

GOVERNMENT OF INDIA  
MINISTRY OF EDUCATION  
DEPARTMENT OF SCHOOL EDUCATION & LITERACY  
**LOK SABHA**  
**UNSTARRED QUESTION NO- 5184**  
ANSWERED ON- 03/04/2023

**RESERVATION AT ENTRY LEVEL CLASSES IN SCHOOLS UNDER RTE ACT,  
2009**

5184. SHRI VISHNU DATT SHARMA:

Will the Minister of EDUCATION be pleased to state:

- (a) whether under the Right to Education (RTE) Act, 2009, at least twenty-two per cent of seats to entry-level classes have to be reserved for children from Economically Weaker Sections (EWS) and Disadvantaged Groups (DG), and further three per cent have to be reserved for children with disabilities;
- (b) if so, the details thereof;
- (c) whether this statutory mandate is being abided by all State Government schools in the country;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor and the measures being taken by the Government to ensure statutory compliance?

**ANSWER**

MINISTER OF STATE IN THE MINISTRY OF EDUCATION  
(SMT. ANNPURNA DEVI)

(a) to (e): Education is in the Concurrent List of the Constitution and majority of schools are under the jurisdiction of the respective State Government and Union Territory Administration which are the appropriate Government for implementation of the provision of the Right of Children to Free and Compulsory Education (RTE) Act, 2009.

The RTE Act, 2009, mandates the appropriate Government to provide free and compulsory elementary education to every child of the age 6 to 14 years in a neighborhood school. The RTE Act is applicable throughout the country.

Section 12(1)(c) of the RTE Act, 2009 provides for admission of children belonging to weaker sections and disadvantaged groups in the schools specified in sub-clauses (iii) and (iv)

of clause (n) of section 2 in Class I (or below) to the extent of at least 25 percent of the strength of that class.

For implementation of the provision of the Act the respective State/ UT Government is required to notify the Disadvantaged Groups and weaker sections, per child cost and start admissions as per the laid down procedure and have a grievance redressal mechanism in place. 19 States/ UTs are admitting children under Section 12 (1)(C) of the RTE Act. UT of Lakshadweep does not have any Private Unaided Schools

Further, insofar as Kendriya Vidyalaya Sangathan (KVS) is concerned, 25 percent seats are reserved in entry stage of admission in KVs under the RTE Act, 2009 for children from Economically Weaker Section and Disadvantaged Groups including Children with Special Needs(CWSN). Additionally, three percent seats are horizontally reserved for CWSN in fresh admissions in KVs.

Ministry of Education has 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 of the RTE Act, 2009. Further, Ministry of Education, in various meetings like State Education Secretaries Conference, Regional/State workshops, Project Approval Board Meetings, has been advising/ guiding State/ UT Governments on implementation of Section 12 of the RTE Act, 2009.

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