

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

UNSTARRED QUESTION NO:5748  
ANSWERED ON:07.09.2011  
PROMOTION TO NEXT CLASS  
Dhurve Jyoti

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

- (a) whether the students will not be denied promotion to the next class on the basis of their performance in examination upto Class VIII;
- (b) if so, the details thereof;
- (c) whether the Government is aware that the students are declared failed and rusticated on various pretexts in Government and private schools, particularly in public schools;
- (d) if so, the number of students declared failed in class VIIIth during the last three years in the country, State-wise; and
- (e) the steps being taken by the Government in this regard?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (Dr. D. PURANDESWARI)

(a) & (b): The Right of Children to Free and Compulsory Education (RTE) Act, 2009 which has come into force from 1st April, 2010 provides for free and compulsory education to all children in the age group of six to fourteen years. Section 16 of the RTE Act provides that no child admitted in a school shall be held back in any class or expelled from school till the completion of elementary education. Section 30 further provides that no child shall be required to pass any Board examination till completion of elementary education.

(c) to (e): The States/UTs have undertaken the task of implementing the provisions of the RTE Act. 25 States/UTs have issued Notification prohibiting detention/expulsion in schools. Details of children detained in class VIII by various school managements is not maintained centrally. The National Commission for Protection of Child Rights (NCPCR) and the State Commissions for Protection of Child Rights (SCPCR) have been entrusted with the responsibility to monitor the rights of the child under the RTE Act.