

F. No. 1-15/2010-EE-4
Government of India
Ministry of Human Resource Development
Department of School Education & Literacy

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Room No. 429-A, 'C' Wing, Shastri Bhavan,
New Delhi dated 23rd November, 2010

Subject: Guidelines under section 35(1) of the Right of Children to Free and Compulsory Education Act, 2009 regarding its applicability to Minority Institutions – reg.

The Ministry has received representations from several minority organizations seeking clarification on the applicability of the provisions of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 on minority institutions in light of the provisions of Article 29 and 30 of the Constitution.

2. The matter has been examined in the Ministry. Wide ranging consultations have also been held to obtain views and opinion of various stakeholders on the subject, and the following guidelines are accordingly issued under section 35(1) of the RTE Act, 2009.
3. Institutions, including Madrasa and Vedic Pathshalas especially serving religious and linguistic minorities are protected under Article 29 and 30 of the Constitution. The RTE Act does not come in the way of continuance of such institutions, or the rights of children in such institutions.
4. Schools are defined in section 2(n) of the RTE Act. Schools of minority organizations covered within the meaning of section 2(n) of the Act, will be governed by the provisions of the RTE Act, 2009.
5. Appropriate Governments and local authorities shall ensure that the rights of Minority Institutions, guaranteed under Articles 29 and 30 of the Constitution, are protected while implementing the provisions of the RTE Act.

This issues with the approval of the competent authority.



(Vikram Sahay)
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