

ਦੇਹ ਸ਼ਿਵਾ ਵਰ ਮੋਹੇ ਇਹ ਸੁਭ ਕਰਮਨ ਤੇ ਕਬਹੂੰ ਨ ਟਰੋਂ॥

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ISO 9001:2015 Certified

# MATA GUJRI SR. SEC. SCHOOL

Affiliated to CBSE, New Delhi (Affiliation No. 1630687, School Code 20689)

Guthmara, Near Power Grid, Devigarh, Patiala (Pb.)

Ref. No. MGSSS/2023-24/722-723

Dated 28/04/2023

ਵੱਲ

✓ ਜ਼ਿਲ੍ਹਾ ਸਿੱਖਿਆ ਅਫਸਰ (ਈ/ਈ.)-ਕਮ-  
ਜ਼ਿਲ੍ਹਾ ਪ੍ਰੋਜੈਕਟ ਡਾਇਰੈਕਟਰ,  
ਸਮੱਗਰਾ ਸਿਕਸ਼ਾ ਅਭਿਆਨ, ਪਟਿਆਲਾ।

**ਵਿਸ਼ਾ: ਸਕੂਲ ਨੂੰ ਪੱਕੇ ਤੌਰ 'ਤੇ ਆਰ.ਟੀ.ਈ. ਐਕਟ ਤਹਿਤ ਮਾਨਤਾ ਜਾਰੀ ਕਰਨ ਸਬੰਧੀ।**

ਸ਼੍ਰੀਮਾਨ/ਸ਼੍ਰੀਮਤੀ ਜੀ

ਬੇਨਤੀ ਹੈ ਕਿ ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਵੱਲੋਂ ਸਾਡੇ ਸਕੂਲ ਨੂੰ ਆਰ.ਟੀ.ਈ. ਐਕਟ ਤਹਿਤ ਆਰਜੀ ਮਾਨਤਾ ਜਿਸ ਦਾ ਸਕੂਲ ਮਾਨਤਾ ਕੋਡ SSA/2019/RTE/Provisional Recognition/0030 ਹੈ, ਜੋ ਕਿ ਆਪ ਦੇ ਦਫਤਰ ਪੱਤਰ ਨੰ. SSA/RTE/2019/19658 ਮਿਤੀ 25/10/2019 ਰਾਹੀਂ ਪ੍ਰਾਪਤ ਹੋਈ ਹੈ। ਇਸ ਸਬੰਧੀ ਆਪ ਦੇ ਧਿਆਨ ਵਿੱਚ ਲਿਆਂਦਾ ਜਾਂਦਾ ਹੈ ਕਿ ਆਰ.ਟੀ.ਈ. ਐਕਟ ਵਿੱਚ ਆਰਜੀ ਮਾਨਤਾ ਦਾ ਕੋਈ ਪ੍ਰੋਵੀਜ਼ਨ ਨਹੀਂ ਹੈ।

Right to Children to Free and Compulsory Education Act, 2009 do not envisage provisional recognition for setting up a school.

ਐਕਟ ਮੁਤਾਬਕ ਇਹ ਮਾਨਤਾ ਪੱਕੇ ਤੌਰ 'ਤੇ ਹੀ ਦਿੱਤੀ ਜਾਣੀ ਬਣਦੀ ਹੈ। ਇਸ ਸਬੰਧੀ ਮਾਨਯੋਗ ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ ਵਿੱਚ ਫੈਡਰੇਸ਼ਨ ਆਫ ਪ੍ਰਾਈਵੇਟ ਸਕੂਲਜ਼ ਐਂਡ ਐਸੋਸੀਏਸ਼ਨਜ਼ ਆਫ ਪੰਜਾਬ ਵੱਲੋਂ ਸਿਵਲ ਰਿਟ ਪਟੀਸ਼ਨ ਦਾਇਰ ਕੀਤੀ ਗਈ ਸੀ। ਇਹ CWP No. 7238-2023 Dated 12.4.2023 ਦੇ ਆਰਡਰ ਸਪਸ਼ਟ ਹਨ ਕਿ ਸਕੂਲਾਂ ਨੂੰ ਪੱਕੇ ਤੌਰ ਤੇ ਮਾਨਤਾ ਦਿੱਤੀ ਜਾਵੇ। ਸਾਡਾ ਸਕੂਲ ਇਸ ਪਟੀਸ਼ਨਰ ਫੈਡਰੇਸ਼ਨ ਦਾ ਮੈਂਬਰ ਹੈ ਅਤੇ ਇਹ ਆਰਡਰ ਸਾਡੇ ਸਕੂਲ ਲਈ ਵੀ ਯੋਗ ਹਨ।

ਸਾਡੀ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਸਾਡੇ ਸਕੂਲ ਨੂੰ ਪੱਕੇ ਤੌਰ ਤੇ ਆਰ.ਟੀ.ਈ. ਮਾਨਤਾ ਪੱਤਰ ਜਾਰੀ ਕੀਤਾ ਜਾਵੇ। ਸਕੂਲ ਪਹਿਲਾਂ ਜਾਰੀ ਕੀਤੀ ਆਰ.ਟੀ.ਈ. ਦੀ ਮਾਨਤਾ ਤਹਿਤ ਲਗਾਤਾਰ ਆਪਣਾ ਡਾਟਾ ਆਪ ਜੀ ਨੂੰ ਈ-ਪੋਰਟਲ ਉੱਪਰ ਮੁਹੱਈਆ ਕਰਵਾਉਂਦਾ ਆ ਰਿਹਾ ਹੈ।

ਧੰਨਵਾਦ ਸਹਿਤ

Principal  
Mata Gujri Sr. Sec. School  
Guthmara, Devigarh, Patiala  
CBSE Affiliation No. 1630687

*Jagandeep*

- 1) CWP No. 7238-2023 Dated 12.4.2023 ਦੇ ਆਰਡਰ
- 2) ਸਕੂਲ ਦਾ ਆਰਜੀ ਮਾਨਤਾ ਪ੍ਰਾਪਤ ਸਰਟੀਫਿਕੇਟ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ
- 3) ਫੈਡਰੇਸ਼ਨ ਦੇ ਮੈਂਬਰ ਹੋਣ ਸਬੰਧੀ ਸਰਟੀਫਿਕੇਟ

**ਉਤਾਰਾ: (1) ਜ਼ਿਲ੍ਹਾ ਸਿੱਖਿਆ ਅਫਸਰ, ਪਟਿਆਲਾ ਜਾਣਕਾਰੀ ਅਤੇ ਅਗਲੇਰੀ ਕਾਰਵਾਈ ਹਿੱਤ।**

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2023:PHHC:049800

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

\*\*\*

CWP-7238-2023

Date of decision : 12.04.2023

Federation of Private Schools and Associations of Punjab

... Petitioner

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR.JUSTICE VIKAS BAHL**

Present: Mr.Arjun Partap Atma Ram, Advocate  
for the petitioner.

Mr.Ferry Sofat, Addl.A.G. Punjab  
for the respondents.

**VIKAS BAHL, J.(ORAL)**

This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the letter dated 09.01.2023 (Annexure P-10) with a further prayer for issuance of a writ of mandamus directing the respondents to issue permanent recognition orders to the members of the petitioner/Federation in terms of the provisions of The Right of Children to Free and Compulsory Education Act, 2009 (hereinafter referred to as "RTE Act 2009") and the Rules framed thereunder.

Learned counsel for the petitioner has submitted that the Indian Parliament had framed the Right of Education to Free and Compulsory Education Rules 2010 in terms of the RTE Act 2009 and Rule 15 and Rule 16 specifically deal with the procedure for recognition and withdrawal of recognition, respectively and a cumulative reading of the said two Rules

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would show that there is no provision for grant of a yearly/tenure recognition and in the said rules, there is only a one time recognition unless it is withdrawn under Rule 16 of 2010 Rules. It is further submitted that the State of Punjab, in terms of Section 38 of the RTE Act, has promulgated The Punjab Right of Children to Free and Compulsory Education Rules, 2011 and Rule 11 and 12 of the same are in pari materia with Rules 15 and 16 of the 2010 Rules framed by the Union of India. It is stated that the action of the authorities in granting recognition under the RTE Act / RTE Rules on a yearly / tenure / provisional basis, is, de hors the provisions of the Rules. It is further stated that the issue at hand is squarely covered by a judgment of a Coordinate Bench of this court in CWP no.12389 of 2021 titled as "Ameliorating India, NGO vs. State of Punjab and others" decided on 02.11.2021 (Annexure P-8) and has submitted that inspite of the said judgment, instructions are being issued again for grant of provisional recognition. It is submitted that as per the latest correspondence between the District Education Officer, Ludhiana dated 14.03.2023 and the Director Public Instructions (E.E.), Punjab, SAS Nagar, request has been made by the concerned authority to guide the authorities in terms of the judgment passed by Coordinate Bench of this Court. It is further submitted that for the grievances raised by the petitioner, the petitioner has given a representation dated 12.01.2023 and at this stage, he would be satisfied in case the Secretary, Department of School Education, takes a final decision on the said representation in a time bound manner. It is prayed that while adjudicating the same, the judgment of coordinate Bench (Annexure P-8), against which no LPA has been filed, be also taken into consideration.

Learned State counsel has submitted that the matter is under consideration and a final decision on the said aspect would be taken by the

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Secretary within a period of six weeks from the date of the receipt of certified copy of the present order.

Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the Secretary, Department of School Education to consider and decide the representation dated 12.01.2023 (Annexure P-11), in accordance with law within a period of six weeks from the date of receipt of the certified copy of the present order. While taking a decision, the judgment of the coordinate Bench of this Court passed in CWP no.12389 of 2021 titled as "Ameliorating India, NGO vs. State of Punjab and others" decided on 02.11.2021 (Annexure P-8) be also taken into consideration.

(VIKAS BAHL)  
JUDGE

April 12, 2023  
Davinder Kumar

Whether speaking / reasoned  
Whether reportable

Yes/No  
Yes/No

FORM-II

[(See Sub-rule (4) of 11)]

OFFICE OF DISTRICT EDUCATION OFFICER (Elementary Education)  
PATIALA

Dispatch No. SSA/RTE/2019/19658

Dated: 25-10-2019

To

The Manager/Principal,  
Mata Gujri Sen. Sec. School,  
Guthmara, Near Power Grid,  
Devigarh, Patiala.

**Sub: Recognition Certificate for the school under sub-rule (4) of rule 11 of Right of children to free and Compulsory Education Rules, 2011 for the purpose of section 18 of Right of children to free and Compulsory Education Act, 2009.**

Dear Sir/Madam,

With reference to the inspection report of your school dated and subsequent correspondence with the school/inspection in this regard. I convey the grant of provisional recognition to **Mata Gujri Sen. Sec. School, Guthmara, Near Power Grid, Devigarh, Patiala** for class I to class VIII till **31-03-2020**.

The above sanction is subject to the fulfillment of the following conditions, namely:-

1. The grant for recognition is not extendable and does not in any imply any obligation to recognize/affiliate beyond class VIII.

Attested  
*Jarandeep*  
Principal  
Mata Gujri Sr. Sec. School,  
Guthmara, Patiala.  
Aff. No. 1630687

*Ar...*  
District Education Officer (SE)  
Cum District Project Director  
Samajik Sevak Ashram, Patiala.

2. The school shall abide by the provisions of the Right of children to free and Compulsory Education Act, 2009 (Annexure 1) and Right of children to free and Compulsory Education Rules 2011 (Annexure II)
3. The School Shall Admit in class I, to the extent of 25% of the strength of that class, children belonging to the weaker section and the disadvantaged group in the neighborhood and provide free and compulsory elementary education till its completion

Provided, that in case of pre primary classes also, this norm shall be followed.

4. For the children referred to in paragraph 3, the school shall be reimbursed as a per sub-section 2 of the section of the 12 of the Act. To receive such reimbursement, the school shall provide a separate bank account.
5. The school shall not collect any capitation fee and subject the child of his or her parents or guardians to any screening Procedure.
6. The school shall not deny admission-
  - (a) to any child for lack of age proof; of
  - (b) if such admission is sought subsequent to the extended period prescribed period prescribed for admission; or
  - (c) On the ground of religion, cast or race, place of birth of any of these reasons.
7. The school shall ensure that:-
  - (a) no child admitted, shall be held back in any class or expelled from school till the completion of elementary Education in a school;

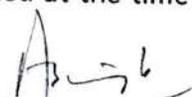
Attested  
*Tarandeep*  
*Arora*  
Principal  
Mata Gujri Sr. Sec. School,  
Guthmara, Patiala.  
Aff. No. 1630637

AS → 4  
District Education Officer (SSE)  
Cum District Project Director  
Samagra Shiksha Abhiyan, Patiala.

2.

- (b) no child shall be subjected to physical punishment or mental harassment;
  - (c) no child shall be required to pass any board examination till the completion of elementary education;
  - (d) every child completing elementary education shall be awarded a certificate as laid down under rule 21;
  - (e) inclusion of students with disabilities / special needs as per provision of act;
  - (f) the teachers are recruited with minimum qualifications, as laid under sub-section (1) of section 23; provided that the existing teachers who, at the time of commencement of the Act, do not possess the minimum qualifications, shall acquire such qualifications within the period of 5 years from the date of commencement of the Act;
  - (g) the teachers perform their duties, specified under sub-section(1) of 24 of the Act; and
  - (h) The teachers shall not engage himself or herself in any private activities.
8. The school shall follow the syllabus on the basis of curriculum laid down by appropriate authority.
9. The school shall enroll students proportionate to the norms and standards available in the school as specified in section 19 of the Act.
10. The school shall maintain the standards and norms of the school as specified in section 19 of the Act. The facilities reported at the time of last inspection, if made, are as given under :-

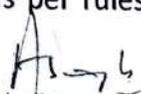
Attested  
  
Principal  
Mata Gauri Sr. Sec. School,  
Guthmar, Patiala.  
Aff. No. 1630687

  
District Education Officer (B/E)  
Cum District Project Director  
Samagra Shiksha Abhiyan, Patiala.  
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Area of School campus	118937.78 Sq. Ft.
Total built up area	57407 Sq. Ft
Area of play ground	Available
No. of classrooms	56
Room for Headmaster-cum-Officer	
-cum-Storeroom	Yes
Separate toilet for boys and girls	Yes
Drinking Water Facility	Yes
Kitchen for cooking Mid Day Meal	N.A
Barrier free Access	Yes
Availability of Teaching Learning Material	
/Play Sports Equipments/ Library.	Yes

11. No un-recognized classes shall be run within the premises of the school or outside of the premises in the same name of school.
12. The school buildings or other structures or the grounds shall be used only for the purpose of education and skill development.
13. The school is run by a society registered under the Societies Registration Act, 1860 (Act No. 21 of 1860), or a public trust constituted under any law for the time being in force.
14. The School is not run for profit to any individual, group or association of individuals or any other person.
15. The accounts should be audited and certified by a Chartered Accountant and proper accounts statements should be prepared as per rules. A copy

Attested  
  
Principal  
Mata Gujri Sr. Sec. School,  
Guthmara, Patiala.  
Aff. No. 1630587

  
District Education Officer (E/E)  
Cum District Project Director  
Samagra Shiksha Abhiyan, Patiala.  
4.

each of the statements of Accounts should be sent to the District Education Officer every year.

16. The recognition Code Number allotted to your school is "SSA/2019/RTE/PROVISIONAL RECOGNITION/ 0030" (This may be noted and quoted for any future correspondence with this office.)
17. The school furnishes such reports and information, as may be required by the Director or District Education Officer from time to time and complies with such instructions of the State Government/Local Authority, as may be issued to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in working of the school.
18. Renewal of Registration of Society, if any, be ensured.
19. Other conditions as per Annexure 'III' enclosed.

  
District Education Officer (Elementary Education)

Patiala

District Education Officer (E/E)  
Cum District Project Director  
Samagra Shiksha Abhiyan, Patiala.

Attested



Principal  
Mata Gujri Sr. Sec. School,  
Guthmara, Patiala.  
Aff. No. 1630687



# FEDERATION OF PRIVATE SCHOOLS AND ASSOCIATIONS OF PUNJAB (Regd.)

COMPRISING OF UNAIDED SCHOOLS & SCHOOL ASSOCIATIONS OF PUNJAB

A-24, Dr. Ambedkar Society, Sector-76, (S.A.S. Nagar-Mohali) (PUNJAB)

Reg. No. 027 of 2020-2021

## CERTIFICATE OF MEMBERSHIP

(Member since 2020)

This certificate is awarded to

**Mata Gujri Senior Secondary School, Vill Guthmara, Near Power Grid, Devigarh**  
(Distt. Patiala)

Membership No.: **FED\PAT\033**

The signatures affixed to this document verify that the above named school is the **CERTIFIED MEMBER** of the Federation of Private Schools and Associations of Punjab (Regd.) and is contributing in the field of education to the mission of "PRODUCING NATION BUILDERS."

Attested

*Pawanbakh*

Principal  
Mata Gujri Sr. Sec. School  
Guthmara, Patiala.  
Aff. No. 1630687

*Harpreet Singh*

**PRESIDENT**



[www.fedpunjabschools.org](http://www.fedpunjabschools.org)



[federationschools@gmail.com](mailto:federationschools@gmail.com)