

GOVERNMENT OF INDIA
MINISTRY OF HUMAN RESOURCE DEVELOPMENT
DEPARTMENT OF SCHOOL EDUCATION AND LITERACY

LOK SABHA
UNSTARRED QUESTION NO. 2122
TO BE ANSWERED ON 24.12.2018

Implementation of Right to Education Act

2122. KUMARI SUSHMITA DEV:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) the current status of implementation of Section 12(1) of the Right to Education (RTE) Act, 2009;
- (b) whether all the States are complying with Section 12(1)(c) of the RTE;
- (c) if not, the reasons therefor; and
- (d) the details of the steps taken by the Government to ensure the States comply with Section 12(1)(c) of the RTE Act?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT
(DR. SATYA PAL SINGH)

(a) to (d) The Right of Children to Free and Compulsory Education (RTE) Act, 2009 provides for access to elementary schools for children within the defined area or limits of neighbourhood. Section 12(1) of the RTE Act 2009 mandates all private aided, Special Category schools and private unaided schools to admit in class I, to the extent of at least 25% of the strength, children belonging to weaker section and disadvantaged group. Section 12 (1)(c) of RTE Act 2009 is applicable in 34 States and UTs only. The RTE Act 2009 is not applicable in the State of Jammu & Kashmir and Section 12 (1) (c) is not applicable in UT of Lakshadweep as it does not have any private unaided school.

In order to establish the eligibility, States and UTs are required to notify the disadvantaged groups and weaker sections for admission in private unaided schools under Section 12(1)(c). Accordingly, 32 States/ UT have notified disadvantaged groups and weaker sections which are eligible for admission in Private unaided Schools under Section 12 (1)(c). 16 States have started providing admissions in private unaided schools under Section 12(1)(c). As per Annual Work Plan and Budget (AWP&B), 2018-19 of States and UTs, 33.84 lakh children were admitted in private unaided schools under the provision.

Education is a subject in the concurrent list of the Constitution and majority of the schools in the country are under the administrative control of the State Governments and UT Administrations. However, Ministry of Human Resource Development (MHRD) vide letter no 12-5/2016-EE.11 dated 25.05.2016 requested States/UTs to carry out a ground assessment of private schools across the country to ensure to comply with the Section 12 (1)(c) of RTE Act, 2009. Further, MHRD, in various meetings like State Education Secretaries conference, Joint Review Missions (JRM) of SSA, PAB (Project Approval Board) Meetings, has been advising/guiding State/ UT Governments to emphasise on implementation of the Section 12(1)(c) of the RTE Act 2009.
