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Army Welfare Education Society (AWES)  
FDRC 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.

Enclosures: as above

  
Col SA Warty (Retd)  
Director School  
for MD AWES





# केन्द्रीय माध्यमिक शिक्षा बोर्ड

(मानव संसाधन विकास मंत्रालय, भारत सरकार के अधीन एक स्वायत्त संगठन)

## CENTRAL BOARD OF SECONDARY EDUCATION

(An Autonomous Organisation under the Ministry of Human Resource Development, Govt. of India)



No. CBSE/Aff./Circular/03/2021/

Dated: 05.03.2021

Circular No. 03

### NOTIFICATION

Consequent upon the recommendations of the Affiliation Committee in its meeting held on 14.12.2020 vide Agenda Item No. 04 and its approval by the Governing Body of the Board in its meeting held on 23.12.2020 and subsequent approval of the Competent Authority, the following amendments have been made in various clauses of Affiliation Bye laws – 2018 and will come in to force from the date of issue of this notification.

SL. No	Chapter No./ Clause No.	Existing Rule	Amendments
1.	Chapter 1 addition	Definitions	<u>Lease deed- Lease deed also Includes sub lease deed with relevant parties as signatories to the sub lease deed.</u>
2.	Clause 2.1.3	Schools run by Autonomous Organizations under the Government created for running the schools like Kendriya Vidyalaya Sangathan (KVS), Navodaya Vidyalaya Samiti (NVS), Central Tibetan Schools Organisation (CTSO), Sainik Schools Society, etc;	Schools run by Autonomous Organizations under the Government created for running the schools like Kendriya Vidyalaya Sangathan (KVS), Navodaya Vidyalaya Samiti (NVS), Central Tibetan Schools Organisation (CTSO), Sainik Schools Society, <u>Societies formed for running schools by the welfare bodies or wives association etc. of Armed Forces of the Union or Central Armed Police Forces etc;</u>



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"SHIKSHA KENDRA" 2, COMMUNITY CENTRE, PREET VIHAR, DELHI-110092



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7(09)/2018-D(AG)  
Government of India  
Ministry of Defence  
Department of Military Affairs

Sena Bhavan, New Delhi  
Dated the 23<sup>rd</sup> December 2022

To  
The Chief of the Army Staff  
The Chief of the Naval Staff  
The Chief of the Air Staff

Subject: Listing, Sanctioning of construction, Repairs, Maintenance, Addition, Alterations, Expansion of Armed Forces Children Schools reg.

Sir,

I am directed to refer to this office letter of even No. dated 23 August 2019.

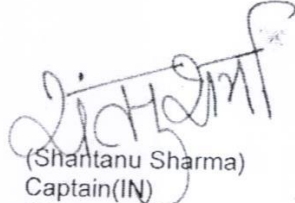
2. In supersession of above mentioned letter, the matter has been examined in respect of Construction (including addition/alteration), repairs and maintenance for Children schools constructed as provisioned in Scales of Accommodation for Defence Services (SoA) in accordance with Defence Works Procedure (as revised from time to time) from within the annual budgetary support allocated to the respective Service HQs. Approval of the following is hereby accorded:-

- (a) **Construction/Listing.** Listing/sanctioning of construction of Children Schools in accordance with Scales of Accommodation for Defence Services (SoA) 2022 and Defence Works Procedure (as revised from time to time).
- (b) **Repairs/Maintenance/Addition/Alterations/Expansion.** Repair/ maintenance/ additions/ alterations/ expansions works of the Children Schools which are already constructed through the AMWP route as per provisions of Scales of Accommodation for Defence Services (SoA) (as revised from time to time) and repair/maintenance of Children Schools running in re-appropriated MES buildings.
- (c) The ownership of land allotted for Armed Forces Children Schools including the school buildings etc. **continues to remain with the Government.**
- (d) In accordance with, SoA 2022, provision to open schools is vested with DMA, MoD.
  - (i) Administrative Approval for opening new Schools (Acceptance of Necessity) in accordance with Para 3.10 of SoA (as revised from time to

time) shall be accorded by the Joint Secretary of respective Service in DMA.

(ii) Financial Approvals for construction shall be accorded by the Competent Authority at DMA, MoD.

3. This letter issues with the approval of MoD(Finance) ID No. 21(5)/2015/Fin/Works-1 dated 06 Dec 2022.

  
(Shantanu Sharma)  
Captain(IN)  
Director  
Tel.No.011-23014036

Encl: As above.

Copy to

VCOAS

VCNS

VCAS

AG

COP

AOP

JS (Navy & DS), DMA

JS (Air), DMA

JS (Works & Parl)

Secretary (Defence Finance)/Financial Adviser (Defence Services)  
CGDA, New Delhi  
Defence Finance (Works-1)

PCDA(HQ), New Delhi.  
PCDA(Navy), Mumbai.  
PCDA(AF), Dehradun

PCDA(Northern Command), Jammu.  
PCDA(Eastern Command), Kolkata.  
PCDA(Central Command), Lucknow.  
PCDA(Western Command), Chandigarh  
PCDA(Southern Command), Pune.  
CDA(AF), West Block V, RK Puram, New Delhi.