



સત્યમેવ જયતે

# The Gujarat Government Gazette

## EXTRAORDINARY

### PUBLISHED BY AUTHORITY

---

VOL. LX ] FRIDAY, DECEMBER 20, 2019 / AGRAHAYANA 29, 1941

---

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

---

#### PART IV-B

**Rules and Orders (Other than those published in Parts I, I-A, and I-L) made  
by the Government of Gujarat under the Gujarat Acts**

#### EDUCATION DEPARTMENT

#### Notification

Sachivalaya, Gandhinagar, 20<sup>th</sup> December, 2019

#### GUJARAT PRIMARY EDUCATION ACT, 1947.

**No. GH/SH/113/PRE/112018/Single File-24/K:-** WHEREAS the Government of Gujarat is satisfied that circumstances exist which render it necessary to take immediate action to make the rules and to dispense with the previous publication thereof under the proviso to sub-section (3) of section 63 of the Gujarat Primary Education Act, 1947, (Bom. LXI of 1947) ;

NOW, THEREFORE, in exercise of the powers conferred by sub-sections (1) and (2) of section 63 of the Gujarat Primary Education Act, 1947 (Bom. LXI of 1947), the Government of Gujarat hereby makes the following rules further to amend the Bombay Primary Education Rules, 1949, namely:-

1. (1) These rules may be called the Bombay Primary Education (Gujarat 3<sup>rd</sup> Amendment) Rules, 2019.
- (2) They shall come into force on the date of their publication in the *Official Gazette*.
2. In the Bombay Primary Education Rules, 1949, in rule 106, in para (A) relating to "Application for recognition", in sub-rule (7), for clause (iv), the following clause shall be substituted, namely:-

"(iv)(a) any management which is a society registered under the Societies Registration Act, 1860 (21 of 1860), or a public trust established under any law for the time being in force or a Company registered under the Companies Act, 2013 (18 of 2013), proposes to start new primary school within urban area (including Municipalities, Municipal Corporation, Urban Development Authority, Area Development Authority, Notified Area etc.) shall own or possess in their name or on lease for not less than 15 years, at least 800 sq.meters of open space for the purpose of playground excluding the area required for construction of school premises; whereas in case of rural areas (Gram Panchayat area), it must own or possess in their name or on lease for not less than 15

years at least 1500 sq. meters of open space for the purpose of playground excluding the area required for construction of school premises. The land for playground and school building must be of ownership of school management or on lease for not less than 15 years and the same shall exist in the same complex adjoining the school building. The area so earmarked for playground shall not include area to be reserved for roads or parking under the provisions of the Gujarat Comprehensive Development Control Regulations-2017.

(b) the lease agreement shall be required to registered. The mutation entry to that effect should be made in the Village Record Form No. 6, 7, 8A or as the case may be in the City Survey record of the property so that the name of the said leasee appears in the revenue record and the note also states that any change in the lease of the leased property should be allowed only after compliance with the terms of the lease agreement.

(c) the school management shall submit to the Authorized Officer the said copy of the Lease Agreement, copy of the mutation entry of the revenue record along with the supporting affidavit containing the conditions that the playground mentioned in the Lease Agreement shall not be used for any other purpose except educational or School activities and in any deviation from that conditions of Lease Agreement stands automatically terminate the recognition of such school.

(d) the school having minimum required area of playground as stipulated above shall not give admission to more than 500 students. However, to give admission in excess of 500 students, additional area of land for playground at the rate of 5 (five) sq. meters per additional student shall be made available. No construction shall be erected on the land earmarked for playground and same shall remain vacant forever. No school without playground shall be given recognition.

(e) the school management shall make available parking area, in respect of parking space required for educational institutions, as per provisions of the Gujarat Comprehensive Development Control Regulations, 2017. Even for rural areas, the school management shall make necessary parking arrangement as provided under these rules:

Provided that authority so empowered to grant recognition for private primary school, in special circumstances of a case, for the reasons to be recorded in writing grant relaxations in fulfillment of requirements of provisions under this clause”.

By order and in the name of the Governor of Gujarat,

**SUBODH JOSHI,**

Under Secretary to Government.

-----