

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

**LOK SABHA  
UNSTARRED QUESTION NO. 38  
TO BE ANSWERED ON 18.11.2019**

**Right to Education**

38. SHRI MANICKAM TAGORE B.:

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

- (a) whether it is mandatory to keep 25% of seats in private schools for children belonging to the weaker sections of the society under the Right of Children to Free and Compulsory Education Act;
- (b) if so, the details thereof and whether the Government is aware that majority of the schools do not follow the provision of the Act;
- (c) if so, whether the Government has formulated any monitoring mechanism in this regard; and
- (d) if so, the details thereof?

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

(a) to (d): The Right of Children to Free and Compulsory Education (RTE) Act came into effect from 1<sup>st</sup> April 2010. The Act makes elementary education a fundamental right of all children in the age group of 6-14 years.

Section 12 of the Act mandates all private aided, Special Category schools and private unaided schools to admit in class I (or below) to the extent of at least 25% of the strength of that class, children belonging to weaker sections and disadvantaged groups and provide free and compulsory education till its completion.

Education is a subject in the Concurrent List and majority of the schools are under the administrative control of the States and Union Territories Administrations. 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. 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 unaided schools across the country to ensure compliance with the provisions of Section 12 of RTE Act, 2009. Further, Ministry of Human Resource Development, in various meetings like State Education Secretaries Conference, Joint Review Missions (JRM), Project Approval Board Meetings, has been advising/ guiding State/ UT Governments to emphasise on implementation of Section 12(1)(c) of the RTE Act, 2009. All States and UTs are required to submit their Annual Work Plan and Budget(AWP&B) for each year. This document contains information regarding progress and proposal about various provisions for school education including implementation of Section 12(1)(c) of the RTE Act, 2009.

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