



# જિલ્લા શિક્ષણાધિકારી કચેરી

જિલ્લા સેવા સદન-૨, એનેક્ષી બિલ્ડીંગ, એસ. ૪, પ, ૬, ભાવનગર  
ફોન નં. (૦૨૭૮) ૨૪૨૬૬૨૯, મો. ૯૯૦૯૯૭૦૨૧૨

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ક્રમાંક: યોજના/શાળા સલામતી/૨૦૧૯/૧૦

તા.૦૯/૦૧/૨૦૧૯


પ્રતિ,  
આચાર્યશ્રી  
સરકારી/ગ્રાન્ટેડ/નોન-ગ્રાન્ટેડ  
માધ્યમિક/ઉચ્ચતર માધ્યમિક-તમામ  
ભાવનગર

વિષય : Fixing Accountability of school management towards safety and security of children in schools- Guidelines

સંદર્ભ : કમિશનર શાળાઓની કચેરીના પત્રાંક માધ્ય/પરચ/૨૦૧૯-૬૪૬-૭૯, તા.૦૮-૧-૨૦૧૯

ઉપરોક્ત વિષય સંદર્ભદર્શિત પત્રની નકલ આ સાથે સામેલ રાખી મોકલી અપાતાં જણાવવાનું કે ઉક્ત પત્રમાં જણાવ્યા મુજબ નિયમોનુસારની કાર્યવાહી કરવા તથા કરેલ કાર્યવાહીનો વિગતવાર અત્રેની કચેરીની દર માસના અંતે bhavdeo@gmail.com પર મોકલી આપવા જણાવવામાં આવે છે.

બિડાણ- સંદર્ભદર્શિત પત્રની નકલ

  
જિલ્લા શિક્ષણાધિકારી  
ભાવનગર

નકલ રવાના અમલવારી સારુ:

શિ.ની.શ્રી/મ.શિ.ની.શ્રી

સદર કચેરી


ક્રમાંક/માધ્ય/પરચ/૨૦૧૯ 666-79  
કમિશનર શાળાઓની કચેરી,  
૯/૧, ડૉ. જીવરાજ મહેતા ભવન,  
ગુ.રા., ગાંધીનગર  
તા. /૦૧/૨૦૧૯

પ્રતિ,  
જિલ્લાશિક્ષણાધિકારીશ્રી,  
તમામ

વિષય : Fixing Accountability of school management towards safety and security of children  
in schools- Guidelines

સંદર્ભ : Letter of Human resource development , Department of school education & literacy  
, D.O.No.1-3/2018-IS-3/IS-16, Dated: 04/01/2019

ઉપરોક્ત વિષય પરત્વેના સંદર્ભ દર્શાવેલ પત્રની નકલ આ સાથે સામેલ રાખી મોકલી આપતાં  
જણાવવાનું કે , ઉક્ત પત્રમાં જણાવ્યા મુજબ નિયમોનુસારની કાર્યવાહી કરવા તથા કરેલ કાર્યવાહીનો વિગતવાર  
અત્રેની કચેરીની દર માસના અંતે [ssmadhyamik3@gmail.com](mailto:ssmadhyamik3@gmail.com) પર મોકલી આપવા જણાવવામાં આવે છે.

  
સંયુક્ત શિક્ષણ નિયામક  
માધ્યમિક  
ગુ.રા.ગાંધીનગર

બીડાણ : ઉપર મુજબ



MANEESH GARG  
JOINT SECRETARY (SE-1)  
Tel. No. 23386232

सूचना का अधिकार

क्र.सं. :- 20  
तारीख :- 01/11/19  
प्री. अ. कार्यालय

भारत सरकार  
मानव संसाधन विकास मंत्रालय  
स्कूल शिक्षा और साक्षरता विभाग  
शास्त्री भवन  
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GOVERNMENT OF INDIA  
MINISTRY OF HUMAN RESOURCE DEVELOPMENT  
DEPARTMENT OF SCHOOL EDUCATION & LITERACY  
SHASTRI BHAVAN  
NEW DELHI-110 115

D.O No. 1-3/2018-IS-3/IS-16

Dated 04.01.2019

Respected Ma'am (Sir),

In pursuance of the order dated 17<sup>th</sup> April 2018 of the Hon'ble Supreme Court in the Writ Petition (Crl.) No. 136 of 2017, and Writ Petition (civil) No. 874 of 2017, this Department is in the process of framing guidelines for fixing Accountability of the school managements in the matter of safety of children studying in schools including private schools. A copy of the draft guidelines is enclosed.

It is proposed to hold wider consultations with the State/UT Governments and the Central Ministries running schools like Sainik Schools, Railway Schools and Eklavya schools etc. before the guidelines are finalized and for this purpose information on the powers and provisions of the Central Ministries/States/UTs relating to Government/Government Aided and Private schools is proposed to be analyzed.

You are requested to kindly arrange to furnish the information on the powers of your Ministry/State/UT regarding Government/Government Aided and private schools under your jurisdiction and the provisions made in this regard. The provisions relating to school management, Principal/Head master, teachers and other staff may kindly be intimated to this Ministry. Further, specific rules/regulations made relating to accountability of school management with regard to safety of school children may also be provided to this Ministry.

I shall be grateful, if the requisite information may kindly be provided to this Ministry by 09.01.2019 as this is a time bound Supreme Court matter.

With Regards,

Yours sincerely,

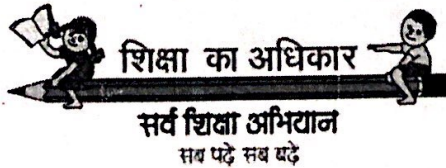
*Maneesh Garg*  
(Maneesh Garg)

Encl: As above

The Education Secretaries of all States/UTs

22/1  
23/1

23/1/19



*Maneesh Garg*

प्री. अ. कार्यालय (नई दिल्ली)

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## **Fixing Accountability<sup>1</sup> of School Management towards Safety and Security of Children in Schools- Guidelines**

Rights of Children have been acknowledged in the Constitution of India under Fundamental Rights as well as Directive Principles of State Policy. Specifically, Article 39 (f) states that “children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.” Also, Article 39 (e) of the Constitution states that, the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength.

Also, the Constitution of India includes all the rights of children that were later listed under the UNCRC, 1990. These rights have been broadly categorised into four categories- Survival, Development, Protection and Participation and Education is an important part of children’s right to development. This makes the safety and security of children a collective responsibility of society including parents. Hence, parents should have participation in monitoring of safety mechanism in schools. Also, when children attend school, where they spend majority of their time, the responsibility to ensure their safety and security lays with the school as well as parents. When a child is in school, the school has the actual charge or control over a child, and if the school wilfully neglects the child in a manner likely to cause the child unnecessary mental or physical suffering, it may be treated as violation of Juvenile Justice Act, 2015. Hence, school i.e. School Management has the responsibility of ensuring safety of children in schools and parents play an important role to monitor whether the school is fulfilling its responsibility.

National Commission for Protection of Child Rights (NCPCR) has developed a *Comprehensive Manual on Safety and Security of Children in all Schools including private schools*. The Manual is a compilation of various existing guidelines, circulars, notifications, Government Orders on safety and security related issues in schools issued from time to time.

### **Background**

In the Writ Petition (Criminal) No. 136 of 2017 and Writ Petition (Civil) No. 874 of 2017 before the Hon’ble Supreme Court Petitioners sought guidance to frame guidelines for fixing accountability of the school managements in the matter of safety of children studying in schools. The order of Hon’ble Supreme Court in the said petitions, states that being a matter of policy and

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<sup>1</sup> Accountability means being able to act when something is going wrong, through policy, legislation and advocacy, including through ombudspersons to protect citizens’ rights (Accountability in Education: Meeting Our Commitments, Global Education Monitoring Report Summary, 2017/18, UNESCO).

governance, call ought to be taken thereon by the Secretary, Ministry of Human Resource Development, Government of India, and may obtain and consider inputs from all relevant sources and take such decision as may be considered appropriate.

Thereafter, a meeting was organized by MHRD to discuss the modalities for preparation of guidelines for “fixing the accountability of the School Management in the matter of Safety of the Children studying in all Schools including Private Schools”. It was decided in the meeting that draft model guidelines will be prepared by NCPCR in consultation with MHRD. The guidelines were circulated to all States/UTs, M/o Women and Child Development, M/o Home Affairs, CBSE, ICSE, NDMA, KVS, NVS, NCPCR & Independent School Federation of India for comments. The guidelines were also uploaded on the website of MHRD for comments. The suggestions received were considered and the final guidelines have been prepared.

## **Chapter 1**

### **I. Responsibilities of School Management towards ensuring Safety and Security of Children in Schools**

1. The School/School Management should ensure compliance with the roles and responsibilities assigned to it under NCPCR’s Manual on Safety and Security of Children in Schools and any other guidelines, as applicable.
2. The School Management of the schools with residential facility should ensure the implementation of NCPCR’s Regulatory Guidelines for Hostels of Educational Institutions for Children.
3. School/School Management should conduct planning meeting at the beginning of every academic year and periodic review meetings should be conducted, atleast once a month, with the Principal, teachers, PTA representatives and students representatives on school safety.
4. The School/School Management/Authorities <sup>2</sup> should organise periodic in-service training/orientation/sensitisation of the teachers on the roles and responsibilities defined in NCPCR’s Manual on Safety and Security of Children in Schools. The school should use proper training modules and certification. In this regard, the school should follow guidelines/modules/directions and prescribed mechanism issued by NCPCR/Authorities from time to time.

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<sup>2</sup>Authorities refer to the District Education Officers (DEO), respective State/UT Education Department/NCERT/respective SCERT.

The in-service training/orientation/sensitization of the teachers should be conducted every three-years. In case of introduction of any new guidelines/laws/policies the orientation should be conducted immediately.

For training/orientation/sensitization of the teaching as well as non-teaching staff the schools may follow either/both of the following options:

- i) Through collaboration with DIETs for arranging such training<sup>3</sup>.
- ii) Through the NCPCR's empanelled agencies/organisations

5. Every school should prepare and display School Safety Plan that may be prepared involving children and SMC/PTA.
6. As per section 21 of RTE Act, 2009, private schools are exempted from formulating SMCs. In such schools, PTA should be made mandatory as SMCs and PTAs are an important link in monitoring the safety and security measures in schools. The private schools defined under section 2 (n) (iv) of RTE Act, 2009 should have a Parent Teachers Association (PTA) as per the following;

*Composition of Parents-Teachers Association (PTA)*

- (i) PTA shall consist of one parent representative from each class (from each section of each class, if any) such that three-fourth of members of such Committee shall be parents or guardians
- (ii) Out of the 3/4<sup>th</sup> member parents, 25 percent of the total strength of parent members shall be reserved for parents or guardians of children admitted under section 12 (1) (c) of the RTE Act, 2009 *the School specified in sub-clauses (iii) and (iv) of Clause (n) of Section 2 shall admit in class I, to the extent of at least twenty-five per cent. of the strength of that class, children belonging to weaker section and disadvantaged group in the neighbourhood and provide free and compulsory elementary education till its completion.*
- (iii) One teacher from each level of schooling i.e. pre-primary, primary-1, primary- 2; upper primary, secondary/senior secondary;
- (iv) Provided further that 50 percent of the teachers shall be nominated by the School Management and 50 percent shall be nominated by the three fourth representative parents of PTA;

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<sup>3</sup> DIETs may also take services of the NCPCR's empanelled agencies/organisations

(v) One member of local authority;

(vi) One representative member of the School Management;

*Formation of Parents-Teachers Association (PTA)*

- a) There shall be only one PTA in every school
- b) The PTA shall be formed within one month of the beginning of the academic session and should be sensitised/oriented on NCPCR's Manual on Safety and Security of Children in Schools. It is the responsibility of Management of the private school to sensitise/orient the PTA. In this regard, the school should follow guidelines/modules/directions and prescribed mechanism issued by NCPCR/Authorities from time to time.

For training/orientation/sensitization of the SMC/PTA members the schools may follow either/both of the following options:

- i) Through collaboration with DIETs for arranging such training<sup>4</sup>.
  - ii) Through the NCPCR's empanelled agencies/organisations
- c) The term of the PTA shall be one academic year.
  - d) The schedule of formation of PTA including last date of filing self-nomination by the parents and date of draw shall be decided by the competent authority and informed to the schools.
  - e) For the purpose of ensuring participation of the parents of children admitted under section 12 (1) (c) of the RTE Act, 2009, school shall:
    - i) conduct draw for defining the classes/sections that shall be reserved for self-nomination only by parents of children admitted under section 12 (1) (c) of the RTE Act, 2009
    - ii) Draw shall be organised under the supervision of Principal/Head Master of a nearby Government school nominated by the competent authority.
  - f) For the reserved classes as per sub-section (e) above, only parents of children admitted under section 12 (1) (c) of the RTE Act, 2009 shall submit their self-

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<sup>4</sup> DIETs may also take services of the NCPCR's empanelled agencies/organisations

nomination; however, for all other classes/section the self-nomination is open for all parents including parents of children admitted under section 12 (1) (c) of the RTE Act, 2009 in that particular class/section.

- g) The reservation of classes/sections to ensure participation of parents of children admitted under section 12 (1) (c) of the RTE Act, 2009 shall be made on rotation basis, that means, the succeeding class of the class which have been reserved in a given year shall not be considered for draw in the next year.
- h) The draw procedure for selection of the parent members i.e. 3/4<sup>th</sup> of the total strength of PTA shall be undertaken by the School after the Principal receives the self-nominations from all interested parents [i.e. including the parents of children admitted u/s 12 (1) (c)] until the date specified by competent authority.
- i) After receiving self-nomination from the parents the school shall conduct the draw under the supervision of Principal/Head Master of a nearby Government school nominated by the competent authority.
- j) Fifty per cent of members of such Committee shall be women.
- k) In case, the ward of parent member leaves the school in between the academic session, another parent/guardian member from that class shall be inducted into the PTA within one-month;
- l) The School Management shall display/upload the names of PTA Member on their website and on the notice board.
- m) As per section 21 of RTE Act, 2009 a school, other than a school specified in sub-clause (iv) of clause (n) of section 2, shall constitute a School Management Committee consisting of the elected representatives of the local authority, parents or guardians of children admitted in such school and teacher.

## **II. Functions of SMC/PTA w.r.t safety and security of children in schools**

To ensure the effective implementation of safety and security measures in school; the School Management Committee (SMC)/Parent Teachers Association (PTA) shall perform the following functions, namely:

- a) In case of Government schools, components of 'Safety and Security of Children in Schools' to be recommended as one of the major themes while preparing School Development Plan by SMC members. The components of School Development Plan



(SDP) comprising of elements Safety and Security of Children in Schools may be shared with SMC members for their feedback/suggestions.

- b) In case of private schools, PTA shall conduct periodic meeting and minutes/decisions of the meeting shall be properly recorded and made available to the School Principal to be put on school's website and notice board to be made available to every parent.

The periodicity of PTA meetings should be atleast once a month as for SMC under rule 3 (5) of the RTE Rules, 2010.

- c) The PTA should also received suggestions from parents on safety issues during these meetings.
- d) The SMC/PTA shall carry out inspection of the school using the checklist provided in NCPCR's Manual; NCPCR's Regulatory Guidelines for Hostels of Educational Institutions for Children in case of residential educational institutions; other guidelines and suggest appropriate measures.
- e) All schools must constitute a Grievance Committee for Child Sexual Abuse (CSA) within a month of beginning of every academic year. The Committee and school staff should be oriented about their role under section 19 of POCSO Act, 2012 which states that any person (including the child), who has apprehension that an offence under this Act is likely to be committed or has knowledge that such an offence has been committed, shall provide such information to :
  - a) the Special Juvenile Police Unit; or
  - b) the local police.

And as per Section-21

a) if any person, who fails to report the commission of an offence under sub-section(1) of section 19 or section 20 or who fails to record such offences under sub-section (2) of section 19 shall be punished with imprisonment of either description which may extend to six months or with fine or with both.

b) Any person, being in-charge of any company or an institution (by whatever name called) who fails to report the commission of an offence under sub-section (1) of section 19 in respect of a subordinate under his control, shall be punished with imprisonment for a term which may extend to one year and with fine.

In case of sexual offence against children in the school premises/school transport during school hours OR after OR before it, and the school management/individual fail to report the commission

of an offence under sub-section (1) of section 19, action may be taken under POCSO Act, 2012 against school management/individual. The ultimate responsibility of safety of children in the school rests with the schools Management, individually and as a group.

- f) Also, an Anti- Bullying Committee may be constituted in school, comprising of Vice Principal, a Senior teacher, School Doctor, Counsellor, SMC/PTA representative, School Management representative, Legal representative, Peer Educators etc.
- g) The decisions taken in Anti-Bullying Committee and Grievance Committee for Child Sexual Abuse (CSA) meeting should be discussed in the meeting of SMC/PTA.
- h) School Principal and School Management should be made responsible for compliance of the Manual. Periodic review of the compliance of this Manual shall be discussed in the review meetings.
- i) SMC/PTA should ensure implementation of such guidelines related to safety and security of children based on which this Manual has been prepared.
- j) The member of SMC/PTA who is part of Anti-Bullying Committee to develop bullying prevention programme and creating awareness.
- k) To analyze the current safety and security measures within the schooling system and identify the gaps therein.
- l) Or any other functions as notified/prescribed by appropriate Government, Central Government, affiliating body, competent authority from time to time.

## **Chapter 2**

### **Fixing Accountability of School Management: Monitoring and Non-compliance of Preventive Measures**

1. For private schools: in case of non-compliance of the recommendations of PTA by the school management within prescribed timeline based on nature of recommendation;
  - a) The PTA should approach the Block Education Officer (BEO).
  - b) In case of non-redressal of the grievances at BEO level the matter should be taken up with District Education Officer (DEO).

- c) If the issues are not addressed by the DEO, the PTA/complainant may take-up the matter with the District Collector (DC)/District Magistrate (DM).
- d) After enquiry by DC/DM involving the competent authority, the school does not comply with its responsibilities as per the Grievance Redressal Mechanism (GRM) specified by the appropriate Government, following steps may be taken by the DC/DM according to the nature of negligence by the School:
  - i) A fine<sup>i</sup> on school equivalent to 1% of the total revenue generated in the preceding year for the first time of non-compliance and/or debarring the school for taking admission in the subsequent academic year; 3% for second time of non-compliance and/or debarring the school for taking admission in the subsequent academic year; 5% for third time of non-compliance and/or debarring the school for taking admission in the subsequent academic year<sup>ii</sup>.
  - ii) If the school further fails to comply with safety measures, the DC/DM may recommend the appropriate Government to take over the Management of the school until school complies with the safety measures specified in NCPCR's Manual on Safety and Security of Children in Schools and any other guidelines.

Provided that the appropriate Government after taking over the school, shall appoint administrator not below the rank of Sub-Divisional Magistrate as administrative head of the school to ensure its smooth functioning.

During this period, no further developmental shall be taken up in the school except activities related to education and safety of children.

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<sup>i</sup> It may be noted that the said guidelines are to ensure Safety and security of children in schools and are meant to be followed as a preventive measure by fixing the accountability of school management.

<sup>ii</sup> Since there are different categories of private schools ranging from budget or low-fee schools to high-fee private schools; the fine imposed by DC/DM should be in proportion to the total revenue generated by the school in the preceding year.

#### Rationale based on Juvenile Justice Act, 2015 and Criminal Procedure Code, 1973

The Juvenile Justice Act, 2015 under section 75, clearly states that “Whoever, having the actual charge of, or control over, a child, assaults, abandons, abuses, exposes or wilfully neglects the child or causes or procures the child to be assaulted, abandoned, abused, exposed or neglected in a manner likely to cause such child unnecessary mental or physical suffering, shall be punishable with imprisonment for a term which may extend to three years or with fine of one lakh rupees or with both”

Rule 93 of the Juvenile Justice Model Rules, 2016 “empowers the State Government to take action against such officer/ institution, statutory body etc. after due inquiry who fails to comply with the provisions of the Act and the Rules framed thereunder, and simultaneously make alternative arrangements for discharge of functions for effective implementation of the Act.” Further, Section 109 of the Juvenile Justice Act, 2015 also entrusts NCPCR and SCPCRs with the responsibility of monitoring the Act, in addition to the functions assigned to them under the CPCR Act, 2005.

In addition to Juvenile Justice Act, 2015; the Right to Education Act, 2009 empowers the appropriate Government to issue guidelines and give such directions, as it deems fit, to the local authority or the School Management Committee regarding implementation of the provisions of this Act. It is recommended that the State Government as per its mandate Rule 93 of the Juvenile Justice Model Rules, 2016 and u/s 35(2) of the RTE Act, 2009 may provide necessary powers to the DC/DM under point 1(d) of Chapter 2 of these guidelines by issuing suitable notification (Draft Notification annexed).

2. For Government Schools: in case of non-compliance of the recommendations of SMC by the school; the SMC should bring it to the notice of local authority as defined by under the respective State RTE Rules.

The Local Authority shall take/ recommend action against the responsible officials for non-compliance as per the service rules.

3. If in case of an accident in the School/ school transport during OR after OR before school hours it is found that the school, which has actual charge of or control over the child when the child is in school, has wilfully neglected the child that has caused the child unnecessary mental or physical suffering, it may be treated as violation of Juvenile Justice Act, 2015 and should be referred to the Police by the School Management/Authority.
4. NCPCR and SCPCRs, as the case may be, shall be responsible for monitoring the implementation of these guidelines. For this following shall be powers of NCPCR/SCPCR as defined in

- a) section 31 and 32 of the RTE Act, 2009

*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) Section 13(1) of the Commissions for Protection of Child Rights (CPCR) Act, 2005,

*(a) Examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation;*

*(b) Present to the Central Government, annually and at such other intervals, as the Commission may deem fit, reports upon the working of those safeguards;*

*(c) Inquire into violation of child rights and recommend initiation of proceedings in such cases;*

*(d) Examine all factors that inhibit the enjoyment of rights of children affected by terrorism, communal violence, riots, natural disaster, domestic violence, HIV/AIDS, trafficking, maltreatment, torture and exploitation, pornography and prostitution and recommend appropriate remedial measures;*

*(e) Look into the matters relating to children in need of special care and protection including children in distress, marginalized and disadvantaged children, children in conflict with law, juveniles, children without family and children of prisoners and recommend appropriate remedial measures;*

*(f) Study treaties and other international instruments and undertake periodical review of existing policies, programmes and other activities on child rights and make recommendations for their effective implementation in the best interest of children;*

*(g) Undertake and promote research in the field of child rights;*

*(h) Spread child rights literacy among various sections of the society and promote awareness of the safeguards available for protection of these rights through publications, the media, seminars and other available means;*

*(i) Inspect or cause to be inspected any juvenile custodial home, or any other place of residence or institution meant for children, under the control of the Central Government or any State Government or any other authority, including any institution run by a social organization; where children are*

*detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action, if found necessary;*

*(j) Inquire into complaints and take suo motu notice of matters relating to,-*

*(i) deprivation and violation of child rights;*

*(ii) non-implementation of laws providing for protection and development of children;*

*(iii) non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardships to and ensuring welfare of the children and to provide relief to such children, or take up the issues arising out of such matters with appropriate authorities; and*

*(k) Such other functions as it may consider necessary for the promotion of child rights and any other matter incidental to the above functions.*

However, as provided in Section 13(2) of the Commission for Protection of Child Rights (CPCR) Act, 2005, the Commission shall not inquire into any matter which is pending before a State commission or any other commission duly constituted under any law for the time being in force.

(c) As per Section 32 of RTE Act, 2009

- 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.*
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