

बृहन्मुंबई महानगरपालिका - शिक्षण विभाग

उपशिक्षणाधिकारी (खा.प्रा.शा. विभाग), चौथामजला, त्रीवेणीसंगममनपामराठी उ.प्रा.शाळा,
महादेवपालवमार्ग, करीरोड (पूर्व), मुंबई-12

क्र. उपशिअ/खाप्राशा/आरटीआय/1708 दि. 24.11.2022

प्रति,

श्री. नितीन रमेश दळवी

132/बी/2/9, दामोदर हरिदास बिल्डींग,

टी एच कटारिया मार्ग, माहीम, मुंबई-400 016

मो.नं.9987 42 2359

विषय - माहितीचा अधिकार अधिनियम 2005 अंतर्गत माहिती मिळण्याकरिता सादर
केलेल्या अर्जाबाबत.

संदर्भ- 1. उपशिअ/खाप्राशा/आरटीआय/303 दि.21.10.2022

महोदय,

आपण माहिती अधिकार, अधिनियम, 2005 च्या अंतर्गत दि.25.10.2022 रोजी
मा.उपशिक्षणाधिकारी (खाप्राशा) कार्यालय प्राप्त झालेला माहिती अधिकारांतर्गतचा अर्ज कृपया पहावा.

सादर अर्जाबाबत या विभागाचे अभिप्राय खालीलप्रमाणे -

अनु.क्र.	अर्जदाराने मागणी केलेली माहिती	अभिप्राय
1	बालकांचे मोफत व सक्तीचे शिक्षणाचा अधिकार अधिनियम 2011(आरटीई) अनुसार, आरटीई कायद्याचे उल्लंघन करणा-या शाळा प्रशासन कडून बृहन्मुंबई महानगरपालिकेने द्रव्यदंड वसूल करण्याची प्रक्रियेची माहिती महाराष्ट्र शासनाने पारित केलेल्या आजतागायतच्या शासन निर्णय, शासन आदेश, परिपत्रक यांच्या प्रतिसहित ATTESTED करून मिळणेबाबत.	संदर्भाधीन माहितीच्या मागणीनुसार शासन निर्णय माहिती अधिकार, अधिनियम, 2005 च्या अंतर्गत सोबत संलग्नित केलेली आहे.

वरीलप्रमाणे माहिती दिलेली असल्याने आपला माहितीचा अधिकार, अधिनियम, 2005 अंतर्गत अर्ज निकाली निघतो. सादर माहितीने आपले समाधान न झाल्यास आपण प्रथम अपिलीय अधिकारी यांकडे अपिल करू शकता. त्यांचा पत्ता पुढीलप्रमाणे -

अध्यक्ष, (शाळा):

खाजगी प्राप्तानुदान शाळा विभाग यांचे कार्यालय,
त्रीवेणी संगम मनपा मराठी उ.प्रा.शाळा, चौथामजला,
महादेव पालव मार्ग, करीरोड (पूर्व), मुंबई-12

(खिस्तीना डायस)

जनमाहिती अधिकारी तथा
विभाग निरीक्षक(शाळा)
खाजगी प्राप्तानुदान शाळा विभाग

प्रत.

1. माहिती अधिकार कक्ष(अनुदानित विभाग)

माहिती अधिकार, अधिनियम, 2005 अंतर्गत अर्जदारास वरीलप्रमाणे कळविण्यात आले आहे.
कृपया माहितीसाठी अग्रेषित.

(खिस्तीना डायस)

जनमाहिती अधिकारी तथा
विभाग निरीक्षक(शाळा)
खाजगी प्राप्तानुदान शाळा विभाग



माहितीचा
अधिकार

२०१६/२०५
बि/१५/१३

विभागाधिकारी
असेदन, उच्चि न कार्यालयादीमठि
कृपया अत्रेचित.

RNI No. MAHBIL/2009/37831
Reg. No. MH/MR/South-339/2011-13.

२५/११/१६
२५/११/१६
बदायादिवा काउपुस्ता
राष्ट्रीय चिह्नपीठ



महाराष्ट्र शासन राजपत्र

असाधारण भाग चार-ब

वर्ष ४, अंक ८९

बुधवार, डिसेंबर १२, २०१२/अप्रहण २१, अंक १९३४

किंमत : रुपये १.००

असाधारण क्रमांक १५६

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने महाराष्ट्र अधिनियमांन्वये तयार केलेले (भाग एक, एक-अ आणि एक-ल चांमध्ये प्रसिद्ध केलेले नियम व आदेश पांन्वितिरिक्त) नियम व आदेश

शालेय शिक्षण व क्रीडा विभाग

हनुमन्त राजगुरु चौक, माराम कामा मार्ग, मंत्रालय, मुंबई-४०० ०३२.

दिनांक ३ डिसेंबर, २०१२.

अधिसूचना

बालकांचा मोक्ष व सकलीच्या शिक्षणाचा अधिकार अधिनियम, २००९

क्रमांक : आरटीई २०१२/प्र.क्र.७८/प्रशि-१.

बालकांचा मोक्ष व सकलीच्या शिक्षणाचा अधिकार अधिनियम, २००९ (२००९ चा ३५) च्या कलम ३६ नुसार प्रदान केलेल्या अधिकारांचा व्यापर करून महाराष्ट्र शासन या अधिनियमाच्या कलम १३ चे पोट-कलम (२), कलम १८ चे पोट-कलम (५) आणि कलम १९ चे पोट-कलम (५) च्या प्रयोजनात दळदळ आकारण्यास पुर्वपरवानगी देण्यासाठी खालील प्राधिकारणांना उक्त कलमांन्वये प्राधिकृत करील असे :-

(अ) जिल्हास्तरीय नगर परिषद, नगर पंचायत आणि ग्रामीण क्षेत्रातील शाळांच्या बाबतीत संबंधित जिल्हा परिषदेचे मुख्य कार्यकारी अधिकारी.

भाग चार-ब-१५६-२
पृष्ठ १५६

(३)
२५/११/१६
२०/११/१६

२५/११/१६
२५/११/१६
२५/११/१६



२ महाराष्ट्र शासन शासन असाधारण भला शास-ब, दिनांक १२, २०१२/असाधारण २१, जूने १९३४

(ब) महाराष्ट्र शासन शासन असाधारण भला शास-ब, दिनांक १२, २०१२/असाधारण २१, जूने १९३४
महाराष्ट्राचे शासन शासन असाधारण भला शास-ब, दिनांक १२, २०१२/असाधारण २१, जूने १९३४

महाराष्ट्र शासन शासन असाधारण भला शास-ब, दिनांक १२, २०१२/असाधारण २१, जूने १९३४
महाराष्ट्र शासन शासन असाधारण भला शास-ब, दिनांक १२, २०१२/असाधारण २१, जूने १९३४
१ RTE
18 MAR 2013

ज. स. सहारिया,
शासन शासन असाधारण भला शास-ब, दिनांक १२, २०१२/असाधारण २१, जूने १९३४

SCHOOL EDUCATION AND SPORTS DEPARTMENT,
Madam Cama Marg, Hutatma Rajguru Chowk,
Mantralaya, Mumbai-400 032., Dated 3rd December, 2012.

NOTIFICATION

RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009.
No. RTE 2012/C.R. 78/PE-1.

In exercise of the powers conferred by section 36 of the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009), in its application to the State of Maharashtra, the Government of Maharashtra hereby authorizes the following Officers for the purpose of previous sanction for prosecution, for the offences punishable under sub-Section (2) of Section 13, sub-section (5) of section 18 and sub-section (5) of section 19 of the said Act, namely :-

- (a) the concerned Chief Executive Officer of the Zilla Parishad, in respect of the schools within the areas of the Municipal Councils, Nagar Panchayats and rural areas of the district;
- (b) the concerned Municipal Commissioner of the Municipal Corporation, in respect of the schools in the area of the Municipal Corporations.

By order and in the name of the Governor of Maharashtra,

J. S. SAHARIA,
Additional Chief Secretary to Government.

ON BEHALF OF GOVERNMENT PRINTING, STATIONERY AND PUBLICATION, PRINTED AND PUBLISHED BY SHRI PURSURAM JAGANNATH JOSHI, PRINTED AT GOVERNMENT PRESS, CIVIL LINES, NAGPUR 440 001 AND PUBLISHED AT DIRECTORATE OF GOVERNMENT PRINTING, STATIONERY AND PUBLICATION, 21-A, NITAI SUBHASHI ROAD, CHARNI ROAD, MUMBAI 400 004.



neighbourhood and provide free and compulsory elementary education till its completion:

Provided further that where a school specified in clause (n) of section 2 imparts pre-school education, the provisions of clauses (a) to (c) shall apply for admission to such pre-school education.

(7) The school specified in sub-clause (iv) of clause (n) of section 2 providing free and compulsory elementary education as specified in clause (c) of sub-section (1) shall be reimbursed expenditure so incurred by it to the extent of per-child-expenditure incurred by the State, or the actual amount charged from the child, whichever is less, in such manner as may be prescribed:

Provided that such reimbursement shall not exceed per-child-expenditure incurred by a school specified in sub-clause (i) of clause (n) of section 2:

Provided further that where such school is already under obligation to provide free education to a specified number of children on account of it having received any land, building, equipment or other facilities, either free of cost or at a concessional rate, such school shall not be entitled for reimbursement to the extent of such obligation.

(3) Every school shall provide such information as may be required by the appropriate Government or the local authority, as the case may be.

13. (1) No school or person shall, while admitting a child, collect any capitation fee and subject the child or his or her parents or guardian to any screening procedure.

(2) Any school or person, if in contravention of the provisions of sub-section (1),—

(a) receives capitation fee, shall be punishable with fine which may extend to ten times the capitation fee charged;

(b) subjects a child to screening procedure, shall be punishable with fine which may extend to twenty-five thousand rupees for the first contravention and fifty thousand rupees for each subsequent contraventions.

14. (1) 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.

(2) No child shall be denied admission in a school for lack of age proof.

15. A child shall be admitted in a school at the commencement of the academic year or within such extended period as may be prescribed:

Provided that no child shall be denied admission if such admission is sought subsequent to the extended period:

Provided further that any child admitted after the extended period shall complete his studies in such manner as may be prescribed by the appropriate Government.

16. No child admitted in a school shall be held back in any class or expelled from school till the completion of elementary education.

17. (1) No child shall be subjected to physical punishment or mental harassment.

(2) Whoever contravenes the provisions of sub-section (1) shall be liable to disciplinary action under the service rules applicable to such person.

18. (1) No school, other than a school established, owned or controlled by the appropriate Government or the local authority, shall, after the commencement of this Act, be established or function, without obtaining a certificate of recognition from such authority, by making an application in such form and manner, as may be prescribed.

(2) The authority prescribed under sub-section (1) shall issue the certificate of recognition in such form, within such period, in such manner, and subject to such conditions, as may be prescribed:

No capitation fee and screening procedure for admission

Proof of age for admission.

No denial of admission.

Prohibition of holding back and expulsion.

Prohibition of physical punishment and mental harassment to child.

No School to be established without obtaining certificate of recognition.



Provided that no such recognition shall be granted to a school unless it fulfils norms and standards specified under section 19.

(3) On the contravention of the conditions of recognition, the prescribed authority shall, by an order in writing, withdraw recognition:

Provided that such order shall contain a direction as to which of the neighbourhood school, the children studying in the derecognised school, shall be admitted:

Provided further that no recognition shall be so withdrawn without giving an opportunity of being heard to such school, in such manner, as may be prescribed.

(4) With effect from the date of withdrawal of the recognition under sub-section (3), no such school shall continue to function.

(5) Any person who establishes or runs a school without obtaining certificate of recognition, or continues to run a school after withdrawal of recognition, shall be liable to fine which may extend to one lakh rupees and in case of continuing contraventions, to a fine of ten thousand rupees for each day during which such contravention continues.

19. (1) No school shall be established, or recognised, under section 18, unless it fulfils the norms and standards specified in the Schedule.

Norms and standards for school.

(2) Where a school established before the commencement of this Act does not fulfil the norms and standards specified in the Schedule, it shall take steps to fulfil such norms and standards at its own expenses, within a period of three years from the date of such commencement.

(3) Where a school fails to fulfil the norms and standards within the period specified under sub-section (2), the authority prescribed under sub-section (1) of section 18 shall withdraw recognition granted to such school in the manner specified under sub-section (3) thereof.

(4) With effect from the date of withdrawal of recognition under sub-section (3), no school shall continue to function.

(5) Any person who continues to run a school after the recognition is withdrawn, shall be liable to fine which may extend to one lakh rupees and in case of continuing contraventions, to a fine of ten thousand rupees for each day during which such contravention continues.

20. The Central Government may, by notification, amend the Schedule by adding to, or omitting therefrom, any norms and standards.

Power to amend Schedule.

21. (1) A school, other than a school specified in sub-clause (iv) of clause (n) of section 2, shall constitute a School Management Committee consisting of the elected representatives of the local authority, parents or guardians of children admitted in such school and teachers:

School Management Committee.

Provided that at least three-fourth of members of such Committee shall be parents or guardians:

Provided further that proportionate representation shall be given to the parents or guardians of children belonging to disadvantaged group and weaker section:

Provided also that fifty per cent. of Members of such Committee shall be women.

(2) The School Management Committee shall perform the following functions, namely:—

(a) monitor the working of the school;

(b) prepare and recommend school development plan;

(c) monitor the utilisation of the grants received from the appropriate Government or local authority or any other source; and

(d) perform such other functions as may be prescribed.

22. (1) Every School Management Committee, constituted under sub-section (1) of section 21, shall prepare a School Development Plan, in such manner as may be prescribed.

School Development Plan.

(2) The School Development Plan so prepared under sub-section (1) shall be the basis for the plans and grants to be made by the appropriate Government or local authority, as the case may be.