ABSTRACT

School Education – Admission of Children in the unaided private schools as per the provision of 12 (1) (c) of Right of Children to Free and Compulsory Education Act, 2009 – Reimbursement of fees for the year 2019-2020 – Orders issued.

SCHOOL EDUCATION (MS) DEPARTMENT

G.O. (MS) No.109

Dated 20.11.2020

Read:

2. G.O.(Ms)No.174, School Education (C2) Department, dated 08.11.2011.

ORDER:-

The Right of Children to Free and Compulsory Education Act, 2009 was enacted in the year 2009 and came into effect from 01.04.2010. In this Act, provisions have been made for reservation in admission in class I to the extent of 25% to children belonging to weaker sections and disadvantaged group in the neighbourhood and provide free and compulsory education till its completion. Section 12(1)(c) and 12(2) states as follows:-

12 (1) (c) “specified in sub-clauses (iii) and (iv) of clause (n) of section 2 shall admit in class I, to the extent of at least twenty-five percent of the strength of that class, children belonging to weaker section and disadvantaged group in the neighbourhood and provide free and compulsory elementary education till its completion: Provided further that where a school specified in clause (n) of section 2 imparts pre-school education, the provisions of clauses (a) to (c) shall apply for admission to such pre-school education.”
12 (2) The School specified in sub-clause (iv) of clause (n) of section 2 providing free and compulsory elementary education as specified in clause (c) of sub-section (i) shall be reimbursed expenditure so incurred by it to the extent of per-child-expenditure incurred by the State or the actual amount charged from the child whichever is less, in such manner as may be prescribed:

2. Further, Part IV, section 9(1) of Tamil Nadu Right of Children to Free and Compulsory Education Rules, 2011 defines reimbursement of per-child expenditure by the State Government for the purpose of sub-section (2) of section 12 of the above Act as follows:-

"The per-child expenditure shall be the expenditure incurred by the State Government for a child in the Government School or the fee fixed by the Committee constituted under the Tamil Nadu Schools (Regulation of Collection of Fee) Act, 2009 (Tamil Nadu Act 22 of 2009) in respect of the School where the child is admitted whichever is less"

3. The Government of India has issued a revision of norms of Sarva Shiksha Abhiyan frame work for implementation with effect from 1st April 2014. In the said norms, it has been stated that "to assist the States and Union Territories under Sarva Shiksha Abhiyan towards reimbursement cost incurred with respect to admission under Section 12 (1) (c) of the Right to Education Act, the reimbursement would be based on per child norms notified by the State / Union Territories concerned for classes I to VIII subject to a maximum ceiling of 20% of the total Annual Work Plan and Budget (AWP&B) approved by the Government of India for a State under Sarva Shiksha Abhiyan".

4. Consequent to the issue of detailed guidelines, the process of admitting the children belonging to weaker section and disadvantaged group started from the academic year 2013-2014 onwards.

5. In the Government Order 3rd read above, the Government have notified the cost of per child expenditure incurred on education by this State for the year 2019-2020 for the purpose of reimbursement to Private Schools.

6. The Director of Matriculation Schools, in the letter 4th read above, has stated that the team verification report received from the Chief Educational Officers reveals that 23906, 45184, 56914, 68338, 75720, and 62375 children who were admitted during the years 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-18 and 2018-19 respectively are continuing their education and 74800 Children for the year 2019-2020 were admitted under the provision of 25% reservation.
7. The Director of Matriculation Schools has sent the details of reimbursement amount and requested to issue order for sanction of Rs.375,88,44,952/- towards reimbursement of fee to respective schools for the children admitted during 2013-14 to 2019-2020 as detailed below:

<table>
<thead>
<tr>
<th>Year</th>
<th>Name of the HoD</th>
<th>Director of Matriculation Schools</th>
<th>Director of Elementary Education</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019-20</td>
<td>For Children Admitted LKG in 2019-2020</td>
<td>392564460.8</td>
<td>227853023.8</td>
<td>620417484.6</td>
</tr>
<tr>
<td></td>
<td>For Children Admitted 1 std in 2019-2020</td>
<td>907794.74</td>
<td>55260</td>
<td>963054.74</td>
</tr>
<tr>
<td></td>
<td>For Children Admitted 1 std in 2018-2019 and continuing in II std in 2019-2020</td>
<td>1059596.08</td>
<td>25160.00</td>
<td>1084756.08</td>
</tr>
<tr>
<td>2017-18</td>
<td>For Children Admitted LKG 2017-2018 and continuing I Std in 2019-2020</td>
<td>454320014.77</td>
<td>268516328.07</td>
<td>722836342.8</td>
</tr>
<tr>
<td></td>
<td>For Children Admitted 1 std in 2017-2018 and continuing in III std in 2019-2020</td>
<td>1536941.07</td>
<td>12580.00</td>
<td>1549521.07</td>
</tr>
<tr>
<td>2016-17</td>
<td>For Children Admitted LKG in 2016-2017 and continuing II Std in 2019-2020</td>
<td>422534010.87</td>
<td>232296357.17</td>
<td>654830368</td>
</tr>
<tr>
<td></td>
<td>For Children Admitted 1 std in 2016-2017 and continuing in IV std in 2019-2020</td>
<td>1257059.07</td>
<td>18870.00</td>
<td>1275929.07</td>
</tr>
<tr>
<td>2015-16</td>
<td>For Children Admitted LKG in 2015-2016 and continuing III std in 2019-2020</td>
<td>363130903.06</td>
<td>188104286.58</td>
<td>551235189.6</td>
</tr>
<tr>
<td></td>
<td>For Children Admitted 1 std in 2015-2016 and continuing in V std in 2019-2020</td>
<td>1254905.66</td>
<td>18870.00</td>
<td>1273775.66</td>
</tr>
<tr>
<td></td>
<td>For Children Admitted 1 std in 2014-2015 and continuing in VI std in 2019-2020</td>
<td>1234768.54</td>
<td>0.00</td>
<td>1234768.54</td>
</tr>
<tr>
<td>2013-14</td>
<td>For Children Admitted in LKG in 2013-2014 and continuing in V std in 2019-2020</td>
<td>151420719.23</td>
<td>82218835.01</td>
<td>233639554.2</td>
</tr>
</tbody>
</table>
8. Based on the report of the Director of Matriculation Schools in the letter 4th read above, the Government accord sanction for a sum of Rs. 375,88,44,952/- (Rupees Three Hundred and seventy five Crore eighty eight lakh forty four thousand nine Hundred and fifty two Only) for the reimbursement of fee claimed by the unaided private schools for the children admitted as per section 12(1)(c) of Right of children to Free and Compulsory Education Act, 2009 during the year 2019-2020.

9. The expenditure sanctioned in para 8 above shall be debited under the following head of account:-

2202-General Education-01-Elementary Education – 800 Other Expenditure – State's Expenditure-KU-Reimbursement of fee claimed as per the provision of Section 12 (1) (c) of Right of Children to Free and Compulsory Education Act, 2009 - 309- Grants – in –Aid – 03 – Grants for Specific Schemes

(IFHRMS DPC Code 2202 01 800 KU 30903)
(Old DPC Code 2202 01 800 KU 0934)

10. Out of the total sanctioned amount of Rs.375,88,44,952/- a sum of Rs.249,19,83,000/- shall be met out from the BE 2020-2021 provision and necessary additional funds of Rs.126,68,61,952/- will be provided in RE/FMA 2020-2021. Pending provision of such funds, the Director of Matriculation School, Chennai-6 is authorized to draw and disburse the amount sanctioned in para 8 above. However, this expenditure shall be brought to the notice of the Legislature by Specific inclusion in the Supplementary Estimates 2020-2021. The Director of Matriculation School, Chennai-6 is directed to include this expenditure while sending the Budget proposal for RE/FMA 2020-2021 and also to send necessary draft explanatory note for including the above expenditure in the supplementary estimates 2020-21 to Government in Finance (BG-II/Edn-II) Department at the appropriate time without fail.

11. The Government direct that the amount sanctioned in para 8 above shall be deposited into the P.D. Account maintained by the Member Secretary, Tamil Nadu State Mission of Education for All, Chennai-6. The Director of Matriculation Schools shall present necessary bills in this regard in Pay and Accounts Office (South), Chennai-35 for credit of the amount in P. D. Account of Member Secretary, Tamil Nadu State Mission of Education for All, Chennai-6 in Account No.11443284157, maintained at Pay and Accounts Office.
12. The Government direct the State Project Director, Samagra Shiksha to utilize the grant sanctioned for the purpose for which it is sanctioned and to furnish the Utilisation Certificate for the grant sanctioned above.

13. This order issues with the concurrence of Finance Department vide its U.O. No.44/DS(KU)/Fin(Edn-II)/2020, dated 20.11.2020 and ASL No.918 (Nine Hundred and Eighteen).

(By Order of the Governor)

Dheeraj Kumar
Principal Secretary to Government

To
The State Project Director,
Samagra Shiksha, Chennai-6.
The Director of Matriculation Schools, Chennai-6.
The Director of School Education, Chennai-6.
The Director of Elementary Education, Chennai-6.
The Pay and Accounts Officer (South), Chennai-35.
The Accountant General, Chennai-18/35.

Copy to :-
The Finance (Edn-II/BG-I &II/BPE/W&M-I/L&A) Department, Chennai – 9.
The Hon’ble Chief Minister’s office, Chennai-9.
The Hon’ble Deputy Chief Minister’s office, Chennai-9.
The Personal Assistant to Hon’ble Minister for School Education,
The School Education (SSA) Department, Chennai-9.
Stock File/Spare copy.

//Forwarded By Order //

Under Secretary to Government.