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STATE MISSION OFFICE
 SSA, ASSAM
 24 JUN 2014
 KAHILPARA, GUWAHATI-19

GOVERNMENT OF ASSAM
 SECONDARY EDUCATION DEPARTMENT, DISPUR, GUWAHATI-6

No. ASE.736/2013/37

Dated Dispur the 10th June, 2014

OFFICE MEMORANDUM

Sub : Recognition, Permission or Concurrence to open new Educational Institutions – restriction thereon.

SPO(TF)

Government enacted an Act viz the Assam Non-Government Educational Institutions (Regulation and Management) Act, 2006 with a view to regularize the establishment and management non-government educational institutions in the State of Assam. The said Acts stipulate that any individual, association of individuals, Non-Government Organization, society or trust intending to establish and run private educational institution need to obtain prior permission for establishment and running of such institutions from the Government through Director of Secondary Education and thereafter administrative recognition is accorded to these institutions with or without having Government permission or recognition previously obtained should be registered under this Act.

2. All the educational institutions which are pursuing education from class IX to XII shall be governed by the Assam Non-Government Educational Institutions (Regulation and Management) Act, 2006 and the rules framed there under and the institutions which are pursuing education from Class I to VII are governed by Right of Children to Free and Compulsory Education Act, 2009.

3. The educational institutions which are pursuing education both elementary level and secondary level has to obtain two permissions i.e. one under the Right of Children to Free and Compulsory Education Act, 2009 and another from the Assam Non-Government Educational Institutions (Regulation and Management) Act, 2006.

4. After careful consideration of all aspects, the Government has decided to take the following policies as regards according permission, recognition or concurrence to the private educational institutions which are pursuing education from class IX to XII.

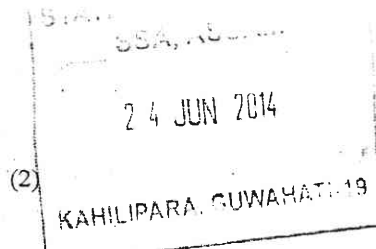
- (a) No permission, recognition or concurrence as the case may be, shall be accorded to any Educational Institutions as venture educational institutions irrespective of their date of establishment etc. all institutions are to be given permission/recognition only as private institutions.
- (b) All Educational Institutions will have to submit a detail financial plan showing the viability of the private Institution, alongwith other relevant documents necessary for according permission, recognition or concurrence and the institutions will have to satisfy that they will not be creating financial burden on Government.
- (c) All private educational institutions with regards to the Government permission, recognition or concurrence as the case may be, previously obtained if any, should again has to be registered under provision of section 6(1) of the Assam Non-Government Educational Institutions (Regulation and Management) Act, 2006 and no educational institutions without coming under purview of this Act shall be allowed to run in the State.
- (d) Recognition accorded by the Board of Secondary Education, Assam Higher Secondary Education Council and Madrassa Education Board with retrospective effect if any, shall not be considered.

Pl. circulate to all
OSD/
SPO(TF)

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 27/6/2014

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It has also been decided that the private educational institutions shall while seeking for permission from the competent authority, have to execute an affidavit to the effect that the School will always be run as private institution and the sponsors will not claim or seek Provincialisation by the Government in future. The authority issuing permission should specifically state that the school will always be covered under the Assam Non-Government Educational Institutions (Regulation and Management) Act, 2006 and rules framed there under. The above matter should also be clearly reflected in the application for Registration of the Institution.

Further, after obtaining registration of the private educational institution if any alteration or deviation takes place on the information provided in their application form the concerned Institution shall have to obtain prior approval of concerned Inspector of Schools.

The revised format of affidavit and undertaking as per rule 3(ii) is enclosed at Annexure 'A' and 'B' respectively.

Addl. Chief Secretary to the Govt. of Assam
Secondary Education Department

Memo No. ASE.736/2013/37 - A

Dated Dispur the 10th June, 2014

Copy to:-

1. The Accountant General (A & E), Assam, Guwahati-29
2. The Mission Director, SSA, Kahilipara, Ghy-19.
3. The Mission Director, RMSA, Kahilipara, Ghy-19.
4. The Director of Secondary Education, Assam, Kahilipara, Guwahati-19
5. The Deputy Commissioner (All)
6. Chairman, Assam Higher Secondary Education Council, Guwahati-21
7. Chairman, Board of Secondary Education, Guwahati-21
8. The Inspectors of Schools (All). They are requested to circulate the OM amongst all the Head of the Educational Institutions.
9. The District Elementary Education Officer (All). They are requested to circulate the OM amongst all the Head of the Educational Institutions
10. The PS to Hon'ble Minister of Education, Dispur.
11. The PS to Additional Chief Secretary.
12. Guard file.

Deputy Secretary to the Govt. of Assam
Secondary Education Department

FORM-IA
[SEE RULE 3 (ii)]
UNDERTAKING TO BE SUBMITTED ALONG WITH THE APPLICATION
FOR PRIOR PERMISSION [UNDER SECTION 4(1) OF THE ACT]

UNDERTAKING

I/we (1) Sri/Smti (2) Sri/Smti
..... (3) Sri/Smti (4)
..... (5), being the individual
applicant/member of the Non-Government organization/Society/Trust, intending to establish and
run a non-government educational institution under the name and style
"....." to be located at under PS
..... in the District of In the State of
Assam, do hereby solemnly declare as follows and furnish this undertaking as required under
sub-section (i) of section 4 of the Non-Government Educational Institutions (Regulation and
Management) Act, 2006 (Assam Act IV of 2007) :

- (1) That I/we am/are the applicant for obtaining prior permission for establishment and running of a non-government educational institution of the description, detail particulars and information which have been furnished in the Application Form for prior permission in Form No. I under the Non-Government Educational Institutions (Regulation and Management) Rules, 2007, duly filled in.
- (2) That I/we am/are fully aware of the provisions of the Non-Government Educational Institutions (Regulation and Management) Act, 2006 (Assam No. IV of 2007) and the Rules made there under and fully bound by the provisions of the said Act and the Rules.
- (3) That the School will always be run as private Institution and the sponsors will not claim or seek Provincialisation by the Government in future under any legislation.
- (4) That, I/we shall bind myself/ourselves to fulfill the requirements As laid down under section 10 of the aforesaid Act within the stipulated period and in case of my/our failure to fulfill the requirements as laid down under that section, I/we shall have no claim/right whatsoever to establish and/or run the non-government educational institution for which the application for obtaining prior permission has been submitted.

Signed with seal on this Day of 200....., at

Signature of authorized signatory with seal
(Name and designation of the signatory in
Capital letters)

AFFIDAVIT

I, Shri. S/O of
 Principal/Headmaster of do here by solemnly affirm
 and declare that the information furnished in the Application Form for prior permission in
 Form No. I under the Non-Government Educational Institutions (Regulation and
 Management) Rules, 2007 are true and correct to the best of my knowledge and belief and that
 I have not provided any misleading or false information, nor have I suppressed any
 information. I am aware that in case the information furnished above is found to be incorrect
 or false, I am liable to be prosecuted under the appropriate penal law, and I also fully
 understand that furnishing of misleading, incorrect or false information and suppression of
 material information is an offence punishable with imprisonment extending up to three years
 under this Act.

I further undertake that I will abide by the conduct rules as would be made applicable
 in my case from time to time by the Government and that I shall faithfully and sincerely
 discharge my duties as may be assigned to me from time under the authority of Government.

Signature of the Head of the Institution

Witness:

1.....

2.....