

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

UNSTARRED QUESTION NO:5293
ANSWERED ON:09.05.2012
ADMISSION IN NURSERY CLASSES
Rana Shri Kadir

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

- (a) whether the Government is aware that the admission procedure of nursery class has been fully commercialised by private schools during the last few years;
- (b) if so, the reaction of the Government thereto;
- (c) whether the Government has taken/proposes to take any action against these schools;
- (d) if so, the details thereof; and
- (e) if not, the efforts being made by the Government to check the arbitrary attitude of these schools?

Answer

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

(a) to (e): The Government has consistently held the view that education in India is not regarded as a commercial activity and all educational institutions necessarily have to be set up in the 'not for profit' mode. Section 13 of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 inter alia provides that no school or person shall, while admitting a child, collect any capitation fee and subject the child or his or her parents or guardian to any screening procedure. Any school or person, if in contravention of the provision receives capitation fee, shall be punishable with fine which may extend to ten times the capitation fee charged. Further, Section 12(1) (c) of the RTE Act provides that unaided private schools and specified category schools shall admit at least 25% children belonging to disadvantaged groups and weaker sections in class I (or pre-primary class as the case may be), and provide them free and compulsory elementary education till its completion. The Government has issued Guidelines dated 23rd November, 2010 under section 35(1) of the RTE Act for implementing the provisions of section 12(1) (c) and section 13 of the RTE Act as under:

(i) With regard to admission of 25% children in class I (or pre-primary class as the case may be) in unaided and specified category schools, schools shall follow a system of random selection out of the applications received from children belonging to disadvantaged group and weaker section from the neighbourhood for filling the pre-determined number of seats in that class, which should be not less than 25% of the strength of the class.

(ii) For admission to the remaining seats, each school shall formulate a policy under which admissions are to take place. This policy should include criteria for categorization of applicants in terms of the objectives of the school on a rational, reasonable and just basis. There shall be no profiling of the child based on parental educational qualifications. The policy should be placed by the school in the public domain, given wide publicity and explicitly stated in the school prospectus. There shall be no testing and interviews for any child/parent falling within or outside the categories, and selection would be on a random basis.

It is the duty of the appropriate Government and the local authority to ensure implementation of the provisions of the RTE Act. The National Commission for Protection of Child Rights (NCPCR) and the State Commissions for the Protection of Child Rights (SCPCRs) have been entrusted with the responsibility to monitor the rights of the child under the RTE Act.