

GOVERNMENT OF INDIA  
MINISTRY OF EDUCATION  
DEPARTMENT OF SCHOOL EDUCATION & LITERACY  
**RAJYA SABHA**  
**UNSTARRED QUESTION NO-41**  
ANSWERED ON 07/12/2022

**Issue pertaining to teachers**

41 # SHRI HARNATH SINGH YADAV

Will the Minister of EDUCATION be pleased to state:

- (a) whether Government primary teachers and upper primary teachers are deployed for the work of revision of election rule-books of Vidhan Sabha, Lok Sabha, Municipal Bodies and Gram Panchayats, due to which teaching work is adversely affected;
- (b) whether the Supreme Court has mandated in any order that these teachers should be assigned this work after the teaching period and whether doing Booth Level officer (BLO) duty during extra time i.e. during vacation will not create mental pressure on them; and
- (c) whether Government would consider taking more concrete steps to free primary and upper primary teachers from voter revision work?

**ANSWER**

THE MINISTER OF STATE IN THE MINISTRY OF EDUCATION

(SHRIMATI ANNPURNA DEVI)

(a) to (c) Section 27 of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 states that *“No teacher shall be deployed for any non-educational purposes other than the decennial population census, disaster relief duties or duties relating to elections to the local authority or the State Legislatures or Parliament, as the case may be.”* Also, NEP 2020 in para 5.12 emphasizes the need to prevent the large amounts of time spent by teachers in non-teaching activities and they are not to be engaged in work that is not directly related to teaching, in particular, strenuous administrative tasks and mid-day meal-related work, so that teachers fully concentrate on their teaching-learning duties. The Supreme Court in the case of Election Commission of India v. St. Mary’s School, (2008) 2 SCC 390 has stated that *“We, therefore, direct that all teaching staff shall be put on the duties of roll revisions and election works on holidays and non-teaching days. Teachers should not ordinarily be put on duty on teaching days and within teaching hours. Non-teaching staff, however, may be put on such duties on any day or at any time, if permissible in law.”* The Ministry of Education has issued guidelines to all States and UTs that emphasize that teachers should not be deployed for non-educational duties other than those which are in accordance with the RTE Act. Education is in the Concurrent List of the Constitution and a majority of the schools are under the administrative control of the respective States and Union Territories (UTs). The recruitment, service conditions and deployment of teachers come under the purview of the respective State/ Union Territory (UT) Governments.

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