

**GOVERNMENT OF INDIA
MINISTRY OF HUMAN RESOURCE DEVELOPMENT
DEPARTMENT OF SCHOOL EDUCATION & LITERACY**

**LOK SABHA
UNSTARRED QUESTION NO. 327
TO BE ANSWERED ON 24.06.2019**

Right to Education

327. DR. MANOJ RAJORIA:

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

- (a) whether the Government has taken significant concrete steps to ensure the meticulous compliance of the provisions stipulated in the Right to Free and Compulsory Education Act, 2009 relating to the reservation of seats for the Economically Weaker Sections in private schools;
- (b) if so, the details thereof along with the measures taken/to be taken by the Government in cases of rampant non-compliances; and
- (c) Education being a subject of the Concurrent List, the details of the responsibilities of the Union Government for ensuring the compliances of the RTE Act, 2009?

ANSWER

**MINISTER OF HUMAN RESOURCE DEVELOPMENT
(SHRI RAMESH POKHRIYAL 'NISHANK')**

(a) to (c): Section 12(1)(c) of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 provides for admission of children belonging to weaker sections and disadvantaged groups in the neighbourhood private unaided schools in Class I or below to the extent of at least 25 percent of the strength of that class.

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. For implementation of this section, States and UTs are required to notify the disadvantaged groups and weaker sections, notify per child cost and start admissions in private un-aided schools. Accordingly, 33 States/ UT have notified disadvantaged groups and weaker sections which are eligible for admission in Private

unaided Schools under Section 12 (1)(c). Telangana is the only State which has not yet notified Disadvantaged groups and Weaker Sections.

As per Annual Work Plan and Budget of the States and UTs (AWP&B 2019-20), 17 States and UTs are admitting children belonging to disadvantaged groups and weaker section in private unaided schools under Section 12(1)(c) of the RTE Act. Information provided by the States and UTs indicate that there is a consistent increase in the number of children getting admission or continuing under this provision. The reimbursement is based on per child cost norms notified by the State/UT concerned for classes I to VIII. The reimbursement from Central Government to States and UTs has started from 2014-15 onwards.

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 unaided schools across the country to ensure compliance with the provisions of Section 12 (1)(c) of RTE Act, 2009. Further, MHRD, in various meetings like State Education Secretaries Conference, Project Approval Board Meetings, Regional workshops, reviews and emphasizes on the proper implementation of the provisions of the RTE Act.

Whenever This Ministry receives complaints about non-compliance of RTE Act, relating to reservation of seats for the Economically Weaker Sections in private schools, such complaints are forwarded to concerned States and UTs for taking appropriate action as per their existing rules. Education is in the Concurrent List and majority of the schools are under the purview of the State Governments and it is primarily for the States to take appropriate action for implementation of RTE Act.

Samagra Shiksha an integrated scheme for School Education has been launched by Government of India from 2018-19, for the school education sector extending from pre-school to class 12 by subsuming the three erstwhile Centrally Sponsored Schemes of Sarva Shiksha Abhiyan (SSA), Rashtriya Madhyamik Shiksha Abhiyan (RMSA) and Teacher Education (TE). The scheme provides for support to the States & UTs for implementation of RTE Act, including reimbursement of expenditure incurred by the States & UTs under Section 12(1)(c) of the Act.
