

പതിനാലാം കേരള നിയമസഭ

പതിനാറാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നമിടാത്ത ചോദ്യം നം. 4802

14/11/2019-ൽ മറുപടിക്ക്

സി.പി.നായർ കമ്മിറ്റി റിപ്പോർട്ട്

ചോദ്യം

ശ്രീ.സണ്ണി ജോസഫ്:

ഉത്തരം

പ്രൊഫ. സി. രവീന്ദ്രനാഥ്  
(പൊതുവിദ്യാഭ്യാസ വകുപ്പുമന്ത്രി)

(എ) കേരള വിദ്യാഭ്യാസ ചട്ടം (എ) ഉണ്ട്. പ്രധാന ശിപാർശകൾ അനുബന്ധ പരിഷ്കരിക്കുന്നതിന് വേണ്ടി മായി ചേർക്കുന്നു. നിയോഗിക്കപ്പെട്ട സി.പി.നായർ കമ്മിറ്റി അതിന്റെ റിപ്പോർട്ട് സമർപ്പിച്ചിട്ടുണ്ടോ; പ്രസ്തുത റിപ്പോർട്ടിലെ പ്രധാന ശിപാർശകൾ എന്തൊക്കെയാണെന്ന് അറിയിക്കുമോ;

(ബി) പ്രസ്തുത കമ്മിറ്റി എയ്ഡഡ് സ്കൂളിലെ (ബി) ഇല്ല. എന്നാൽ നിയമനം സ്റ്റാറ്റൂട്ടറി നിയമനങ്ങൾ പബ്ലിക് സർവ്വീസ് ഏജൻസി മുഖാന്തിരമാകണമെന്ന് കമ്മീഷൻ വീടണമെന്ന് ശിപാർശ നൽകിയിട്ടുണ്ടോയെന്ന് ശിപാർശ ചെയ്യുന്നുണ്ട്. വെളിപ്പെടുത്താമോ;

(സി) പ്രസ്തുത ശിപാർശ നടപ്പിലാക്കുന്നതിന് ഇതിനകം സ്വീകരിച്ച നടപടികൾ എന്തൊക്കെയാണെന്ന് അറിയിക്കുമോ;

(ഡി) ഇതു സംബന്ധിച്ച സർക്കാർ നിലപാട് വ്യക്തമാക്കുമോ?

(സി)യും (ഡി)യും

കേരള വിദ്യാഭ്യാസ ചട്ടം പരിഷ്കരിക്കുന്നതിനു വേണ്ടി നിയോഗിക്കപ്പെട്ട സി.പി. നായർ ചെയർമാനായ കമ്മിറ്റി സമർപ്പിച്ച റിപ്പോർട്ട് നടപ്പിൽ വരുത്തുന്നതിനുള്ള നടപടികൾ സ്വീകരിച്ചുവരവേ, കേന്ദ്ര വിദ്യാഭ്യാസ അവകാശ നിയമം 2009 നിലവിൽ വരുകയും തുടർന്ന് കേന്ദ്ര വിദ്യാഭ്യാസ അവകാശ നിയമത്തിനനുസൃതമായ ചട്ടങ്ങൾ രൂപവത്കരിക്കേണ്ട സാഹചര്യം സംജാതമാകുകയും ചെയ്തു. അതിനുവേണ്ടി ലിഡാ ജേക്കബ് കമ്മീഷനെ സംസ്ഥാന സർക്കാർ നിയോഗിക്കുകയും ചെയ്തു. കേന്ദ്ര വിദ്യാഭ്യാസ അവകാശ നിയമത്തിനോടൊപ്പം സി.പി.നായർ കമ്മിറ്റി റിപ്പോർട്ടും കൂടി പരിഗണിച്ചാണ് ലിഡാ ജേക്കബ് കമ്മീഷൻ റിപ്പോർട്ട് സമർപ്പിച്ചത്. പ്രസ്തുത

റിപ്പോർട്ട് പരിശോധിക്കുകയും അതിന്റെ അടിസ്ഥാനത്തിലാണ് സംസ്ഥാനതലത്തിലുള്ള സൗജന്യവും നിർബന്ധിതവുമായ വിദ്യാഭ്യാസ അവകാശ ചട്ടം 2011 (സ.ഉ (പി) നം.100/11/പൊ.വി.വ തീയതി 30-4-11 പ്രകാരം) ഉത്തരവാകുകയും ചെയ്തിട്ടുള്ളത്.



സെക്ഷൻ ഓഫീസർ

## EXECUTIVE SUMMARY

### 1. Creation of the post of Commissioner of General Education:

At present the Secretary General Education is coordinating the functions of Directorate of Public Instruction, State Council of Educational Research and Training (SCERT), Higher Secondary Directorate, Vocational Higher Secondary Directorate, State Institute of Educational Management and Training (SIEMAT) State Institute of Educational Technology (SIET) and Sarva Shiksha Abiyan (SSA) etc.. Because of administrative burden there is hardly any effective co-ordination and systematic monitoring at present. Hence an officer higher in rank to the Secretary is required for the

following functions-

- (i) Policy Formulation
- (ii) Co-ordination among different Directorates.
- (iii) Evolving implementation strategies.
- (iv) Monitoring
- (v) Periodical review and planning for improvement.

### 2. Department:

- (a) "Department" Means the Department of General Education, comprising pre-primary education, primary education, Secondary Education and Higher Secondary Education including vocational stream.
- (b) Education from the level of Pre-Primary to Higher Secondary should form a single stream and come under one Head of Department designated as Director of School Education for continuous and comprehensive development.

### 3. Constitution of Education Councils:

- (a) District Education Council means District Education Council constituted under section 25, Municipal Education Council/Corporation Education Council as constituted under section 28 and Village Panchayat Education Council means Village Panchayat Education Council as constituted under section 27.
- (b) The councils are meant for ensuring effective participation and intervention at the grass roots level for the universalisation of quality education.

#### **4. Lateral linkages of schools with Local Self Government Institutions**

- (a) There shall be lateral linkages of schools with the local self-government institution concerned.
- (b) 66% of the Schools are in the private sector. The benefit of 60% of the Government expenditure goes to aided schools-Local self government institutions are established under Constitutional provisions. Hence their interventions in all types of the schools is necessary for ensuring social accountability of schools, and for ascertaining cost effectiveness and universalisation of quality education.

#### **5. Closing down of a School**

At present for closing down a school the only requirement is one year's prior notice. Hence the permission of an authorized officer is required for safe guarding the public interest.

#### **6. Appointment of teaching and non-teaching staff in aided schools:**

Whenever a person is appointed in an aided school by a Manager, it becomes a life long financial liability to Government in terms of salary, gratuity pension etc. At present the benefit of 60% of the Government expenditure goes to aided schools. However the Government has no role in ensuring the selection of candidates based on social justice and Constitutional provisions. In fact on the basis of the huge amount expended so far all the properties of the aided school ought to have become the assets of Government. Hence the Statutory Agency shall be empowered for the selection of candidates for appointment.

#### **7. Non-payment of salary on retrenchment:**

At present there are a number of excess teachers in aided schools getting salary without any work under the pretext of "parent school protection" Even Government school teachers do not have this privilege. Hence the principle of "no work no pay" should be enforced till they are actually deployed in clear vacancies.

#### **8. School Development Committee:**

The Local Self-government institutions concerned may constitute a School Development Committee (SDC) at the School level as prescribed in the rules, for effective implementation and monitoring of educational programmes with the intervention of Local Self Government Institution.

#### **9. State Curriculum Committee:**

- (a) There shall be a State Curriculum Committee under the chairmanship of the Minister of Education. The Commissioner of General Education shall be the Vice

Chairman and the Director of SCERT shall be the Convener. The members of the Committee shall be as appointed by the Government from time to time.


(b) The provision in the Act is for ensuring statutory validity.

- 10 Opening and up gradation of any type of school in the State shall be with the recommendation of local self-government institution concerned, with appropriate school mapping, particularly ascertaining the educational need of the locality.
- 11 The provision of private study has been deleted because private students cannot cope-up with the revised pedagogy and continuous and comprehensive evaluation. They can join either open school system or the scheme under State Literacy Mission.
- 12 The mentioning of religion and community in the application for admission has been made optional.
- 13 Maximum and minimum strength of a class division have been reduced as follows:-

<u>Section</u>	<u>Minimum</u>	<u>Maximum</u>
(i) Primary	15	25
(ii) Secondary	18	30
(iii) Higher Secondary	23	40

- 14 Teachers *Training and the curricular activities* are to be done without adversely affecting the *instructional days of the* pupils since the *statutory right of the children* and *the* learning experience as envisaged in the curriculum cannot be denied at any cost.
- 15 The rate of tuition fees in Unaided Schools has been enhanced to facilitate the payment of salaries to the teachers at Government rate on the principle of "equal pay for equal work".
- 16 Only persons appointed in regular vacancies in aided schools shall have future claim on retrenchment. No salary will be paid till they are deployed in clear established vacancies, with a view to curtailing the misuse of rule 58 Chapter XIV.
- 17 Educational Officers shall complete the action on approval of appointment or any other matter of dispute within 2 months of receipt of the proposal, to ensure time bound action for avoiding delays in disposals.
- 18 Appeals if any preferred within a month of the receipt of orders concerned shall be disposed of by the Educational Officers concerned within 2 months of receipt.
- 19 The revision petitions submitted within a month of the receipt of orders concerned shall be disposed of by the authority concerned within 2 months.
- 20 There shall be only one appeal and one revision on any matter of dispute such as approval of appointment, staff fixation and disciplinary actions etc, in order to ensure final resolution of any issue by avoiding endless litigation.

- 21) The teachers of Unaided School shall be paid salary at Government rates and payment should be through account payee cheque issued to the account of the teachers opened in any of the nationalized bank in the state to avoid financial mismanagement.
- 22) The functions of State Advisory Board of Education (SABE) are made more specific.
- 23) There shall be no schools on shift system or sessional system.
- 24) The post of Headmaster in Lower Primary and Upper Primary schools should not be reduced from the total numbers of class divisions admissible in the school, for facilitating effective monitoring and supervision of curricular activities in the school.
- 25) The duration of a period is one hour; the minimum number of period required for a part time post is 3.
- 26) On completion of 5 years' continuous service a teacher shall be eligible for full time benefit provided there are 6 periods of work per week.
- 27) The minimum number of period required for a full time post is 11 and the maximum is 19.
- 28) There shall be subject wise teachers as per curriculum requirement and number of periods separately in primary, Secondary and Higher Secondary sections.
- 29) The pattern of Non-teaching staff is rationalized in LP, UP Secondary and Higher Secondary sections.
- 30) The minimum qualification in any category of post is 55 % marks or corresponding grade in the general and professional qualifications prescribed for ensuring quality education. The Government shall conduct State Eligibility Test for the post of Primary Teacher, Secondary Teacher and Higher Secondary School Teacher.
- 31) There shall be Panchayat/Municipality/Corporation Education Officer with the prescribed qualifications of the Principal of Higher Secondary School for effective monitoring and coordinating of academic activities to be implemented in the Local Self Government Institutions concerned, from pre primary to Higher Secondary classes.
- 32) Rules have been framed for giving statutory support to the schools for differently abled children.
- 33) There is provision for conducting election to the Education Councils constituted at different levels of Local self government institutions, to ensure the representative character of members.
- 34) Rules have been framed to ensure transparency as well as merit and social justice in the recruitment of teaching and non-teaching staff in aided schools.

  
 Section Officer