

**GOVERNMENT OF INDIA  
HUMAN RESOURCE DEVELOPMENT  
LOK SABHA**

UNSTARRED QUESTION NO:1261

ANSWERED ON:25.07.2016

Right of Children to Free and Compulsory Education (RTE) Act

Baker Shri George;Chavda Shri Vinod;Kishore Shri Kaushal;Senthilnathan Shri PR.;Sharma Shri Jugal Kishore;Singh Shri Dushyant;Sonker Smt. Neelam;Verma Shri Bhanu Pratap Singh

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

- (a) the salient features of the Right of Children to Free and Compulsory Education (RTE) Act, 2009
- (b) whether it is a fact that all private/non-aided/CBSE schools are required to reserve 25% seats for Economically Weaker Section (EWS) children under the said act and if so, the details thereof during the last two years, State/UT and year-wise including Uttar Pradesh;
- (c) whether the Government has received complaints against any school not admitting children belonging to EWS category under the said provision and if so, the details thereof, State/UT-wise;
- (d) whether the Government proposes to implement and ensure 25% reservation for children of EWS category in all the Kendriya Vidyalayas and Navodaya Vidyalayas in the country and if so, the details thereof;
- (e) whether the Government has appointed any vigilance and monitoring Committee and ombudsman to check, monitor and ensure the implementation of the said policy and if so, the details thereof; and
- (f) the steps taken/ proposed to be taken by the Government to provide financial and technological support for Kendriya Vidyalayas and Navodaya Vidyalayas in the country during the last three years, State/UT and year-wise ?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT  
(SHRI UPENDRA KUSHWAHA)

- (a): The Right of Children to Free and Compulsory Education (RTE) Act, 2009 provides for free and compulsory education to every child of the age of six to fourteen years in a neighbourhood school till completion of elementary education. It specifies the duties and responsibilities of appropriate Governments, local authority, parents, teachers and schools in providing free and compulsory education, and sharing of financial and other responsibilities between the Central and State Governments. It lays down the norms and standards relating, inter alia, to Pupil Teacher Ratios (PTRs), buildings and infrastructure, school-working days, teacher-working hours. It prohibits of deployment of teachers for non-educational work, other than decennial census, elections to local authority, state legislatures and parliament, and disaster relief. It provides for an academic authority to lay down teacher qualifications and training of untrained teachers already present in the system. It prohibits (a) physical punishment and mental harassment; (b) screening procedures for admission of children; (c) capitation fee; (d) private tuition by teachers and (e) running of schools without recognition. It provides for development of curriculum in consonance with the values enshrined in the Constitution, and which would ensure the all-round development of the child.
- (b): Section 12 (1)(c) of the RTE Act, 2009 mandates that all private un-aided schools shall admit children belonging to weaker section and disadvantaged group in the neighbourhood in class I (or pre-school, as the case may be), to the extent of at least 25 percent of the strength of that class and provide free and compulsory elementary education to them till its completion. Details of the number of children admitted under Section 12(1)(c) of the RTE Act, 2009 in the year 2014-15 & 2015-16 are given at Annexure-I.
- (c): Complaints regarding non-admission of children under section 12(1) (c) of the RTE Act, 2009 are received from time to time and are referred for remedial action to the State Government concerned, as the State Government is the appropriate government in the matter. Local grievance redressal mechanisms have also been set up by the State Governments under the RTE Act, 2009. The State Commission for Protection of Child Right (SCPCR) at the State level and the National Commission for Protection of Child Right (NCPCR) at the national level, also redress grievances with regard to the implementation of the RTE Act.
- (d): Section 12(1)(c) of the RTE Act 2009 is applicable to Kendriya Vidyalayas and the details of admission under this provision in Kendriya Vidyalayas is given at Annexure-II. As Navodaya Vidyalayas start from Class VI, this provision is not applicable to them.
- (e): Section 31 and 32 of the RTE Act, 2009 provides for monitoring of the rights of the child, including admission of students belonging to Disadvantaged Groups and Economically Weaker Sections, by the National Commission for Protection of Child Rights (NCPCR) and the State Commissions for Protection of Child Rights (SCPCRs), and redressal of grievances by the local authorities.

(f) Details of financial support provided by the Central Government for all areas including technological support to Kendriya Vidyalaya Sangathan (KVS) and Navodaya Vidyalayas Samiti (NVS) during the last three years are at Annexure-III. The financial support is not provided Statewise, but to the organisations as a whole.

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