

GOVERNMENT OF PUDUCHERRY
ABSTRACT

Chief Secretariat (Education) - Guidelines for the implementation of Free and Compulsory Education in Schools under the Right of Children to Free and Compulsory Education (RTE) Act, 2009 – 25% reservation of seats in pre-school education/class I in specified category schools and un-aided private schools in the Union Territory of Puducherry- Notification-Issued.

CHIEF SECRETARIAT (EDUCATION)

G.O.Ms.No. 108

Puducherry, dated: 22 NOV 2012

READ: (i) This Secretariat's G.O.Ms.No.101, dated 24.10.2011.
(ii) I.D Note No.005/SSA/RTE/2011 dated 21.09.2012
from the Director of School Education, Puducherry

ORDER:

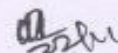
In exercise of the powers conferred by Section 11 read with clause (c) of sub-section (1) of section 12 of the Right of Children to Free and Compulsory Education Act, 2009 (Central Act No.35 of 2009), the Lieutenant- Governor, Puducherry, is pleased to frame the following guidelines with immediate effect, to provide for 25% reservation of seats in pre-school education/class I in all specified category of schools and un-aided private schools in the Union Territory of Puducherry, namely:-

Guidelines for the implementation of free and compulsory Education in schools as per clause (c) of sub-section (1) of section 12 of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 (25% reservation of seats in pre-school education / class I):

1. Background and Rationale.-

The implementation of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 (Central Act 35 of 2009) ensures admission and equal opportunity for all categories of children in the age group of 6-14 years in all the schools including private unaided schools. The children belonging to the families of weaker sections and disadvantaged groups are deprived of admissions in private unaided schools for the reasons of backwardness in social or economical conditions. The RTE Act, 2009 ensures admission for these types of children in private (unaided) schools at Government cost.

In accordance with the provisions of clause (c) of sub-section (1) of section 12 of the Right of Children to Free and Compulsory Education (RTE) Act, 2009, each specified schools (Kendriya Vidyalaya, Navodaya Vidyalaya or any other school having a distinct character which may be specified by notification), recognized private un-aided school functioning in the Union Territory of Puducherry shall admit in pre-school education/class I, to the extent of at least twenty-five percent 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.



2. Eligibility of the Children.-

- (i) The children belonging to such parent or guardian, whose annual income is below or within the limit of poverty line (BPL) as notified by the Government of Puducherry shall be eligible to be admitted against the seats reserved for weaker section.
- (ii) The children belonging to the Scheduled Caste, the Scheduled Tribe, the Most Backward Community, the Other Backward Community, Physically Handicapped shall be eligible to be admitted against the seats reserved for the category of disadvantaged group.
- (iii) The children shall invariably reside for a minimum of two years immediately preceding the date of admission in the neighbourhood area of the school in which admission is sought. To determine the period of residence, the ration card issued by the Civil Supplies Department, Government of Puducherry may be taken into account for proof of period of residence.
- (iv) Provided further that the school may extend the limit of neighbourhood area with the approval of the Director of School Education who shall issue orders in this regard after ensuring that all the seats in the Government school(s) in the neighbourhood area have been filled up.

3. Reservation of seats.-

(i) The distribution of seats among the disadvantaged group and weaker section will be as follows:

Children belonging to weaker section	- 12.5% of the strength of that class
Children belonging to disadvantaged group	- 12.5% of the strength of that class

(ii) "Child belonging to disadvantaged group" means a child belonging to the Scheduled Caste, the Scheduled Tribe, the socially and educationally backward class or such other group having disadvantage owing to gender or physically handicapped and the percentage of reservation earmarked for each category is as follows:

Vertical Reservation

Scheduled Caste	32%
Scheduled Tribe	02%
Backward Communities	66%

(NOTE: Within 66% earmarked for Backward Communities, Most Backward Communities - 40%; and Other Backward Communities - 26%)

Horizontal Reservation

Physically Handicapped

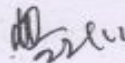
5%

Gender: Atleast 50% of the seats allotted shall be reserved for female students in the case of schools imparting co-education.

(iii) "Child belonging to weaker section" means a child belonging to such parent or guardian whose annual income is within the limit of Below Poverty Line (BPL) as fixed by the Government of Puducherry.

4. Reimbursement of fees.-

- (i) No fees shall be charged from the children admitted in pursuance of these guidelines at the time of admission or during his/her studies till he/she completes the elementary education.
- (ii) The fees for these children studying in private un-aided schools shall be reimbursed to the extent of per-child-expenditure incurred by the State, or the actual amount charged from other children in the same class, whichever is less, in such manner as may be determined by the Department of School Education.
- (iii) If such school is already under obligation to provide free education to a specified number of children on account of it having received any land, building, equipment or other facilities, either free of cost or at a concessional rate, such school shall not be entitled for reimbursement to the extent of such obligation.
- (iv) The reimbursement will be made directly through e-transfer into a separate bank account maintained by the school, in two installments during the academic year. First installment of 50% will be released in the month of September and the balance in the month of January.
- (v) The school shall, in the month of July, submit the list of students admitted in the school to the Inspecting Officer for reimbursement under section 12 of the Act. The Inspecting Officer shall verify the enrollment of the children before making the reimbursement of the first installment. The school shall, in the month of November, certify the retention of the children admitted as per these provisions. The second instalment will be made after verification of the retention of children.



5. Selection of Students.-

- (i) The school shall notify the number of seats reserved for category of weaker section and disadvantaged group in the public domain or in the notice board, calling for applications from the eligible children residing in the neighbourhood area.
- (ii) If two or three schools are in the same area, the children can apply to any one of the schools or to all. On selection, the children may join the school of their choice.
- (iii) After receipt and scrutiny of the applications, the school administration shall prepare the list of all eligible candidates to be selected under these categories and display it in the notice board and shall also intimate the date of selection.
- (iv) On the date of selection, in the presence of the Inspecting Officers of the Department of School Education and the parents, the school shall select the children by random method. The school shall have the option of using computers and the relevant software for the selection of children by random method, which ensures transparency.
- (v) The select list shall be displayed in the notice board along with the waiting list. The parents/guardians should admit their children within two days from the date of selection failing which, the selection will be cancelled and the seats will be allotted to other children in the waiting list.
- (vi) No other method of selection other than random method shall be applied for selecting the students.

6. Monitoring Mechanism against Discrimination.-

- (i) The Department of School Education shall maintain a register of the list of children belonging to disadvantaged group and weaker section admitted in each school and also observe their achievement level in various classes.
- (ii) The students admitted in pursuance of clause (c) of sub-section(1) of section 12 of the Act shall not be discriminated from the rest of the children in any manner pertaining to entitlement and facilities such as text books, uniform, library, information and communication Technology facilities, extra-curricular activities, sports, etc.
- (iii) These children shall not be segregated from other children in the classrooms nor shall their classes be held at places and timings different from the classes held for other children.
- (iv) The Inspecting Officer shall ensure that the children admitted in pursuance of clause (c) of sub-section (1) of Section 12 of the Act are not discriminated in the school in any manner and shall also assess their progress. On satisfaction, the Inspecting Officer shall forward the application for reimbursement of fees.

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7. Award of certificate.-

After completion of elementary education, every child shall be awarded a certificate in the prescribed format, by the concerned institution, duly countersigned by the Inspecting Officer.

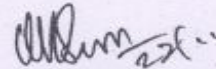
8. Applicability.-

These guidelines shall be applicable to all the specified category schools (i.e. Kendriya Vidyalaya, Navodaya Vidyalaya or any other school having a distinct character which may be specified by notification) and private un-aided schools imparting pre-school and elementary education (having classes from first class to eighth class) in the Union Territory of Puducherry.

9. Interpretation.-

The Director of School Education shall decide all disputes with regard to admission of children of weaker section and disadvantaged group in the schools to which these guidelines are made applicable.

//BY ORDER OF LIEUTENANT GOVERNOR//



**(M. GUNASEKARAN)
UNDER SECRETARY TO GOVT. (EDUCATION)**

To

The Director of Stationery & Printing, Puducherry – with a request to publish the same in the Gazette and to supply 25 copies for records.

Copy to: (1) The D.C./Commissioner-cum-Secretaries/Secretaries to Govt. of Puducherry (2) The Secretary to Lt. Governor/Chief Minister, Puducherry (3) The P.S. to Hon'ble Chief Minister/Sr.P.A. to Dy. Speaker, Puducherry (4) All Secretariat Departments/Heads of Departments (5) The Collector, Puducherry/Karaikal (6) The Regional Administrator, Mahe/Yanam (7) The Principal Accountant General(Civil Audit), Tamil Nadu and Puducherry, Chennai/Puducherry (8) The DAT/DDAT, Puducherry/Karaikal/Mahe/Yanam (9) The Director of School Education, Puducherry (10) The State Project Director, SSA, Puducherry (11) Spare/G.O. file.