

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

**LOK SABHA
STARRED QUESTION NO.111
TO BE ANSWERED ON 02.05.2016**

Commercialization of Education

†*111. SHRI RAKESH SINGH:
SHRI BIDYUT BARAN MAHATO:

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

- (a) whether the Government proposes to take measures to check the arbitrary working of private schools and commercialization of education in the country and if so, the details thereof;
- (b) whether the Government has taken cognizance of the difficulties faced by the common man due to exorbitant increase in fees charged by private schools across the country;
- (c) if so, whether the Government proposes to formulate any policy or regulatory body to oversee all aspects of the functioning of private schools in the country including the determination of the fee structure and annual fee hike of private schools and if so, the details thereof;
- (d) the steps taken by the Government to ensure admission of the children belonging to the Economically Weaker Section of the society in private schools as per the prescribed quota; and
- (e) the steps taken by the Government to improve the level of education in private schools in coordination with the State Governments?

**ANSWER
MINISTER OF HUMAN RESOURCE DEVELOPMENT
(SMT. SMRITI ZUBIN IRANI)**

(a) to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO THE PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 111 FOR 02.05.2016 ASKED BY SHRI RAKESH SINGH, SHRI BIDYUT BARAN MAHATO, HON'BLE MPs REGARDING "COMMERCIALISATION OF EDUCATION"

(a) to (e): Central Board of Secondary Education (CBSE) affiliates schools for the purpose of examination and certification at the end of Class X and Class XII. Affiliation Bye-Laws of CBSE prescribes that Society Managing the school shall ensure that the school is run as a community service, not as business, no commercialization takes place in the school in any shape whatsoever. Society Managing the school shall also ensure that the funds accruing from the school are spent for the benefit of the school and for its expansion. Government /Government-aided/Kendriya Vidyalayas/Jawahar Navodaya Vidyalayas/ Central Tibetan Schools are to follow the rules of the respective Government or Government organizations in all matters. Whereas, unaided privately managed independent schools are expected to adhere to the provisions prescribed in the Affiliation Bye-Laws of the Board. Affiliation Bye-Laws of the Board inter-alia prescribe the following:

- Fees charges should be commensurate with the facilities provided by the institution. Fees should normally be charged under the heads prescribed by the Department of Education of the State/UT for schools of different categories.
- No capitation fee or voluntary donations for gaining admission in the schools or for any other purpose should be charged/collected in the name of the school and the school should not subject the child or his or her parents or guardians to any screening procedure.
- In case of such malpractices, the Board may take action leading to disaffiliation of the school. Further, any school or person violates the above provisions is liable for the following:
 - Receives capitation fee, shall be punishable with fine which may extend to ten times the capitation fee charged;
 - Subjects a child to screening procedure, shall be punishable with fine which may extend to twenty five thousands rupees for the first contravention and fifty thousand rupees for each subsequent contraventions.
- In case a student leaves the school for such compulsion as transfer of parents or for health reason or in case of death of the student before completion of the session, prorata return of quarterly/term/annual fees should be made.
- The unaided schools should consult parents through parents representatives before revising fees. The fee should not be revised during the mid-session.
- CBSE issues Guidelines and Circulars to its affiliated schools from time to time for strict adherence of provisions of its affiliation Bye-Laws.

Affiliation Bye-Laws of the CBSE also have the following provisions:

- For the purpose of admission and extent of schools responsibility for free and compulsory education the school shall be governed by the provisions of the Rights of Children to Free and Compulsory Education Act, 2009 and the amendments, made there to from time to time.
- The school shall maintain all relevant records of the students applied and admitted annually as stipulated in Section 3 (1) and (2) of the RTE Act, 2009 and shall also follow the guidelines/instruction issued by the State in which the school is situated.
- CBSE issued circulars in April, 2012 and November 2012 to ensure admission under RTE Act 2009. These circulars are available on CBSE website www.cbse.nic.in.

Education being a concurrent subject, majority of private schools come under the purview of State Governments/UT Administration. Fees and admission including admission under Economic Weaker Section (EWS) quota are regulated in schools including private schools by the State Governments/UT Administration.

STATEMENT REFERRED TO IN REPLY TO THE PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 111 FOR 02.05.2016 ASKED BY SHRI RAKESH SINGH, SHRI BIDYUT BARAN MAHATO, HON'BLE MPs REGARDING "COMMERCIALISATION OF EDUCATION"

EXECUTIVE SUMMARY

1.The thrust of question :

The thrust of the question is on arbitrary works of Private schools, exorbitant increases in fee, regulation for Private schools, and Economic Weaker Section (EWS) admission quota in Private schools.

2. Central Board of Secondary Education (CBSE)

The Central Board of Secondary Education (CBSE) functions under the aegis of this Ministry and is responsible for granting affiliation to schools, and conducting public examination at secondary (X) and senior secondary examinations (XII) stage, researching and reforming education system and training principals and teachers of the schools affiliated to it. The CBSE was constituted as a registered society under Societies Registration Act, 1860. As of now 17,349 schools are affiliated with the Board.

3. Major Activities and Objectives of CBSE

- To prescribe conditions of examinations and conduct public examination at the end of Class X and XII. To grant qualifying certificates to successful candidates of the affiliated schools.
- To fulfill the educational requirements of those students whose parents were employed in transferable jobs.
- To prescribe and update the course of instructions of examinations
- To affiliate institutions for the purpose of examination and raise the academic standards of the country.

4. The prime focus of the Board is on

- Innovations in teaching-learning methodologies by devising student-friendly and student-centered paradigms.
- Reforms in examinations and evaluation practices.
- Skill learning by adding job-oriented and job-linked inputs.
- Regularly updating the pedagogical skills of the teachers and administrators by conducting in service training programmes, workshops etc.

5. The Affiliation Bye-laws of CBSE clause **19.1.(ii)** defining the Role of Society managing the school prescribes that *"It shall ensure that the school is run as a community service and not as a business and that commercialization does not take place in the school in any shape whatsoever."*

Clause 19.1. (iii) further states that *"It shall ensure that the funds accruing from the school are spent for the benefit of the school and for its expansion."*

Government/ Government-aided / Kendriya Vidyalayas /Jawahar Navodaya Vidyalayas / Central Tibetan Schools are to follow the rules of the respective Government or Govt. organizations in all matters. Whereas, unaided privately managed independent schools are expected to adhere to the provisions prescribed in the Affiliation Bye-Laws of the Board.

Clause 11.1 of the Affiliation Bye-Laws of the Board inter alia prescribe the following: -

Affiliation Bye-laws states that

"Fees charges should be commensurate with the facilities provided by the institution. Fees should normally be charged under the heads prescribed by the Department of Education of the State/U.T. for schools of different categories. No capitation fee or voluntary donations for gaining admission in the school or for any other purpose should be charged / collected in the name of the school and the school should not subject the child or his or her parents or guardians to any screening procedure. In case of such malpractices, the Board may take drastic action leading to disaffiliation of the school."

Further, any school or person violates the above provisions is liable for the following: -

- (i) Receives capitation fee, shall be punishable with fine which may extend to ten times the capitation fee charged;*
- (ii) Subjects a child to screening procedure, shall be punishable with fine which may extend to twenty-five thousand rupees for the first contravention and fifty thousand rupees for each subsequent contraventions."*

In case a student leaves the school for such compulsion as transfer of parents or for health reason or in case of death of the student before completion of the session, prorata return of quarterly/term/annual fees should be made.

The unaided schools should consult parents through parents representatives before revising the fees. The fee should not be revised during the mid-session.

Further, the Board issues Guidelines and Circulars to its affiliated schools from time to time for strict adherence of provisions of its affiliation Bye-Laws.

The Affiliation Bye-Laws of the Board also have the following provisions:

Affiliation Bye-Law 12 (ii) For the purpose of admission and extent of schools responsibility for Free and Compulsory Education the school shall be governed by the provisions of the Right to Children to Free and Compulsory Education Act, 2009 and the amendments, made there to from time to time.

Affiliation Bye-Law 12 (iii) The school shall maintain all relevant records of the students applied and admitted annually as stipulated in Section 3 (1) and (2) of the RTE Act, 2009 and shall also follow the guidelines/instructions issued by the State in which the school is situated.

In so far as admission under RTE Act (2009) is concerned the Board has issued circulars No. CBSE/AFF/Circular/2012/411031 dated 18.4.2012 and CBSE/AFF/Circular 2012/496855 dated 23.11.2012 which are also available on CBSE website www.cbse.nic.in.

6. Curriculum prescribed by CBSE

Central Board of Secondary Education (CBSE) prescribes curricula for examinations on the basis of National Policy on Education -1986 and the National Curriculum Framework-2005. The curriculum prescribed by CBSE is based on the values, skills and competencies as envisioned in these documents. The curriculum prescribed by CBSE contributes to the development of values, social attitudes and skills, such as tolerance and respect for all, human rights, gender equality, justice and inclusiveness and the acquisition of relevant knowledge that students need to apply in the context of their studies, daily lives and future vocations. The curriculum prescribed by CBSE also support the learner's personal growth by contributing to enhancing their self-reliance, motivation and aspirations. The assessment in all these areas is reflected in the final certificate awarded by the Board. The e-copies of the Curriculum documents -2016-17 are available at the following link <http://cbseacademic.in/curriculum.html>

7. Textbooks and support material published by the CBSE

It is an undisputed fact that textbooks are the most important resource that has been playing a pivotal role in the delivery of curriculum in the schools. However the availability of textbooks in most of the parts of India is not uniform and people often complain about the non-shortage or availability of textbooks. This affect the quality of education adversely and in some cases leads to drop-outs which makes universalization of primary and secondary education rather difficult to achieve and maintain.

National Curriculum Framework-2005 under the section 5.5.1 (Plurality of textbooks) mentioned that textbooks may be made available on the web (Public Domain) so that apart from use by various stakeholders feedback and critique may also be received for the further improvement of textbooks.

Government of India has been encouraging digitization of learning resources and set up National Mission on Education through Information and Communication Technology (NMEICT) under the 11th Five Year Plan (2007-12) to drive convergence in the education sector through Digitized Content, Connectivity and Low-cost Access cum Computing Devices (LACD).

Following the vision of government and in order to resolve various issue related with availability of textbooks and heavy school bags of children, and to comply with suggestions made in the NCF-2005, Central Board of Secondary Education has uploaded its textbook in the form of e-books at its website.¹⁰⁹ most popular of such books are available in digitalized form at the following link.
<http://cbse.nic.in/ePub/webcbse/webcbse/ab-cbse-book-7.html>

8. Administrative Control of States -

Education being a concurrent subject, majority of private schools come under the purview of State Governments/UT Administration. Fees and admission including admission under Economic Weaker Section (EWS) quota are regulated in schools including private schools by the State Governments/UT Administration.

9. Right of children for Free and Compulsory Education Act, 2009 -

The RTE Act-2009 recommends that “specified in sub-clauses (iii) a school belonging to specified category; and (iv) an unaided school not receiving any kind of aid or grants to meet its expenses from the appropriate Government or the local authority of clause (n) of section 2 shall admit in Class I, to the extent of at least twenty five per cent of the strength of that class, children belonging to weaker section and disadvantaged group in the neighbourhood and provide free and compulsory elementary education till its completion”.

10. ICT Resources for Teaching Learning –

For extending access of students, teachers and other stakeholders to variety of ICT resource (teaching-learning) and henceforth improving quality of school education at all levels, the NCERT has already introduced National Repository of Open Educational Resources (NROER) and e-pathshala, a platform for showcasing and dissemination of all digital and digitisable resources for its stakeholders. The e-resources for students include e-books from classes I to XII, e-contents, i.e. audio, video, interactive objects, text images, maps, question banks, e-courses in various subjects, scholarships, events, melas, competitions etc. Similarly the e-resources for teacher and teacher educators shall include source books, teacher handbooks, lab manuals, supplementary reading materials, e-courses/online courses under MOOCs, e-groups, blogs, etc.

RAJYA SABHA STARRED QUESTION NO. 111 FOR 2.05.2016 ASKED BY SHRI RAKESH SINGH AND SHRI BIDYUT BARAN MAHATO, HON'BLE MP'S REGARDING "COMMERCIALISATION OF EDUCATION"

Note for Supplementary

1.The thrust of question :

The thrust of the question is on arbitrary works of Private schools, exorbitant increases in fee, regulation for Private schools, and Economic Weaker Section (EWS) admission quota in Private schools.

2. Examination conducted by CBSE:

Central Board of Secondary Education is an autonomous body under the Department of School Education & Literacy, Ministry of Human Resource Development, Government of India. CBSE conducts Class X and Class XII public examination for the students studying in its affiliated schools. There are 17,349 affiliated schools located within the country and 199 schools in 23 countries abroad as on 30/06/2015. Besides Class X and Class XII examination, the CBSE does conduct number of other entrance examinations mainly AIPMT, JEE, CTET, UGC-NET, Navodaya Vidyalaya Admission in class VI entrance test, etc. The details of the candidates appearing for the important exams is as under:

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12. Major Provisions under CBSE Affiliation Bye-Laws –

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