

**GOVERNMENT OF NCT OF DELHI  
DIRECTORATE OF EDUCATION  
(PRIVATE SCHOOL BRANCH)  
OLD SECRETARIAT, DELHI - 110054**

F.NO.DE.15 (540)/PSB/2019/ 6002-6009

Dated: 27/07/22

**CIRCULAR**

**Subject: Safety audit of all schools including buses, autos etc used for transportation of children to schools.**

Kindly refer to the letter No. 241682 & 241684 dated 25.04.2022 issued by the Hon'ble National Commission for Protection of Child Rights regarding safety of children upon re-opening of schools and safe transportation for school children (Copy enclosed). The NCPCR has observed that due to irregularity in offline classes during Covid 19 pandemic, the focus of schools and school authorities has drifted away from safety of children and safe transportation for school children after reopening of schools.

The Hon'ble Commission has desired to disseminate the Manual on Safety & Security of Children in Schools, Guidelines on School Safety & Security and Guidelines for transport facilities in schools among the all Government, Government-aided and Private Unaided Recognised Schools (Copy enclosed). The Commission has also requested to conduct safety audit of all schools including buses, autos, mini-vans or any other vehicle used for transportation of children to schools.

All Deputy Director of Education (Districts) are hereby requested to conduct the safety audit of all Government, Government-aided and Private Unaided Recognised Schools by using safety checklist (Copy enclosed) and to disseminate the Manual on Safety & Security of Children in Schools, Guidelines on School Safety & Security and Guidelines for transport facilities in schools among the all Government, Government-aided and Private Unaided Recognised Schools (Copy enclosed). Further, DDE (Districts) shall submit the consolidated comprehensive compliance report at the earliest.

This issues with the prior approval of the competent authority.



**(YOGESH PAL SINGH)  
DEPUTY DIRECTOR OF EDUCATION  
PRIVATE SCHOOL BRANCH**

To

The HoS/Principal/Manager/Chairman  
All Govt. Schools /Govt. Aided Schools/ Private Unaided Recognised  
Schools

Copy to: -

1. P.S. to Chairperson, NCPCR, Govt. of India, 5<sup>th</sup> Floor, Chanderlok Building, 36, Janpath, New Delhi - 110001 w.r.t. letter 241682 & 241684 dated 25.04.2022.
2. P.S. to Pr. Secretary (Education), Govt. of NCT of Delhi.
3. P.A. to Director (Education), DoE, Govt. of NCT of Delhi.
4. All RDE / Dy. Director of Education (Districts / Zones), DoE, GNCTD to circulate the circular to all Government, Government-Aided / Un-aided private schools under their respective jurisdictions.
5. DDE (Aided School Branch), DoE, Govt. of NCT of Delhi.
6. The HoS / Management of the all Government / Government-aided / Private Un-aided Recognised Schools with the directions to get conducted the safety audit otherwise, the schools will be held responsible for any lapse in this regard and on default would invite appropriate action as per the provisions of applicable law.
7. Incharge (IT) with the request to upload on the department's website.



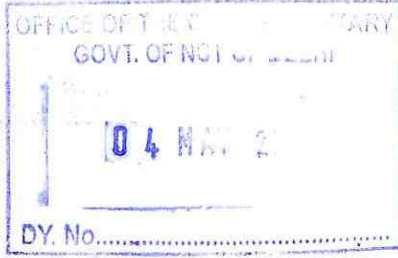
**(YOGESH PAL SINGH)**  
**DEPUTY DIRECTOR OF EDUCATION**  
**PRIVATE SCHOOL BRANCH**



प्रियंक कानूंगो  
Priyank Kanoongo  
अध्यक्ष  
Chairperson

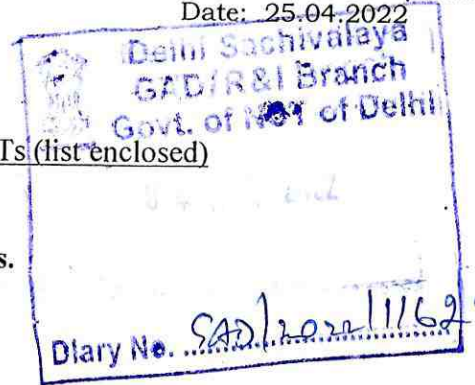
भारत सरकार  
GOVERNMENT OF INDIA  
राष्ट्रीय बाल अधिकार संरक्षण आयोग  
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS  
नई दिल्ली-110 001  
New Delhi - 110 001

23/05/22  
NCPDR



F. No. 25019/17/2022-23/NCPDR/EDU/246182

Date: 25.04.2022



The Secretaries, School Education Department, All States/UTs (list enclosed)

Subject: Regarding safety of children upon re-opening of schools.

Madam/Sir,

National Commission for Protection of Child Rights (NCPDR) (hereinafter referred to as 'the Commission') is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009.

2. Attention is invited to the incidents related to safety of school children occurred recently in different States. The incidents are primarily linked to the school infrastructure such as collapsing boundary walls and also death of students on school transport. It has been observed that, due to Covid19 pandemic the focus and irregularity on opening of schools, the focus of school authorities/management has drifted away from safety and security of children in terms of school infrastructure and transport. Also, the sensitization and orientation of school staff including the non-teaching staff on these issues has taken a back seat for a while.

3. It may be noted that besides the protocols and norms related to Covid19 laid down by the Centre as well as States/UTs Administration, there are specific comprehensive guidelines that elaborate the steps to be taken by the school authorities to ensure that children learn in a safe environment. The three major guidelines are-

Manual on safety and security of children in schools- it is comprehensive manual developed by the Commission by compiling the existing guidelines from different Ministries/Departments/Institutions/Organizations pertaining to safety of children. The manual contains sections on infrastructure, health & hygiene, psycho-social aspects, role of teachers, and cyber safety. It also contains a check-list for safety inspection of schools. The manual is available at <https://ncpcr.gov.in/showfile.php?lid=2084>.

Addl. DE HQ

P.S. 19 put up

5th Floor, Chandrlok Building, 36, Janapath, New Delhi-110 001

5th Floor, Chandrlok Building, 36, Janapath, New Delhi-110 001

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11/5/22

- 22/c
- ii) Hon'ble Supreme Court Guidelines on School Transport (copy enclosed as Annexure A). Hon'ble Supreme Court of India vide Judgement dated 16/12/1997 in W.P (Civil) in the matter of M.C. Mehta etc. Vs. Union of India, had included guidelines for school transportation as well. Based on the guidelines, C.B.S.E. also issued a circular in 2017 on safety of school children in the school bus available at [https://www.cbse.gov.in/cbsenew/Examination\\_Circular/2017/43\\_CIRCULAR.pdf](https://www.cbse.gov.in/cbsenew/Examination_Circular/2017/43_CIRCULAR.pdf).
- iii) Guidelines on School Safety and Security by Department of School Education & Literacy, Ministry of Education, Government of India for fixing the accountability of the School Management in the matter of Safety and Security of Children studying in Government, Government-aided and Private Schools. The same was circulated to all States/UTs by MoE vide letter dated 01.10.2021.

4. It is important that appropriate steps needs to be taken to prevent untoward incidents where safety and security of children is compromised due to negligence of school authorities and inability to take timely action. Hence, NCPCR as per its mandate u/s 13 (1) of CPC Act, 2005, requests your Department to conduct safety audit of all schools in the State/UT. The safety audit is to be carried out using the Safety Checklist provided in the Manual on Safety and Security of Children in Schools. The same is enclosed as Annexure B for your ready reference.

5. A compliance report on the same be sent to the Commission latest by 31.05.2022. Please quote the number and date of this letter mentioned at the top while responding.

Yours sincerely,

  
25.4.22  
(Priyank Kanoongo)

Copy to: Chief Secretaries of all States/Administrators of all UTs (list enclosed) | 246183

PETITIONER:  
M. MEHTA ETC.

Vs.

RESPONDENT:  
UNION OF INDIA & ORS.

DATE OF JUDGMENT: 16/12/1997

BENCH:  
B.N. KIRPAL, V.N. KHARE

ACT:

HEADNOTE:

JUDGMENT:

THE 16TH DAY OF DECEMBER, 1997

Present:

Hon'ble the Chief Justice  
Hon'ble Mr. Justice B.N. Kirpal  
Hon'ble Mr. Justice V.N. Khare

Ashok Desai, Attorney General, M.S. Usgeonkar, Additional Solicitor General, Hrish N. Salve, Sr. Adv., Mukul Mudgal, Ms. Indra Sawhney, Deepak Dewan, A.K. Sharma, S. Wasim A. Qadri, A.D.N. Rao, Ms. Niranjana Singh, (P. Parmeswari) Adv. for (MOEF), Dutta, Hardeep Singh Anand, Shri Narain, Ssndeep Narain, (M.C. Mehta) (NP) In-person, Ms. Seema Midha, S.N. Sikka, D.S. Mehra, (Ms. Anil Katiyar) Adv. for (Min. of Petroleum), D.K. Garg, Sanjeev Pabby., R.K. Maheshwari, Ms. Manju Bharti, R.K. Kapoor, P. Verma, S.K. Srivastava, B.R. Kapur, Anis Ahmed Khan, Vijay Panjwani, (R. Sasiprabhu, Anees Ahmed, Aditi Singh) Advs. for (GAIL), Pradeep Misra. Ms. Niti Dikshit, Sanjay Parikh, Kailash Vasdev, Mahabir Singh, Ms. Sushma Suri, C.V. Subba Rao, Ashok Mathur, D.M. Nargolkar, Saharya, Ejaz Maqbool, R.P. Gupta, K.K. Gupta, L.K. Pandey, Upadhyay, S.R. Setia, Satish Aggarwal. Ranjit Kumar, Advs. with them for the appearing parties.

O R D E R

The following order of the Court was delivered:  
(with W.P.(C) No. 9300/02. W.P.(C) No. 939/96 and W.P.(C) No. 95/97/

After hearing the learned amicus curiae, the Additional Solicitor General and the counsel representing certain other interests, we issue the following further directions, namely.

(1) The figures in relation to issuance of commercial licences show that there is need to verify commercial licences. Which were issued during the period 1993-95. We therefore, direct that all commercial licences issued during the period 1993-95 be re-verified by the Transport Department to weed out all such licences which have been issued without following the Rules.

(2) We are informed that a test has now been prescribed for issuance of new licence. We direct the Transport Department to prescribe a suitable refresher training course as a condition for the renewal of any licence to

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(Annexure A)

20/1 drive a heavy vehicle.

(3) The grantees of a permit cannot (without express prior permission). Under the provisions of the Motor Vehicles Act either transfer his permit or to allow some other person to operate a vehicle on this permit. Any such use of permits which really constitutes a trading in permits is a patent violation of the Motor Vehicles Act and the Rules and would render the permit liable to cancellation, apart from other legal consequences. We direct the authorities not to renew any permit which has been or is being used by any person other than the original grantee, without the express prior permission of the grantee.

(4) We direct the Civic Authorities to take necessary steps to remove immediately all encroachments-temporary or permanent - on roads and payments. Which affect the smooth flow of traffic or obstruct the way of pedestrians. Stay cattle and other similar obstructions would also have to be similarly dealt with.

(5) The need for safety of school children travelling in buses requires that such buses be fitted with doors that can be shut. We, therefore, direct that on or after 31st January, 1998, no bus shall be used by an educational institution unless it is fitted with doors which can be closed. No educational institutions shall, after the said date, use a bus if it has an open door.

(6) Similarly, it is essential that, in addition to a driver, there is another qualified person in the bus can attend to the children travelling in the bus. Rule 17 of the Motor Vehicles Rules, 1993 stipulates qualifications, duties and functions of a Conductor. It would be in the interest of safety to require the presence of a qualified Conductor on board every bus that is being used by an educational institution. We are told that at present there is a paucity of trained conductors. We, therefore, direct that on or after 30th April, 1998, no bus used by or in the service of an educational institution shall be permitted to operate without a qualified conductor being present at all times.

(7) We are also informed that some schools have voluntarily requested the parents of their wards to accompany buses so as to ensure that the drivers drive safely and the lives of the children are not out in jeopardy. We commend this action, and direct the Education Department to ask all schools including Government and Municipal schools to evolve a similar arrangement as far as possible, so as to ensure that in each bus there is at least one parent present who would be able to oversee the conduct of the driver. This step would do a long way in ensuring that the directions given as well as other safety measures given as well as other safety measures prescribed are complied with in letter and spirit and that the driver drives carefully.

(8) One of the problems, which was brought to our notice, is the overgrowing of buses. After hearing the views of the Transport Department as well as the Delhi Police (Traffic Wing), we feel it appropriate to direct, that no bus belonging to or in use of any educational institution, shall seat children in excess of 1.5 times its registered seating capacity. Similarly, other modes of public transport, such as TSRs, taxis and other vehicles used for transporting the students of an educational institution should not be permitted to carry children more than 1.5 times their registered seating capacity.

(9) One of the major pollutants identified in the various affidavits as well as in the latest Status Report

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filed by the Government, is the TSR (two seater rickshaw using a two stroke engine). We are further informed that although the existing figures of registered TSRs as per the records, is approximately 83,000: the actual number in use is far lesser since some of these permits have not been cancelled although the vehicles have been scrapped. It would be in the interest of the environment, to freeze the number of TSRs for the present at the level at which they are actually in use in the city. We, therefore direct that there would be no grant of fresh permits in respect of the TSR, save and except by way of replacement of an existing working TSR with a new one.

(10) We direct the police Commissioner to frame appropriate guidelines for regulating processions - religious, Political or otherwise - which tend to obstruct the flow of traffic. These guidelines should be in conformity with the rights of the users of the roads and the exercise of fundamental freedom of other citizens indicated by this Court in this judgment in Communist Party of India ((M) vs. Bharat Kumar and Others. JT 1997 (9) SC 101.

(11) The Union of India is directed to file within two weeks the Action Plan for appointment of private persons to enforce traffic safety laws and confer upon such people suitable powers under the Cr.P.C. as well as under the Motor Vehicles Act. The Union of India would also file its response to the repeated suggestion made by the Traffic Police as well as the Transport Department for augmenting the uniformed force in the city.

(12) There are certain modifications called for in our earlier order dated 20th November, 1997, which we direct as hereunder:

(1) In para A(a), add the following :

"Requirement for installation of speed control devices would also not apply to vehicles operating on All India Tourist Permits issued by the Transport Department. NCT of Delhi".

(ii) In para A(f), the sentence commencing "no bus" and ending with "educational institution" shall stand substituted with the following "

"No bus belonging to or hired by an educational institution shall be driven by a driver who has -

(a) Less than five years of experience of driving heavy vehicles;

(b) been challaned more than twice in a year in respect of offences of Jumping red lights. Improper or obstructive parking violating the stop line. violating the rule requiring driving within the bus lane. Violating restricting the overtaking. allowing unauthorised person to drive;

(c) been challaned/charged even once for the offence of over speeding, drunken driving and driving dangerously or for the offences under Sections 279, 337, 338 and 304-A of the Indian Penal Code. All such drivers would be dressed in a distinctive uniform and all such buses shall carry a suitable

18/c inscription to indicate that they are in the duty of an educational institution".

(iii) In para A(c). after the word "buses" add the words "heavy goods vehicles, medium goods vehicles, and A-wheel light goods vehicles plying during the permitted hours.

(iv) In para A(h). and the following :

"Needless to add, this is in addition to the statutory power conferred under Section 115 of the Motor Vehicles Act under which the authorities can prohibited or restrict any class of vehicle(s) from being used, inter alia any particular route or during any period of time.

(14) The Transport as well as the Police Departments are directed to ensure that the contents of this order are duly publicised so that the people using roads are made aware of the restrictions imposed. They should also give publicity to the basic rules relating to safe driving, particularly those relating to user of bus lanes, changing of lane, overtaking and right of way on round about. We direct the Union of India to make available the necessary facilities in this regard, particularly in relation to the electronic media.

**List of Principal Secretaries/Secretaries, Department of Education of all States/UTs**

171c

1. **Secretary (Education)**  
Govt. of Andaman & Nicobar Island  
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3. **Commissioner (Education)**  
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4. **Pr. Secretary**  
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7. **Pr. Secretary (School Education)**  
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16/c

9. **Pr. Secretary**  
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- 13/✓
18. **Commissioner/Secretary**  
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  19. **Secretary (School Education)**  
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  20. **Principal Secretary (Education)**  
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  21. **Addl. Chief Secretary (School education)**  
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  22. **Commissioner**  
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  24. **Commissioner & Secretary (School Education)**  
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  25. **Spl. Secretary (School Education)**  
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14/c

26. **Principal Secretary**  
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28. **Secretary, School Education**  
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Ph: 0172-2742099/2742243/Elementary-5212344/2233916  
Email: [psse@punjab.gov.in](mailto:psse@punjab.gov.in)
29. **Pr. Secretary,**  
Govt. of Rajasthan,  
Department of School Education and Language  
Room no. 2007, Main Building, Government Secretariat  
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0141- 2715555/2227507/2227795/2227112/2715501  
Email: [secy.schooleducation@rajasthan.gov.in](mailto:secy.schooleducation@rajasthan.gov.in), [pseducation2013@yahoo.com](mailto:pseducation2013@yahoo.com)
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Email: [sikkimhrdd@gmail.com](mailto:sikkimhrdd@gmail.com), [acs.education@sikkim.gov.in](mailto:acs.education@sikkim.gov.in)
31. **Principal Secretary**  
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(copy to:)

12/c

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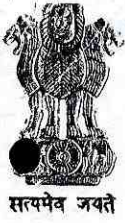
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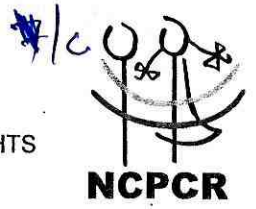
8/c

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प्रियंक कानूनगो  
Priyank Kanoongo  
अध्यक्ष  
Chairperson

भारत सरकार  
GOVERNMENT OF INDIA  
राष्ट्रीय बाल अधिकार संरक्षण आयोग  
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS  
नई दिल्ली-110 001  
New Delhi - 110 001



F. No. 25019/17/2022-23/NCPCR/EDU/246184  
Date: 25.04.2022

To,

The Secretaries, State Transport Department, All States/UTs (list enclosed)

**Subject: Regarding safe transportation for school children**

Madam/Sir,

National Commission for Protection of Child Rights (NCPCR) (hereinafter referred to as 'the Commission') is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009.

2. Attention is invited to the incidents related to safety of school children occurred recently in different States. Most of these incidents are linked to injury/death of students on school transport. It has been observed that, due to Covid19 pandemic, as the offline classes remained irregular for most parts since 2020; now upon reopening, schools do not seem to focus on following the guidelines for safe school transport for children.

3. It may be noted that with regard to the school transport, Hon'ble Supreme Court Guidelines on School Transport (copy enclosed as Annexure A). Hon'ble Supreme Court of India vide Judgement dated 16/12/1997 in W.P (Civil) in the matter of M.C. Mehta etc. Vs. Union of India, had included guidelines for school transportation as well. Based on the guidelines, C.B.S.E. also issued a circular in 2017 on safety of school children in the school bus available at [https://www.cbse.gov.in/cbsenew/Examination\\_Circular/2017/43\\_CIRCULAR.pdf](https://www.cbse.gov.in/cbsenew/Examination_Circular/2017/43_CIRCULAR.pdf).

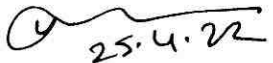
4. To prevent untoward incidents where safety and security of children is compromised due to negligence of school authorities and inability to take timely action, it is important that timely action be taken. Hence, NCPCR as per its mandate u/s 13 (1) of CPCR Act, 2005, requests your Department to conduct safety audit of school transportation including buses, autos, mini-vans or any other vehicle used for transportation of children to schools. The audit should also include the parameters as per above mentioned guidelines.

5वां तल, चन्द्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली-110 001  
5th Floor, Chanderlok Building, 36, Janpath, New Delhi-110 001  
दूरभाष / Ph. :011-23478212, 23731583 फैक्स /Fax: 011-23731584  
ई-मेल / E-mail : cp.ncpcr@nic.in वेब /Web:www.ncpcr.gov.in

6/c

5. A compliance report on the same be sent to the Commission latest by 31.05.2022. Please quote the number and date of this letter mentioned at the top while responding.

Yours sincerely,

  
25.4.22  
(Priyank Kanoongo)

Copy to:

1. Chief Secretaries of all States/Administrators of all UTs (list enclosed) | 246185
2. Principal Secretaries/Secretaries, School Education Department of all States/UTs (list enclosed) | 246186

5/6

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u/c

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11	<p>The Principal Secretary, Transport Department, Karnataka #153, 1stFloor, 3rdGate, M.S. Building, Bengaluru-560001 Karnataka Phone : 080-22032548 Email: secretarytransport@gmail.com transcom@nic.in</p>
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14	<p>The Principal Secretary Transport Department, Madam Cama Road, Hutatma Rajguru Chowk, Mantralaya Mumbai -32 Email id: acs.transport@maharashtra.gov.in Phone No. 022-22025009, Fax No. 022-22855141</p>

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16	The Secretary, Transport Department, Room No. 103, Additional Secretariat Building, Shillong ,Meghalaya -793001. Email : mebans@yahoo.com Phone No.364-2505049, 2212031
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18	The Secretary , Transport Department, Nagaland Government of Nagaland 0370-2270322
19	The Secretary to Government Commerce & Transport Department, Ministry of Road Transpor Bhubaneswar-751001 Email : ctsec.or@nic.in Phone No.0674-2536857
20	The Principal Secretary Government of Punjab, Department of Transport Room No- 714, 7th Floor, Punjba Civil Secretariate II Sector-9, Chandigarh Ph-0172- 2741524/2741187 Email: transport.punjab2016@gmail.com
21	The Secretary Government of Rajasthan, Department of Transport Parivahan Bhawan, Sahkar Marg Jaipur Rajasthan. Email: transport@rajasthan.gov.in Ph: 2740301, 0141 281 1776 (F) 2740177 Rajasthan
22	The Secretary , Transport Department Government of Sikkim, Yatayat Bhawan, Gangtok, Sikkim. Phone No. 03592-202483, Email id: secytransport@gmail.com, secy-transport@sikkim.gov.in

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25	<p>The Secretary Office Of The Transport Commissioner, Tehri Kothi, M.G. Road, Uttar Pradesh, Lucknow-226001. Email: pstup2016@gmail.com Ph: 0522- 2238674 Uttar Pradesh</p>
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