



# GOVERNMENT OF KERALA

## Abstract

General Education - Guidelines regarding procedure for admission in Unaided and Specified category schools under Section 13(1) and section 12(1)(c) of the RTE Act - Orders issued.

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### GENERAL EDUCATION (J) DEPARTMENT

G.O.(Ms) No. 158/2013/G.Edn Dated, Thiruvananthapuram, 4/5/2013

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Read:- 1. Letter F.1-15/2010 EE4 dated 23.11.2010 of Government of India, MHRD, Department of School Education & Literacy.

2. G.O(P)100/11/GEdn dated 30.4.2011.

### ORDER

The Right of children to Free and Compulsory Education (RTE Act 2009) was notified for implementation by Government of India on April 1, 2010. As per the Government Order read as 2nd paper above, Government of Kerala have published Kerala Right of children to Free and Compulsory Education Rules 2011.

Section 12(1)(c) of the RTE Act provides that Unaided schools and Specified Category Schools shall admit at least 25% of the strength of the class I, children belonging to weaker section and children belonging to disadvantaged group from the neighbourhood and provide them free and compulsory education till completion of elementary education. Further, where the schools admit children at pre-primary level, such admissions shall be made at that level.

The Government of India, MHRD, Department of School Education & Literacy in their letter read as 1st paper above have indicated certain guidelines for the purpose of admission under Section 13(1) and Section 12(1)(c) of the Act. The objective of the provisions of Section 13(1) read with Section 2(o) is to ensure that schools adopt an admission procedure which is non-discriminatory, rational and transparent and that schools do not subject children and their parents to **admission tests and interviews** in order to decide whether they will admit a child or not. **Admission tests and interviews** are generally a tool for profiling and eliminating children and therefore screening to assess a child's intelligence should be prohibited. The RTE Act is anchored in the belief that availability of equal educational opportunities to children belonging to different social and economic background will reinforce the idea of equality enshrined in our constitution and ensure that children are not discriminated on the basis of social or economic background or any such criteria. There is need for moving towards composite classrooms with children from diverse backgrounds rather than homogenous and exclusivist schools. It is an academically established point that heterogeneity in the class room leads to greater creativity.

Taking the above facts into consideration, the following guidelines are issued

- (1) With regard to admissions in class I (or pre-primary class as the case may be) under Section 12(1)(c) of the RTE Act, in Unaided and Specified Category Schools shall follow a system of random selection out of the application received from children belonging to disadvantaged groups and weaker sections for filling up the predetermined no of seats in that class, which should be not less than 25% of the strength of the class.

(a) For the above purpose a child belonging to weaker section' means a child belonging

to a parent or guardian whose annual income is less than 60,000/- rupees. Similarly child belonging to disadvantaged group means a child belonging to Scheduled Caste, the Scheduled Tribe, the socially and educationally backward class and child belonging to the following categories.

- (i) HIV affected children and children of HIV affected parent.
  - (ii) Orphans & children from recognised orphanages
  - (iii) Children with learning disabilities
  - (iv) Children with autism, cerebral palsy etc.
  - (v) Children with special needs.
- (b) While determining the number of seats for the above purpose, the admission of children from disadvantaged groups and from weaker sections of the neighbourhood shall be in the ratio of 1:1, provided that in the absence of students in any one category (disadvantaged) such shortage shall be filled up from children from the other category (weaker section)
- (c) For the selection of such children, the school shall publish the list of applicants and selection shall be by drawing of lots for each category. The list of selected children shall be displayed on the notice board on the same day.
- (d) The Head teachers of unaided and specified category schools shall ensure that such **children from neighbourhood** who are admitted against the 25% seats as given above shall not be segregated from the other children in the class rooms nor shall their classes be held at places and timing different from the classes held for the other children.
- (e) The provision regarding neighbourhood schools in sub rule (1) of rule 6 of RTE Rules shall apply to such admissions.
- (f) The expenditure incurred by the specified and unaided schools will be calculated and reimbursed as stipulated in RTE Act and rules provided they will be eligible for such concession from the Government only if there are no Government or aided schools within walking distance.
- (g) The Head teachers of unaided or specified category schools shall ensure that such **children shall not be discriminated** from the rest of the children in any manner pertaining to entitlements and facilities such as text books, uniforms, laboratory, library, Information and Communication Technology facilities, extra curricular activities and sports.
- (2) For admission to the remaining 75% of the seats or a lesser percentage depending upon the number of seats fixed by the school for admission under section 12(1)(c) in respect of unaided schools, each school should formulate a policy by which admissions are to take place. This policy should include criteria for categorisation 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 test and interviews for any child/parent falling within or outside the categories and selection should be on a random basis. Admission should be made strictly on this basis.

The aforesaid guidelines shall be strictly adhered to by all concerned.

(BY ORDER OF THE GOVERNOR)

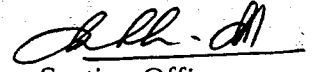
DR.K.ELLANGOVA

Secretary to Government

To

1. The Director of Public Instruction, Thiruvananthapuram.
2. The Deputy Director of Education/District Education Officers/Assistant Education Officers.
3. All District Collectors
3. The Accountant General (A&E/Audit), Kerala, Thiruvananthapuram.
4. The Director, Information and Public Relations Department
5. The Director, IT @ School, Thiruvananthapuram.  
Stock File/Office Copy.

Forwarded/By Order,

  
Section Officer

Copy to: PS to Minister (General Education),

PA to Secretary (General Education)

All Officers/Sections in General Education Department