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Army Welfare Education Society (AWES)
FDRG Building No 202, Shankar Vihar
(Near APS Shankar Vihar)
Delhi Cantt-110010

B/45785/Affiliation/AWES

28 Mar 2023

List 'A'

STATUS OF ARMY PUBLIC SCHOOLS

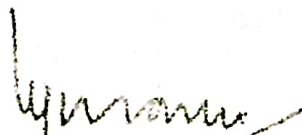
1. Refer to the following: -
 - (a) CBSE Circular No CBSE/Aff./Circular/03/2021 dated 05 Mar 2021(Copy attd).
 - (b) This office letter No B/45706/Teachers/Gen Corres/AWES dt 06 Sep 2022(Not to all).
 - (c) HQ Delhi Area letter 7845/26/P/AWES dt 03 Oct 2022(addsd to Delhi Area).
 - (d) GOI, MOD, Dept of Mil Affairs letter No 7(09)/2018-D(AG) dt 23 Dec 2022(Copy attd).
2. As per Clause 1.3.24 of the CBSE Bye-Laws 2018, "Recognition" means formal recognition of school in accordance with the provisions contained in the Right to Education Act, 2009 (RTE Act, 2009) and/or the Education Act of the concerned State/UT Government/ Administration.
3. The relevant provision of RTE Act ,2009 in Clause 18, states that, "no school to be established without obtaining certificate of recognition – (1) No school, other than a school established, owned or controlled by the appropriate Government or the local authority, shall, after the commencement of this Act, be established or function, without obtaining a certificate of recognition from such authority, by making an application in such form and manner, as may be prescribed".
4. The definition of appropriate Government is provided in Clause 2 of the captioned Act. In sub-section at Clause 2(a)(i). Quote, "appropriate Government means in relation to a school established, owned, or controlled by the Central Government, or the administrator of the Union territory, having no legislature, the Central Government." Unquote. When read in conjunction with Ministry of Defence, Department of Military Affairs, letter No. 7(09)/2018-D(AG) dated 23 December 2022, sub-para 2(c), which states that, the ownership of land allotted for Armed Forces Children Schools including the school buildings etc. continues with the Government, which in effect means that the schools buildings are under the Central Government since the ownership of the land on which they are located (Defence Land) is of the Ministry of Defence, and the funds from which the buildings are constructed are provisioned by the QMG's Branch, IHQ of MoD (Army) from the budgetary sp allotted by respective service HQ by GOI. The operations of the schools are managed by Local Military Authorities as per GOI provisions. Therefore, the State Government have no role whatsoever in the aforesaid matter.

5. Attention is also drawn to CBSE Notification referred to above wherein, Army Public Schools under AWES have been included under clause 2.1.3 of CBSE Bye-Laws 2018. Since the schools have been clubbed in the captioned section of the CBSE Bye-laws, these schools are granted **one-time regular affiliation** vide Clause 2.2.6, which states that "one-time regular affiliation will be granted to the category of schools under Clauses 2.1.1, 2.1.2, 2.1.3, and 2.1.4". Since all APS are under Clause 2.1.3, Army Public Schools which are already recognized can in effect be considered to have been granted **one-time regular affiliation**.

6. Additionally, as per Clause 2.3.5 of the said Bye-Laws, schools mentioned in Clauses 2.1.5, 2.1.6, 2.1.7, and 2.1.8 seeking affiliation with CBSE are required to submit a formal "No Objection Certificate" to the effect that the State Government has no objection to the affiliation of the school with CBSE. Since APS are clubbed under Clause 2.1.3, the said provision does not apply to these schools.

7. Apropos above the communications of respective state Govt auth directing APSs for scrutiny of items /objectives are not within their perview. The same be communicated to such State Govt auth about status of APSs so as to remain out of their control/directives.

8. For information and necessary action please.


Col SA Warty (Retd)
Director-School
for MD AWES

Enclosures: as above