ABSTRACT

School Education – Right of Children to Free and Compulsory Education Act 2009 – 25% Reservation for students belonging to Disadvantaged Group / Weaker Section in all Private Non-Minority unaided schools including CBSE / ICSE – Guidelines – Issued · Amendment · Issued.

SCHOOL EDUCATION (PL.2) DEPARTMENT

G.O.(Ms) No.59

Dated 12.05.2014,
Jaya, Chithirai 29
Thiruvalluvar Aandu 2045

Read:

1. G.O.(Ms) No.60 School Education (X2) Department, dated 01.04.2013


3. From the Director of Matriculation Schools, letter R C No 1560/A1/2014, dated 02.05.2014.

ORDER:

As per Section 12 (1) (c) of the Right of Children to Free and Compulsory Education Act, 2009 and as per rules 8 and 9 of the Tamil Nadu Right of Children to Free and Compulsory Education Rules, 2011, it is mandatory to reserve 25% of seats for admission at entry level class to the children belonging to Disadvantaged Group / Weaker Sections following the norms of neighbourhood schooling. According to this provision, Children belonging to the above groups whose residence is within 1 km or 3km for Primary and Upper Primary classes respectively from the school in which the children to be admitted are eligible for 25% reservation.

2. In the Government Order first read above, among others, the Government issued the following guidelines in Annexure I for effective implementation of 25% reservation for Disadvantaged Group / Weaker Sections as per the Right of Children to Free and Compulsory Education Act 2009.
Steps for implementation of 25% Reservation for admission to Children belonging to disadvantaged Group / Weaker Section in Private Non-minority Un-aided schools under Right of Children to Free and Compulsory Education Act 2009

<table>
<thead>
<tr>
<th>Sl. No. (1)</th>
<th>Events (2)</th>
<th>Tentative Date (3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Every School shall prepare the details of Entry level class and intake capacity.</td>
<td>2nd April of every year</td>
</tr>
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<td>2.</td>
<td>The 25 % of intake as per notification No GO Ms No 9 School Education (C2) Department dated 18.01.2011 to be entered in a separate Register, and submit to the District Committee prescribed in Form I</td>
<td>2nd April of every year</td>
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<tr>
<td>3.</td>
<td>This 25% of intake seats shall be displayed at the School Notice Board.</td>
<td>2nd April of every year</td>
</tr>
<tr>
<td>4.</td>
<td>Application Form for Admission of Children under 25% Reservation in Private Schools except un-aided minority un-aided schools, shall be as prescribed in Form –II</td>
<td>2nd May of every year</td>
</tr>
<tr>
<td>5.</td>
<td>Every Private School except Un-aided Minority School shall notify calling for Application Forms under 25% Reservation</td>
<td>2nd May of every year</td>
</tr>
<tr>
<td>6.</td>
<td>Date of issue of Application Forms</td>
<td>3rd May to 9th May of every Year</td>
</tr>
<tr>
<td>7.</td>
<td>Submission of filled in Application Forms</td>
<td>5.00 p.m on or before 9th May every year</td>
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<tr>
<td>8.</td>
<td>The parents shall receive a Registration Slip from School while submitting Application Form as prescribed in Form – III.</td>
<td>5.00 p.m on 11th May of every year</td>
</tr>
<tr>
<td>9.</td>
<td>Names of Eligible applicants shall be displayed. Names of Ineligible applicants shall also be displayed separately with reason of rejection</td>
<td>5.00 p.m on 11th May of every year</td>
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<tr>
<td>10.</td>
<td>If the eligible applicants are more than 25% of intake, random selection method shall be applied with numbered tokens of eligible applicants. Parents who are interested may participate in the random selection.</td>
<td>At 10.30 am of 14th May of every year</td>
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Names of Selected applicants with application numbers shall be displayed immediately in the Notice Board with a waiting list of 10% out of the 25%

2.00 p.m on 14th May, every year

The Schools shall submit Return Statement to the concerned district level authority after completion of admission process as prescribed in Form-IV

On or before 20th May of every year

(Note: Where the dates mentioned in Column (3) happens to be a Government Holiday, the following working day shall be taken into account)

Registers to be Maintained-

1. Total No of Students admitted in Entry Level Class
2. Total No of application issued under 25% (With Name list)
3. List of students selected under 25% (admission category)
4. Reimbursement claimed register.

3. One Shri A. Narayanan, Chennai filed a Writ Petition No. 14613/2013 in High Court of Madras praying to quash G.O.(Ms) No 60, School Education (XII) department, dated 01.04.2013, as it restricts the issue of application forms to 3rd May to 9th May and submission of application forms before 5.00 p.m on the 9th May of every year and to direct the concerned authorities and School Managements to receive applications as mandated by section 15 of the Right of Children to Free and Compulsory Education Act, 2009 (RTE Act) and rule 11 of Tamil Nadu Right of Children to Free and Compulsory Education Rules, 2011 (RTE Rules)

4. The Hon'ble High Court in its Judgment dated 16.04.2014 has ordered as follows:

“Accordingly, this writ petition is disposed of by directing the first respondent to extend the time limit fixed in G.O.(Ms) No. 60, School Education (XII) department, dated 01.04.2013 for issuance and submission of application forms as between 3rd May to 18th May of every academic year. The first respondent shall pass appropriate orders in this regard within a period of four weeks from the date of receipt of a copy of this order. We further direct the first respondent to make sure to take all required steps to comply with the provisions of Act and Rules for the purpose of filling up of the reservation of 25% of seats for children belonging to weaker sections and disadvantaged groups, in accordance with law. No costs consequently connected miscellaneous petitions are closed.”
5. Based on the above order, the Director of Matriculation Schools in the letter third read above has sent proposal for amending G.O(Ms) No. 60 School Education (X2) department, dated 01.04.2013 so as to modify the steps for implementation of 25% reservation.

6. Accordingly the Government issue the following amendment to G.O.(Ms) No. 60, School Education (X2) Department, dated 01.04.2013

**Amendment**

For the existing Annexure I to G.O.(Ms) No. 60, School Education (X2) Department, dated 01.04.2013, the following shall be substituted.

**Annexure I**

Steps for Implementation of 25% Reservation for admission to Children belonging to Disadvantaged Group/Weaker Section in Private Non-minority Un-Aided Schools under Right of Children to Free and Compulsory Education Act 2009.

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<td>The 25% of intake as per notification No G.O Ms. No.9 School Education (C2) Department dated 18.01.2011 to be entered in a separate Register, and submit to the District Committee prescribed in Form I</td>
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<td>This 25% of intake seats shall be displayed at the School Notice Board.</td>
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<td>Application Form for Admission of Children under 25% Reservation in Private Schools except unaided minority unaided schools shall be as prescribed in Form –II</td>
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<td>Every Private School except Un-aided Minority School shall notify calling for Application Forms under 25% Reservation</td>
<td>2nd May to 18th May every year</td>
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<td>6</td>
<td>Date of issue of Application Forms</td>
<td>By 5.00 p.m on or before 18th May every year</td>
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<td>Submission of filled in Application Forms</td>
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The parents shall receive a Registration Slip from School while submitting Application Form as prescribed in Form – III.

Names of Eligible applicants shall be displayed. Names of Ineligible applicants shall also be displayed separately with reason of rejection.

If the eligible applicants are more than 25% of intake, random selection method shall be applied with numbered tokens of eligible applicants. Parents who are interested may participate in the random selection.

Names of Selected applicants, with application numbers shall be displayed immediately in the Notice Board with a waiting list of 10% out of the 25%.

The Schools shall submit Return Statement to the concerned district level authority after completion of admission process as prescribed in Form-IV by 5.00 p.m on 20th May of every year and At 10.30 am of 23rd May of every year.

2.00 p.m on 23rd May of every year

On or before 29th May of every year

(Note: Where the dates mentioned in Column (3) happens to be a Government Holiday, the following working day shall be taken into account)

Registers to be Maintained:

1. Total No of Students admitted in Entry Level Class
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3. List of students selected under 25% (admission category)
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(By Order of the Governor)

D. Sabitha,
Principal Secretary to Government

To
The Director of School Education,
Chennai-6.
The Director of Elementary Education,
Chennai-6.
The Chief State Nodal Officer / Director of Matriculation Schools,
Chennai-6.
The State Project Director,
Sarva Shiksha Abhiyan,
Chennai-6.

//Forwarded by Order//

Section Officer