

GOVERNMENT OF INDIA
MINISTRY OF EDUCATION
DEPARTMENT OF SCHOOL EDUCATION & LITERACY

LOK SABHA
UNSTARRED QUESTION NO. 1189
ANSWERED ON 08.12.2025

Payment of Gratuity Act to CBSE Affiliated Teachers

1189. Shri S Venkatesan:

Will the Minister of EDUCATION be pleased to state:

- (a) the number of CBSE affiliated private schools which are still not paying Gratuity to their teachers in accordance with The Payment of Gratuity Act, 1972 as amended in 2009 with retrospective effect from 03.04.1997, in the State of Tamil Nadu; and
- (b) the steps taken by the Government to ensure payment of gratuity by the private CBSE schools which have not complied with the amended gratuity act?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF EDUCATION
(SHRI JAYANT CHAUDHARY)

(a) & (b): Education is a subject in the Concurrent List of the Constitution. Schools, other than those owned/ funded by the Central Government, are under the jurisdiction of the respective State Governments. Therefore, this matter falls under the regulatory ambit of the respective state government and as such, to be enforced by these authorities.

Further, following provision has been laid down in Central Board of Secondary Education (CBSE) Affiliation Bye Laws-2018 with regard to Service rules:

Clause 5.3 stipulates that the school shall define the service rules of teaching & non-teaching staff on the lines of the service rules of the employees of Appropriate Government including well documented provisions in respect of the Contributory Provident Fund - Pension Scheme (5.3.11).

Clause 5.2.2 stipulates that “Teaching & non-teaching staff should be appointed on pay scales and allowances prescribed by the Appropriate Government.”

It is mandatory for all the Board’s affiliated schools to follow the Affiliation Bye-laws of the Board *mutatis mutandis*.