary licenses for the first 5 years. For primary schools licenses are first given for standards 1 to 3 after which it is extended by one grade each year. Secondary schools, when they first open are given a license from standard 8 to 10. They can then be extended to include standard 5 and 6 and junior college. Once a school obtains a permanent license, there is no need for renewal of licenses.

Schools are first approved for temporary licenses through inspection. According to the rules set by the Zilla Parishad, schools are to be inspected by authorities at least once a year. During an inspection, General Records, attendance sheets, pay rolls, academic reports, infrastructure facilities, etc are to be checked. Inspections are conducted more frequently in case of aided schools.

The state government may appoint inspecting officers, as it may deem necessary for the purposes of superintendence and inspection and generally for the purposes of giving effect to the provisions of the Bombay Primary Education Act, 1947.

The officers appointed under this sub- section shall be servants of the (state) government, and their powers and duties are as follows:

- An inspecting officer shall have the right at being present at any meeting of the school board, and with the consent of the chairman of taking part in the discussion thereat, but he shall not be entitled to vote upon, or move any resolution at such meetings.
- He can enter on and inspect any immovable property occupied for any purpose connected with primary education by a school board or authorized municipality or any educational institution under its control or management
- Cause such property or institution to be entered upon and inspected by any other person authorized by him
- Call for and inspect any book or document relating to any matter connected with primary education in the possession or in the control of an authorized municipality or school board

Duties of assistant deputy educational inspectors for enforcing attendance of school- going children:

1. Every assistant deputy Educational Inspector, if called upon by the administrative officer, should suggest suitable dates for the first and subsequent annual census of children of school going age in the villages or areas under his charge.
2. He shall then supply the head teacher of each primary school in his charge a list of all children liable for compulsion and inform him of the dates from which the attendance of such children is compulsory as required by the rules of chapter VI of the Bombay Primary Education Rules, 1949.
3. Each month, the assistant deputy educational inspectors shall also send a report of their month's work which should include:
 - Number of visits to houses
 - Number of visit to schools
 - Number of school children found not attending school
 - Statistical statement showing particulars of attendance of school children

Affiliation (to HSC/ SSC)

Condition for affiliation: The management applying for affiliation and management whose institution has been granted affiliation for a period specified shall give and comply with the following undertaking:

1. The Provisions of the Act and the regulations there under and the standing orders and directions of the board shall be observed
2. There shall be a separate local managing committee provided for an affiliated polytechnic or institution
3. The number of students admitted should not exceed the limits prescribed by the Board and the Government
4. There shall be suitable and adequate physical infrastructure such as buildings, laboratories, libraries, etc
5. The financial resources of the institution shall be such as to make due provision for its continued maintenance and working
6. The services of all teaching and non- teaching employees and the facilities of the institution to be affiliated shall be made available for conducting examinations and for promoting other activities of the board.
7. There shall be no change or transfer of the management without previous permission of the board
8. The institution shall not be closed without prior permission of the Board

No institution, which is part of any other Board, shall be considered for affiliation unless a "no objection certificate" is given by the parent board. The affiliated institution with at least 6 years standing as an affiliated institution may apply for permanent affiliation. The Board shall consider and scrutinize the application and if satisfied, the Board shall grant permanent affiliation to the institution.

Official Cost for starting a school

Payments	Paid to		Amount
Application			
Form Fee	Private Agencies	Pre- Primary	Rs 15
		Primary	Rs 75
		Secondary	Rs 20
		Acceptance Form	Rs 40
Minimum Capital Required		(Copy of bank statement to be shown)	Rs 1,00,000
Application Fee	Zilla Parishad	Non tribal Area	Rs 5000
		Tribal Area	Rs 1000
Starting a Trust			
Forms	Charity Commissioner's office		Rs 4
Application Fee	Charity Commissioner's office		Rs 25
Lawyers charges	Lawyer		Variable

CASE STUDIES

Vidya Bapat- Principal, Bal Shikshan Mandir

"Ours is a fully aided primary school and hence we have inspection done every year. If we fail to meet up to the standards set by the Zilla Parishad, the grants we receive will be affected."

Medha Pandit -Principal, SPM English School (Started in 1986)

"Officially we are supposed to have inspections at least once every year. However as we are an un-aided private school, we have inspections around once in two years. Inspectors are sent from the Zilla Parishad, Pune with or without notification. They usually check our General Registers, staff records, infrastructure facilities, visit classrooms and interact with a few of our students and teachers. This year the government has also introduced a self-assessment program where principles of each school have to assess their own school according to various criteria".

"We have already obtained a permanent license for running a school and hence there is no question of renewal. The government only interferes if there are any problems or changes to make. For instance recently our school decided to increase the fees. So we had a few inspectors from the Zilla Parishad who came to check if the fee hike was justifiable. However, as per the government's recent policy private schools are being allowed to charge fee that they believe is appropriate".

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