

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

UNSTARRED QUESTION NO:3486  
ANSWERED ON:12.02.2014  
AMENDMENT IN RTE ACT  
Mahtab Shri Bhartruhari

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

- (a) whether the High Court of Delhi has advised the Government to consider the applicability of RTE Act to the nursery classes as well in the recent past;
- (b) if so, the details thereof along with the reaction of the Government thereto;
- (c) whether the Government proposes to amend the law and bring the nursery education under the ambit of RTE Act;
- (d) if so, the details thereof along with the time by which such proposed legislation is likely to be introduced by the Government;
- (e) if not, the reason therefor; and
- (f) the other steps taken/being taken by the Government to keep a check on teaching shops in order to provide equal opportunity to the deserving children?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (Dr. SHASHI THAROOR)

(a) to (f): Yes, Madam, the High Court of Delhi while disposing the Writ Petition No. 8533/2010 filed by Social Jurist Vs. Government of NCT of Delhi and Others has observed that 'it is the right time for the Government to consider the applicability of the Right to Education Act to the nursery classes as well, as in many of the States admissions are made right from the nursery classes and the children so admitted are automatically allowed to continue from Class-I. In that sense, the provision of Section 13 would be rendered meaningless in so far as it prohibits screening procedure at the time of selection'.

A Central Advisory Board of Education (CABE) sub-committee under the chairpersonship of Minister of State, HRD, has been setup to consider the extension of RTE Act, 2009 to pre-primary classes. The deliberations of the sub-committee have not been finalized yet.

The RTE Act, 2009 also provides for the setting up of local grievance redressal fora and also for a State Commission for the Protection of Child Rights (SCPCR) for the redressal of grievances of children with regard to elementary education.