

PROCEEDINGS OF GOVERNMENT OF KARNATAKA

Subject:	Identification of local authorities for redressal of grievances under section 32 of the RTE Act.
Read:	<ol style="list-style-type: none">1. The Right of Children to Free and Compulsory Education Act – 20092. The Karnataka Right of Children to Free and Compulsory Education Rules – 20123. Advisory of MHRD New Delhi F No: 1-18/2010-EE4 dated: 14-02-20124. Government Notification No: ED 27 MAHITI 2012 dated: 12-07-2012



Preamble:

1. Provision has been made under section 32(1) of the Right of Children to Free and Compulsory Education Act – 2009 to identify local authority to receive complaint from any person having any grievance relating to the Right of a child under the said Act.
2. The Government of Karnataka vide notification cited at Sl. No 4 designated District Level Regulating Authority in each district as the prescribed authority under section 32 of the RTE Act, as grievance redressal authority. But in view of the definition of the term 'Local Authority' as per section 2(h) of the RTE Act, the Government felt it necessary to delegate the power to redress the grievances under RTE Act to Local Authority in terms of the definition of the said word in the said Act.
3. Detailed guidelines have been issued by the MHRD vide letter cited at Sl. No 3 to notify Local Authority at the village, block, mandal and district level having jurisdiction to perform the functions envisaged in section 32(1) and (2) of the RTE Act. Hence the following order.

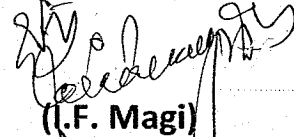
Government Order No: ED 27 MAHITI 2012 Dated: 16th September, 2013

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4. In exercise of powers conferred by sub-section(1) of Section 38 of the Right of Children to Free and Compulsory Education Act – 2009 and in partial modification of Government Notification cited at Sl. No 4, pertaining to Section 32 of the RTE Act, 2009, the Government of Karnataka hereby notify and declare the authorities as Local Authorities at various levels in the State as per the annexure to this Government order, to be the authorities to redress the grievance relating to the right of a child under the said Act.
5. The notified Local Authorities shall take into consideration the following factors while redressing the grievances:
 - The notified Local Authority shall maintain a register to receive Grievance and issue acknowledgment to the complainant.
 - In respect of grievance registered before the notified Local Authority, which requires to be decided by an Authority other than the notified authority, such grievance shall be sent to that authority which is competent and empowered to decide the matter for quick disposal
 - The notified Local Authority may cause such verification of documents and call for such information as it considers necessary.
 - The notified Local Authority may setup a small group consisting of three persons representing the PRI, the Education Department and the Civil Society, to enquire and submit report to the Local Authority.
 - After the receipt of the report, the Local Authority shall pass orders within three months from the date of receipt of the written complaint, after affording a reasonable opportunity of being heard to both the parties concerned.
 - In respect of grievances relating to matters of urgency such as denial of admission etc.. the Local Authority shall decide the matter within seven days, hearing both the parties
 - Since the Appeal lies with the State Commission for Protection of Child Rights, any person aggrieved by the decision of any of the Local Authority may directly file an appeal to the State Commission for Protection of Child Rights. (KSCPCR)

- After the disposal of the complaint the Local Authority shall send a copy of the order to the complainant mentioning the address of the appellate authority and the time limit to file an appeal.
- Any person aggrieved by the decision of the Local Authority may prefer an appeal to the State Commission for Protection of Child Rights, 4th Floor, Krishi Bhavana, Nrupatunga Road, Rani Channamma Circle, Bangalore - 560001

By Order and in the name of the
Governor of Karnataka



(I.F. Magi)
Special Officer and Ex-Officio
Under Secretary to Government
Education Department
(Planning & e-Governance)

To,

The compiler, Karnataka Gazette, Bangalore for publication in the extraordinary Gazette, and to supply 500 copies to the Education Department, MS Building, Bangalore – 01

Copy to

1. Commissioner for Public Instruction, Bangalore
2. State Project Director, SSA/RMSA, Bangalore
3. Additional Commissioner for Public Instruction, Dharwad/Gulbarga
4. Director of Public Instruction, Primary Education, Secondary Education, Minorities, DSERT, KSEEB (Exams), KSEEB (Other Exams), RMSA, SSA (Programs)
5. Private Secretary to Hon.ble Education Minister (Primary and Secondary Education), Govt. of Karnataka, Bangalore
6. Private Secretary to Secretary to Govt, Education Department (Primary and Secondary Education), Bangalore
7. Deputy Director of Public Instruction (Admin) of all Districts through CPI, Bangalore
8. Deputy Director of Public Instruction (Development) of all Districts through CPI, Bangalore
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**PROCEEDINGS OF GOVERNMENT OF KARNATAKA
ANNEXURE TO GOVERNMENT ORDER NO ED 27 MAHITI 2012 DATED 13TH September, 2013**

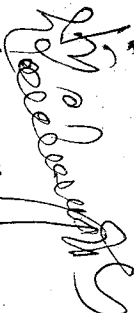
IDENTIFICATION OF LOCAL AUTHORITIES TO REDRESS THE GRIEVANCES AS PER SECTION-32 OF RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT 2009.

Sl. No	Act & Rules	Grievances	Dist level	Tq. Level
1	2	3	4	5
1	9(a)	Provide free and compulsory elementary education to every child;	Zilla Panchayat Standing Committee of Education & Health. (For the entire District other than City Corporation limit) ; In case of Urban Areas having City Corporation- Public Health, Education and Social Justice Committee of that Urban Local Body in the Corporation limit.	Taluk Panchayat Social Justice Committee. (For the entire Taluk limit)
	9(b) along with	Ensure availability of a neighbourhood school as specified in section 6;		
	Rule 4(6)	Establishment of more than one school in the neighbourhood depending upon the number of children in the age group of 6-14 years in such areas having high population density.		
	9(c)	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;		
	9(e)	Ensure and monitor admission, attendance and completion of elementary education by every child residing within its jurisdiction;		
	9(f)	Provide infrastructure including school building, teaching staff and learning material;		
	9(h)	Ensure good quality elementary education conforming to the standards and norms specified in the Schedule.		


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	Rule 4(5) & 4(8)	Making suitable arrangements such as free transportation for children from small hamlets where no school exists and children with disability.		
2	9(d), 9(k), 9(l)	Maintain records of children up to the age of fourteen years residing within its jurisdiction, in such manner as may be prescribed; Ensure admission of children of migrant families; Monitor functioning of schools within its jurisdiction.	Zilla Panchayat Standing Committee of Education & Health. (For the entire District other than City Corporation limit) In case of Urban Areas having City Corporation- Public Health, Education and Social Justice Committee of that Urban Local Body in the Corporation limit.	Taluk Panchayat Social Justice Committee. (For the entire Taluk limit)
3	9(g), 9(j)	Provide special training facility specified in section 4; Provide training facility for teachers;	Zilla Panchayat Standing Committee of Education & Health. (For the entire District).	-

By Order and in the name of the
Governor of Karnataka


(I.F. Magi)

Special Officer and Ex-Officio
Under Secretary to Government
Education Department
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