

**THE REGISTRATION OF PRIVATE SCHOOLS
ORDINANCE, 1962**

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**THE REGISTRATION OF PRIVATE SCHOOLS
ORDINANCE, 1962**

ORDINANCE NO. XX OF 1962

[6th June, 1962]

An Ordinance to provide for the registration of private schools in Bangladesh.* ^

WHEREAS, in order to supervise and regulate the working of private schools in Bangladesh, it is expedient to provide for registration of such schools;

NOW, THEREFORE, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the Governor is pleased to make and promulgate the following Ordinance, namely:-

1. (1) This Ordinance may be called the ¹[* * *] Registration of Private Schools Ordinance, 1962. Short title,
extent and
commencement

(2) It extends to the whole of Bangladesh.

(3) It shall come into force on such date or dates and in such area or areas as the Government may, by notification in the *official Gazette*, appoint and specify.

2. In this Ordinance, unless there is anything repugnant in the subject or context,- Definitions

²(a) “Appellate Authority” means-

- (i) in respect of an order made by the Divisional Deputy Director, the Director General, Directorate of Primary Education;

* Throughout this Ordinance, the word “Bangladesh” was substituted for the words “East Pakistan” by Article 5 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President’s Order No. 48 of 1972).

^ Throughout this Ordinance, the word “Government” was substituted for the words “Provincial Government” by section 2 of the Registration of Private Schools (Amendment) Act, 1989 (Act No. XVIII of 1989).

¹ The words “East Pakistan” were omitted by Article 6 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President’s Order No. 48 of 1972).

² Clause (a) was substituted by section 3 of the Registration of Private Schools (Amendment) Act, 1989 (Act No. XVIII of 1989).

- (ii) in respect of an order made by the Regional Deputy Director, the Director General, Directorate of Secondary and Higher Education; and
- (iii) in other cases, the Government;]
- (b) “children” means boys and girls above the age of four and below the age of eighteen receiving instructions at any stage of education;
- ¹[(bb) “higher secondary education” means education pertaining to classes XI and XII and includes courses equivalent to “A” level of any foreign educational institution;]
- (c) “Junior ²[Secondary] School education” means education pertaining to Classes VI, VII and VIII and includes a course of study for Junior Cambridge Examination;
- ³[(d) “local council” means a Union Parishad, Upazila Parishad, Paurashava, Zila Parishad and a Municipal Corporation;]
- ⁴[(dd) “nursery” means and includes Child-Care, Day-Care, Mother-Care or any other Centre, by whatever name called, imparting education to boys and girls not exceeding the age of 6 years;]
- (e) “prescribed” means prescribed by rules made under this Ordinance;
- (f) “primary education” means education pertaining to Classes I, II, III, IV and V and includes all courses of study in the Nursery, Preparatory and Kindergarten Schools;

¹ Clause (bb) was inserted by section 2 of the Registration of Private Schools (Amendment) Act, 2001 (Act No. III of 2001).

² The word “Secondary” was substituted for the word “High” by section 3 of the Registration of Private Schools (Amendment) Act, 1989 (Act No. XVIII of 1989).

³ Clause (d) was substituted by section 3 of the Registration of Private Schools (Amendment) Act, 1989 (Act No. XVIII of 1989).

⁴ Clause (dd) was inserted by section 2 of the Registration of Private Schools (Amendment) Act, 2001 (Act No. III of 2001).

¹[(g) “private school” means any ²[institution including “O” and “A” level, Nursery, Junior Cambridge, Senior Cambridge, International Baccalaureate or equivalent institution established] and run by a person or body of persons, not being the Government or a local council for the purpose of imparting organised instruction to ten or more children at a time, but shall not include an institution which is recognised by the Government or a Board of Intermediate and Secondary Education or other prescribed authority;

(h) “Registering Authority” means-

(i) in the case of private schools imparting secondary education ³[and higher secondary education], the concerned Board of Intermediate and Secondary Education or other prescribed authority;

(ii) in the case of private schools imparting Junior Secondary School Education, the Directorate General, Directorate of Secondary and Higher Education, or the Regional Deputy Director, if so authorised by the Director General, Directorate of Secondary and Higher Education; and

(iii) in the case of private schools imparting primary education, the Director General, Director of Primary Education or the Divisional Deputy Director, if so authorised by the Director General, Directorate of Primary Education, and]

(i) “secondary education” means education pertaining to Classes IX and X and includes courses of study for Senior Cambridge and Cambridge School Certificate Examinations ⁴[and includes “O” level of any foreign educational institution and equivalent thereof].

¹ Clauses (g) and (h) were substituted by section 3 of the Registration of Private Schools (Amendment) Act, 1989 (Act No. XVIII of 1989).

² The words, letter and commas “institution including “O” and “A” level, Nursery, Junior Cambridge, Senior Cambridge, International Baccalaureate or equivalent institution established” were substituted for the words “institution established” by section 2 of the Registration of Private Schools (Amendment) Act, 2001 (Act No. III of 2001).

³ The words “and higher secondary education” were inserted by section 2 of the Registration of Private Schools (Amendment) Act, 2001 (Act No. III of 2001).

⁴ The words “and includes “O” level of any foreign educational institution and equivalent thereof” were inserted by section 2 of the Registration of Private Schools (Amendment) Act, 2001 (Act No. III of 2001).

Prohibition
against
establishing or
continuing a
private school
without
registration

3. No private school shall be established or run except in accordance with the provisions of this Ordinance.

Application for
registration

4. (1) Any person intending to establish a private school and any person intending that a private school already in existence should be continued as such, shall make an application to the Registering Authority in the prescribed form accompanied by the prescribed registration fee.

(2) The Registering Authority, on receipt of the application, shall make such enquiries as he considers necessary in order to satisfy himself-

- (a) that the buildings and premises will provide adequate facilities with due regard to hygiene;
- (b) that the staff will be qualified, adequate and adequately paid according to prescribed standards;
- (c) that the fees charged will not be disproportionate to the facilities provided and will not exceed prescribed limits;
- (d) that there is no reason to believe that the institution will be run in an undesirable manner or by undesirable persons;
- (e) that the school follows a curriculum approved by ¹[the concerned Board] of Intermediate and Secondary Education or other prescribed authority; and
- (f) that no book which has not been approved by the ²[National Curriculum and Text Book Board] or which has not been published and printed by it, is prescribed for study in the school.

¹ The words "the concerned Board" were substituted for the words "the Board" by section 4 of the Registration of Private Schools (Amendment) Act, 1989 (Act No. XVIII of 1989).

² The words "National Curriculum and Text Book Board" were substituted for the words "East Pakistan School Text Book Board" by section 4 of the Registration of Private Schools (Amendment) Act, 1989 (Act No. XVIII of 1989).

¹[(3) If the Registering Authority, after enquiry within ninety days of the making of the application under sub-section (1), is satisfied in respect of the matters set out in sub-section (2), he shall proceed to give registration in the prescribed manner.]

(4) [Omitted by section 3 of the Registration of Private Schools (Amendment) Act, 2001 (Act No. III of 2001).]

(5) The person or persons to whom a certificate is granted shall be responsible for due compliance of the provisions of this Ordinance and the rules made thereunder and the terms and conditions, if any, on which the certificate is granted.

5. (1) A private school, not already in existence, shall be established only after a certificate has been granted under sub-section (3) of section 4:

Establishment and continuance of private schools

Provided that such school may be established and run after an application for registration under sub-section (1) of section 4 has been made till the disposal of such application, but shall be closed down immediately if the certificate under sub-section (3) of that section is refused.

(2) A private school already in existence in respect of which an application under sub-section (1) of section 4 has been made within sixty days of the coming into force of this Ordinance may continue pending the disposal of the application, but shall close down immediately if the certificate under sub-section (3) of that section is refused.

(3) A private school, already in existence, in respect of which no application under sub-section (1) of section 4 has been made within a period of sixty days next after the coming into force of this Ordinance, shall not continue after the expiry of that period.

6. A certificate issued under sub-section (3) of section 4 may be suspended or cancelled by the Registering Authority if there is a contravention of any of the provisions of this Ordinance or the rules made thereunder or any of the terms and conditions imposed under sub-section (3) of section 4.

Suspension or cancellation of certificate

¹ Sub-section (3) was substituted by section 3 of the Registration of Private Schools (Amendment) Act, 2001 (Act No. III of 2001).

- Appeal** **7.** If the Registering Authority refuses to grant a certificate under sub-section (3) of section 4, or suspends or cancels under section 6, a certificate so granted, the applicant or the holder of the certificate may, within thirty days from the date of order of the Registering Authority, prefer an appeal to the Appellate Authority, and the Order passed by the Appellate Authority shall be final and given effect to by the Registering Authority.
- Power to make rules** **8.** The Government may, by notification in the *official Gazette*, make rules to give effect to the provisions of this Ordinance.
- Penalty** **9.** Whoever wilfully contravenes any of the provisions of this Ordinance or the rules made thereunder or the conditions imposed under sub-section (3) of section 4 shall be punishable with imprisonment for a term which may extend to one year, or fine which may extend to ¹[ten thousand] ²[taka], or with both.
- Cognizance of offence** **10.** No Court shall take cognizance of an offence under this Ordinance except upon complaint in writing made by an Officer authorised by the Government in this behalf.
- Power to exempt** **11.** (1) The Government, if it thinks fit, may by notification in the *official Gazette*, exempt any class of private schools from the operation of this Ordinance.
- (2) The Government, if it thinks fit may, on application, exempt any private school from the operation of this Ordinance.

¹ The words “ten thousand” were substituted for the words “one thousand” by section 4 of the Registration of Private Schools (Amendment) Act, 2001 (Act No. III of 2001).

² The word “taka” was substituted for the word “rupees” by section 5 of the Registration of Private Schools (Amendment) Act, 1989 (Act No. XVIII of 1989).