

REGULATORY GUIDELINES FOR PRIVATE PLAY SCHOOLS

*Guidelines for regulating private play schools for the
children of the age of three to six year*

**Education Division
National Commission for Protection of Child Rights**

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Preface

Reaffirming the commitment towards the right of children to care, nutrition, health and education in early childhood, Ministry of Women and Child Development (MWCD) has introduced National Early Childhood Care and Education Policy in 2013. The Policy has highlighted educational needs of children between 3-6 years and importance of education component in early years. In India, the ECCE services are delivered through public, private and non-governmental organizations. Specifically, the early childhood education (ECE) is provided to millions of children in 3-6 years of age through government run Anganwadis under ICDS and Rajiv Gandhi National Scheme for Working Women; the private channel is largely remains unregulated and is operational under varied names such as play groups, play schools, pre-schools, nursery schools etc. To streamline and coordinate the activities of these different centres it is important to bring them under one umbrella of standardized norms and regulations.

The crucial role of quality pre-school education was recognised through 86th Constitutional Amendment, which introduced Article 45 that states, “*The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years*”. Consequently, the Right of Children to Free and Compulsory Education (RTE) Act, 2009 recommended that- “*With a view to prepare children above the age of three years for elementary education and to provide early childhood care and education for all children until they complete the age of six years, the appropriate Government shall make necessary arrangement for providing free pre-school education for such children.*” Presently, this provision is being implemented and fulfilled by MWCD through ECCE ensuring the right of children to pre-school education. Also, the Sustainable Development Goals (SGDs) included pre-school education under 4th goal to ‘ensure inclusive and quality education for all and promote lifelong learning’ and has targeted that *by 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education.*

Upholding the spirit of Constitution and Right to Education Act, 2009 and based on the National ECCE Policy 2013, NCPCR has developed *Regulatory Guidelines for Private Play Schools* to,

- bring inclusiveness and uniformity in all educational institutions providing pre-school education.
- to prevent violation of child rights and any kind of abuse against children in the age 3-6 years by regulating such educational institutions providing pre-school education.
- to achieve national as well as international commitment of pre-school education for children in the age 3-6 years and preparing them for primary education.
- to remove ambiguity in the early childhood education (ECE) system in India by regulating such institutions.

REGULATORY GUIDELINES FOR PRIVATE PLAY SCHOOLS

The guidelines for regulating private play schools for the children of the age of three to six year.

CHAPTER I INTRODUCTION

1. Title and Scope of the Guidelines

- a) These guidelines may be called “Regulatory Guidelines for Private Play Schools”.
- b) Nothing contained in these guidelines shall be applicable to institutions/organisations/establishments/centres/or any such entity providing any kind of early childhood services to children in the age group of 0-3 years.
- c) Nothing contained in these guidelines shall apply to a school defined in section 2(n) of RTE Act, 2009 which is imparting pre-school education; except these schools while imparting pre-school education shall follow 3.2 (ii) & (iii) of National ECCE Policy 2013.
- d) The State may notify these guidelines or adopt content of these guidelines as legislation to regulate private play schools in their respective States, save as otherwise given in the guidelines,

2. Definitions

- a) “Appropriate Government” in relation to a private Play School established within territory of a State, the State Government; and Union Territory having legislature, the Government of that Union Territory.
- b) “Area” means village/ward/hamlet/locality where the private play school is/has to be set up.
- c) “Capitation fees” means any kind of donation or contribution or payment other than the fee notified by the school.
- d) “Competent authority” means the District level nodal officer responsible for implementation of ICDS under department of WCD /Social Justice as applicable in respective states/UTs.
- e) “Child” means a child of the age of three to six years.
- f) “District” means jurisdiction of District level nodal officer responsible for implementation of ICDS under department of WCD /Social Justice as applicable in respective states/UT
- g) “Early Childhood Education (ECE)” means the education imparted for children in the age group of 3 to 6 years as a part of early childhood care and education as per 3.2 (iii) of National ECCE Policy, 2013 provided in play schools as defined under point 2(q) in Chapter I of the guidelines.
- h) “Employee” means any person appointed/engaged by the management of the play school who is involved in any activity of the play school.

- i) “Fee” means expenditure of any kind incurred by the parents/guardian of child for the purpose of ECE in play school.
- j) “Guardian” in relation to a child, means a person having the care and custody of that child and includes a natural guardian or guardian appointed or declared by a court or a statute.
- k) “National Commission for Protection of Child Rights (NCPCR)” means the NCPCR constituted under Section 3 of the Commissions for Protection of Child Rights Act, 2005 (4 of 2006)
- l) “Norms and Standards” means minimum mandatory requirements to establish and run a play school as in point 4 (b) of these guidelines
- m) “Organisation” means voluntary/Non-Government Organisations/Trust/Society or any other agency registered under the Societies Registration Act, 1860 (21 of 1860) or relevant laws of State; Public Trust registered under the Indian Trusts Act, 1882 (22 of 1882) or under the relevant laws of State; or a company registered under section 25 of the Companies Act, 1956 (1 of 1956).
- n) “Parent” means either the natural or step or adoptive father or mother of a child.
- o) “Policy” means National ECCE Policy 2013.
- p) “Play School” means any unaided private play school not receiving any kind of aid or grant to meet expenses from the appropriate government or the local authority imparting ECE to children in age group of 3-6 years.
- q) “Processing fee” means the amount as prescribed by respective appropriate Government for the purpose of processing the application for grant of permission.
- r) “State Commission for Protection of Child Rights (SCPCR)” means the State Commission constituted under Section 3 of the Commissions for Protection of Child Rights Act, 2005 (4 of 2006).
- s) “Screening Procedure” means method other than that of random selection for admission of a child.
- t) “State Council” means State ECCE Council set up in the State under National ECCE Policy 2013
- u) MWCD- Ministry of Women and Child Development
- v) NIPCCD- National Institute of Public Cooperation and Child Development functions under the aegis of the Ministry of Women and Child Development as an apex institution for training functionaries of the Integrated Child Development Services (ICDS) programme.

- w) NSDC- National Skill Development Council was formed with the approval of the Union Cabinet to create training capacity in the country. NSDC focuses primarily on supplementary skill development and strive to create seamless tracks within the education system.
- x) Manual on Safety and Security of Children in School- a comprehensive manual of different guidelines regarding safety and security of children in schools. as prescribed by NCPCR
- y) RTE Act, 2009- The Right of Children to Free and Compulsory Education Act, 2009
- z) ICDS- Integrated Child Development Scheme is one of the flagship programmes of the Government of India for early childhood care and development.
- aa) PTA- Parents-Teacher Association
- bb) “University” means a University established or incorporated by or under a Central Act, a Provincial Act or a State Act, and includes any such institution as may, in consultation with the University concerned, be recognised by the University Grants Commission in accordance with the regulations made in this behalf under the University Grants Commission Act, 1956.
- cc) “Board” means State/UT education boards established under the respective Education Acts of State Government/UT Administration,

CHAPTER II

RECOGNITION FOR ESTABLISHING OR REGULATING PRIVATE PLAY-SCHOOLS

(3) Establishment of private Play School

- a) No private play school in existence on that date shall, after the expiry of six months from the said date be run; and ,
- b) No private play school shall be established without the recognition of the competent authority and except in accordance with the terms and conditions specified in such recognition, as per these guidelines.

(4) Procedure of recognition and norms and standards for a school

- (a) The management of every private play school- in existence on the date of the enforcement of these guidelines as per point 3 (a) and of every private play school proposed to be established on or after that date shall make an application to the competent authority for recognition to run such institution or to establish such institution, as the case may be;
- (b) Every such application shall-
 - i. be in the prescribed form as annexed;
 - ii. be accompanied by such processing fee as prescribed by respective appropriate Government; and
 - iii. shall fulfil criterion for safe and secure environment for children as per the annexed checklist; and the visiting team constituted by the competent authority shall ensure

that all points in the checklist are fulfilled by the play school before granting recognition,

- iv. contain the particulars as per the following Norms and Standards,

NORMS AND STANDARDS FOR A SCHOOL

S. No.	Item	Norms and Standards
1.	Staff	Number of Teachers- One teacher for 20 children
		Number of caregivers- One caregiver for 20 children
		Adequate staff to maintain hygiene, sanitation, ensure safety, security of children in the play school
2.	Building	All-weather building consisting of- (a) arrangements for securing the school building by boundary wall or fencing (b) adequate circulation area and ventilation (c) a separate rest room for children; (d) barrier-free access; (e) separate child-friendly and disabled-friendly toilets for boys and girls; (f) soap, clean cloth/towel, garbage bin, wash basin/sink at low level (g) potable, safe and adequate drinking water facility to all children; (h) a pantry (desirable); (i) play area; (j) CCTV surveillance (ensure security of data) (k) Fire safety measures (l) Periodic pest control
3.	Minimum number of instructional hours per day	3-4 hours per day as per National ECCE Policy 2013 (Play school should only be used as non-residential facility functional as per the prescribed number of hours per day).
4.	Teaching Learning Aids	Shall be provided to each class in adequate number in accordance with the prescribed curriculum.
5.	Library	There shall be a library in each school having reading material appropriate for early years, educational audio-visual aids.
6.	Play material, games and sports equipment	As prescribed by an authority specified by MWCD, Government of India in adequate number.
7.	Health	Basic First Aid & Medicine Kit containing band-aids/ bandages, cotton wool and disinfectants for minor injuries. ORS packets, scissors, thermometer and antiseptic ointment should also be part of the medicine kit. Arrangement for quarterly health check-up of children by a registered medical practitioner
8.	Records	a) enrolment forms of children b) admission/ enrolment register for recording profile of children and their parents including detail of both parents c) attendance register of children d) attendance registers of all employees e) maintenance of quarterly health check-up records of children f) stock register g) fee record of all children

- v. Where a play school is established before implementation of these guidelines, it shall take steps to fulfil the norms and standards within 6 months
- vi. An affidavit that all the office bearers of the applicant organisation have never been convicted under POCSO Act, 2012; Juvenile Justice Act, 2015; and Child Labour (Prohibition and Regulation) Act, 1986 and Child Labour (Prohibition and Regulation) Amendment Act, 2016.

(5) Requirement with respect to Name

(a) Every private educational institution coming under the purview of these guidelines shall include in its name the word 'play school',

(b) Subject to the provisions of point 5(a) no private play school shall style itself under any name except in accordance with such rules as may be made in this behalf and without the approval of the competent authority.

(6) Grant of recognition:

(a) On receipt of an application under point 4 the competent authority may grant or refuse to grant the recognition after taking into consideration the particulars contained in such application, provided that the recognition shall not be refused unless the applicant has been given an opportunity of making his/her representations.

(b) Procedure of granting recognition-

- i. After receiving the application, the competent authority will scrutinise the applications.
- ii. After short listing the proposals, a minimum two-member visit team comprising officials not below block-level will be formed by the competent authority to visit the site of proposed play school/already established play school
- iii. The visit team will then submit its report in the prescribed format as annexed with these guidelines, to the competent authority. After the receipt of report, the competent authority, if satisfied that the proposal for recognition fulfils the objects laid down under point 4; may issue a Recognition Certificate indicating the number of seats allotted, within a period of one month of receiving the proposal, to establish the play school in accordance with the provisions of National ECCE Policy 2013 for a period of one year.
- iv. The play school has to apply for renewal of the Recognition Certificate to the competent authority every year.
- v. The competent authority after due diligence will renew the registration only if the play school fulfil all the basic requirements

(7) Procedure for Closure

(a) No play school shall be closed without due recognition from the competent authority to be sought by the management by duly applying to the competent authority.

(b) The competent authority before granting recognition for closure has to ensure that the children are transferred to any other such play school thereby ensuring the continuity of the session.

(8) Power to withdraw recognition

The competent authority may, at any time, withdraw the recognition granted under point 6,

- (a) If such recognition has been obtained by fraud, misrepresentation or suppression of material particulars or where after obtaining the recognition there is violation of any of the provisions of the guidelines or of any of terms or conditions or findings of inspection under point 22, or of the recognition or of any direction issued by the competent authority under these guidelines at any stage

- (b) If in any case NCPCR/SCPCR/National ECCE Council/State ECCE Council do not find a play school fit in their observation for the interest of child and recommend to competent authority or appropriate Government, after consideration of competent authority.
- (c) If the competent authority, after inquiry, finds any violation of POCSO Act, 2012 or J.J. Act, 2015 or any other child related law or violation of Manual for Safety and Security of Children in Schools issued by NCPCR
- (d) Before withdrawing recognition under points 8(a) and/or 8(b) and/or 8(c), the competent authority have to give the management of the play school an opportunity for making its representation.

(9) List of private play schools

The appropriate Government should prepare and publish each year in the Gazette, after approval from State Council, a list containing the names of all private play schools which have been granted recognition under point 6, time to time and a list of private play schools in relation to which such recognition has been cancelled during the same period.

(10) Admission in play school

- a) No child below the age of three years should be admitted to the Play School
- b) The fees charged by the play school must be regulated by the appropriate Government and only be collected on monthly or quarterly basis
- c) The play school while admitting a child, should not collect any capitation fee and subject the child or his or her parents or guardians to any screening procedure
- d) If any play school is found not adhering to point (b) and/or (c) will be subject to cancellation of recognition under point 8

CHAPTER III **RESPONSIBILITIES OF SCHOOL AND EDUCATORS**

(11) Parents Teacher Association (PTA)

- (a) Each play school must constitute a PTA within one month of admission every year.
- (b) PTA should constitute of 75% parents (at least 50% mothers) and 25% Teachers. The Chairperson of the PTA will be selected from among the parents.
- (c) The term of PTA will be one year. Every year new PTA will be constituted by giving representation to parents in rotation.
- (d) Meeting of PTA should be conducted every month and proceedings of meetings be recorded.
- (e) The main functions of PTA should be to ensure safe, secure and developmentally appropriate environment for children in the play school.
- (f) PTA should ensure effective implementation of FSSAI guidelines to ban junk food in the (play) school.
- (g) PTA should ensure regular health check-up of children at least once per quarter by a registered medical practitioner.
- (h) PTA should ensure that the play school must at all times be equipped with basic First Aid & Medicine Kit containing band-aids/ bandages, cotton wool and disinfectants for minor

injuries. ORS packets, scissors, thermometer and antiseptic ointment should also be part of the medicine kit.

(12) Children- Teacher and Children-Caregiver Ratio

The play school must ensure 1:20 Children- Teacher ratio and 1:20 Children-Caregiver Ratio i.e. there should be one teacher for 20 children and one caregiver for 20 children.

(13) Teacher

- (a) Any person possessing such minimum qualifications, as laid down by an academic authority, authorised by the Government of India by notification, will be eligible for appointment as a teacher.
- (b) The management of the play school should ensure that at the time of joining the employee as defined in point 2(h) has to furnish an affidavit that they have never been convicted under Juvenile Justice Act, 2015; and Child Labour (Prohibition and Regulation) Act, 1986 and Child Labour (Prohibition and Regulation) Amendment Act, 2016.
- (c) Where a State does not have adequate institutions offering courses or training in teacher education, or teachers possessing minimum qualifications as laid down under 13 (a) are not available in sufficient numbers, adequate training as prescribed by NIPCCD, NSDC or any other institution recognised by the Central Government/appropriate Government/Recognised University/Board should be imparted to the appointed staff as per 5.2.1 of National ECCE Policy 2013.
- (d) The salary/wages and allowances payable to, and the terms and conditions of service of, the teacher will be such as prescribed by appropriate Government and as per point 21(d).

(14) Caregiver

- (a) Any person possessing skill training /adequate training as prescribed by NIPCCD, NSDC or any other institution recognised by the Central Government/appropriate Government/Recognised University/Board.
- (b) The salary and allowances payable to, and the terms and conditions of service of, the caregiver will be such as prescribed by appropriate Government and as per point 21(d).

(15) Duties of Teachers & Caregiver

- (a) Maintain regularity and punctuality in attending the play school;
- (b) Conduct the play-based pre-school curriculum with a structured and planned school readiness component as per 3.2 (iii) of the National ECCE Policy 2013.
- (c) Assess the learning outcome of the children on regular interval as per point 17(b) (viii)
- (d) Hold regular meetings with parents/guardians and apprise them about the progress made in learning of the child and any other relevant information about the child.

(16) Prohibition of physical punishment and mental harassment

- a) No child should be subjected to physical punishment or mental harassment.
- b) Whoever violates this provision should be liable to disciplinary action as per Section 17(2) of RTE Act, 2009 and as decided by the competent authority.

CHAPTER IV
CURRICULUM AND COMPLETION OF PRE-SCHOOL EDUCATION

(17) Curriculum & Evaluation Procedure

- (a) The curriculum should be laid down by an authority specified by MWCD, Government of India as per 3.2 (iii) of the National ECCE Policy 2013.
- (b) The authority while laying down the curriculum under point (a) should take into consideration the following, namely
 - i. conformity with the values enshrined in the Constitution;
 - ii. all round development of the child;
 - iii. building up child's knowledge, potentiality and talent;
 - iv. development of physical and mental abilities to the fullest extent;
 - v. learning through activities, discovery and exploration in a child friendly and child-centered manner;
 - vi. medium of instruction should be child mother tongue/local vernacular as given in 5.2.1 of National ECCE Policy, 2013;
 - vii. making the child free of fear, trauma and anxiety and helping the child to express views freely;
 - viii. continuous evaluation of child's understanding of knowledge and his or her ability to apply the same.

(18) Completion of pre-school education

- (a) The play school should ensure that the pre-school education of a child should be completed on completion of six years of age i.e. a child completing six years of age should not remain in the play-school and should transit to primary school.
- (b) After completion of pre-school education, data should be maintained, by the management of play school, of the transition of a child to the primary education system.
- (c) No child should be held back in the play school after completion of 6 years of age on the pretext of transfer certificate or any other such certificate
- (d) No exam/test should be taken
- (e) If any play school is found not adhering to point (b) and/or (c) and/or (d) should be subject to cancellation of recognition under point 8

CHAPTER V
MONITORING & REDRESSAL OF GRIEVANCES

(19) Monitoring and Redressal of Grievances

- (a) As per Section 11 of RTE Act, 2009 the Act applies to play schools imparting pre-school education and hence, the functions assigned to NCPCR and SCPCR under section 31 of the RTE Act, 2009 should also apply in case of play schools as defined in point 2(5)

- (1) *The NCPCR constituted under section 3, or, as the case may be, the SCPCR constituted under section 17, of the CPCR Act, 2005 (4 of 2006) shall, in addition to the functions assigned to the that Act, also perform the following functions, namely:*
- (a) *Examine and review the safeguards for the rights provided by or under any Law related to children and recommend measures for their effective implementation;*
- (b) *Inquire into complaints relating to child's right to free and compulsory education; and*
- (c) *Take necessary steps as provided under section 15 and 24 of the said CPCR Act, 2005.*
- (2) *The said Commissions shall, while inquiring into any matters relating to child's right under clause c(1) , have the same powers as assigned to them under sections 14 and 24 of the said CPCR Act, 2005.*
- (3) *Where the SCPCR has not been constituted the appropriate Government may, for the purpose of performing the functions specified in clause 1 (a) to 1 (c), constitute such authority, in such manner and subject to such terms and conditions, as may be prescribed.*
- (b) As per Section 32 of RTE Act, 2009 the Act applies to play schools imparting pre-school education and hence, the functions assigned to NCPCR and SCPCR under section 32 of the RTE Act, 2009 should also apply in case of play schools as defined in point 2(5)
- (1) *Notwithstanding anything contained in section 31, any person having any grievance relating to the right of a child under this Act may make a written complaint a local authority having jurisdiction.*
- (2) *After receiving the complaint under sub-section (1), the local authority shall decide the matter within a period of three months after affording a reasonable opportunity of being heard to the parties concerned.*
- (3) *Any person aggrieved by the decision of the local authority* may prefer an appeal to the SCPCR or the authority prescribed under sub-section 3 of section 31, as case may be.*
- (4) *The appeal preferred under sub-section 3 shall be decided by SCPCR or the authority prescribed under sub-section 3 of section 31, as case may be, as provided under clause (c) of sub-section (1) of section 31.*

* In context of these guidelines the local authority should be read as competent authority as defined in point 2(d)

CHAPTER VI

ACCOUNTS, AUDIT AND INSPECTION

(20) Accounts and Audit

- (a) Separate annual accounts of play school be maintained by the organisation/institution/Head of play school.
- (b) The annual accounts should be audited at least once in every year by the auditors appointed by the management for this purpose.
- (c) The management has to furnish the audit report at the time of application for renewal of recognition to the competent authority.
- (d) The salaries to all staff be credited directly into their respective bank accounts

(21) Inspection

- (a) Any private play school may be inspected by the competent authority/official authorised by competent authority/ National or State ECCE Council/ National or State Commission for Protection of Child Rights, whenever it considers necessary and may communicate the observations to the appropriate Government or competent authority
- (b) The competent authority may direct the management to rectify the defects, if any, found during the course of the inspection, within a stipulated time.

CHAPTER-VII
MISCELLANEOUS

(22) Directions of the appropriate government:

- (a) Without prejudice to the provisions of point 22, the appropriate government may, from time to time, issue such directions regarding the management of a private play school as it may think fit and it would be the duty of the competent authority to implement out such directions within such time as may be prescribed by the competent authority in this behalf.
- (b) Any work/duty discharged by any official duly authorised under the provisions contained in these guidelines must be treated as 'administrative work' of the appropriate Government.

(23) Appeal

- (a) Any management aggrieved by any decision of the competent authority under any of the provisions of(these guidelines may, within two months from the date of the receipt of the decision by them, prefer an appeal against such decision to appellate authority, as authorised by appropriate Government.
- (b) Provided that the appellate authority may, in its discretion, allow further time not exceeding one month for preferring any such appeal, if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.
- (c) On receipt of an appeal under point 1 the appellate authority, after giving the appellant an opportunity of making his representations, dispose of the appeal as expeditiously as possible.