

**GOVERNMENT OF INDIA  
MINISTRY OF HUMAN RESOURCE DEVELOPMENT  
DEPARTMENT OF SCHOOL EDUCATION & LITERACY  
LOK SABHA  
UNSTARRED QUESTION NO. 209  
TO BE ANSWERED ON 04<sup>th</sup> February, 2019  
Retention Policy**

**†209. Shri Ram Tahal Choudhary:  
Shrimati Rama Devi:**

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

- (a) whether there is any rule for expulsion of students from schools in case they fail from class I to VIII under the Right of Children to Free and Compulsory Education (RTE) Act and if so, the details thereof;
- (b) whether such expulsion of students from schools is not a violation of the said Act;
- (c) if so, the reaction of the Government in this regard; and
- (d) the corrective measures taken/ to be taken by the Government in this regard?

**ANSWER**

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

(a): No, Madam. The Right of Children to Free and Compulsory Education (Amendment) Act, 2019 has been notified on 11<sup>th</sup> January, 2019, which provides that:

- (i) there shall be a regular examination in the fifth class and in the eight class at the end of every academic year.
- (ii) if a child fails in the examination referred to above, he shall be given additional instruction and granted opportunity for re-examination within a period of two months from the date of declaration of the result.
- (iii) the appropriate Government may allow schools to hold back a child in the fifth class or in the eighth class or in both classes, in such manner and subject to such conditions as may be prescribed, if he fails in the re-examination.
- (iv) the appropriate Government may decide not to hold back a child in any class till the completion of elementary education.
- (v) no child shall be expelled from a school till the completion of elementary education.

(b) to (d) : Under Section 8 of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 the appropriate Governments have the responsibility to implement the provisions of the RTE Act, 2009 to provide free and compulsory education to every child as per the norms and standards specified in the RTE Act, 2009.

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