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 2015-2016 – Orders issued.

School Education (PL2) Department

G.O.(Ms) No.52

Dated 24.03.2017
Thiruvalluvar Aandu 2048
Panguni 11

Read:-

2. G.O.(Ms)No.173, School Education (C2) Department, dated 8.11.2011.
4. G.O.(Ms) No.72, School Education (C2) Department, dated 19.3.2012.
5. G.O.(Ms) No.60, School Education (X) Department, dated 1.4.2013.
6. G.O.(Ms).No.102, School Education (PL2) Department, Dated 16.5.2015
8. From the Director of Matriculation Schools, Letter No.1560/A1/2014, dated 27.02.2017

ORDER:-

In the Notification 1st read above, 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. Section 38 of the Act provides that the appropriate Government may by notification make rules for carrying out the provisions of the said Act. Accordingly, the Tamil Nadu Right of Children to Free and Compulsory Education Rules, 2011 was framed and published in the Government Gazette in the Government order 2nd read above.

2. The Right of Children to Free and Compulsory Education Act, 2009 under 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) Reimbursement 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:

3. 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 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"

4. In the G.O 3rd and 4th read above, the Government have notified the children belonging to Weaker Section and Disadvantaged Group.

5. In the G.O. fifth read above, Government have issued detailed guidelines with steps for effective implementation of 25% reservation for children belonging to Disadvantaged Group / Weaker Section in all Private Non-Minority unaided schools.

6. 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."

7. 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. 49,864 students were admitted in the year 2013-14 and 86,729 students were admitted in the year 2014-2015 as per the provisions of the Right of Children to Free and Compulsory Education Act. In the G.O 6th read above Rs.97.05 crore was sanctioned towards reimbursement of claims for the years 2013-14 and 2014-2015

8. In the references 7th and 8th read above, the Director of Matriculation Schools has sent proposal for reimbursement of claims for the admissions made in the year 2015-16 as per the provision of 12 (1) (c) of Right of Children to Free and Compulsory Education Act, 2009 for Rs.124,93,54,240/-

9. The Government after careful consideration, sanction a sum of Rs. 124,93,54,240/- crore (Rupees One hundred Twenty Four crore ninety three lakh fifty four thousand two hundred and forty only) for the reimbursement of fee claimed by the unaided private schools for the children admitted as per the provision of section 12(1)(c) of Right of children to Free and Compulsory Education Act, 2009 during the years 2015-2016.
10. The expenditure sanctioned in para 9 above shall be debited under the following head of account:

2202-General/Education-01-Elementary Education – 800 other Expenditure II-State Plan –Schemes in the Twelfth Five Year Plan – KU-Reimbursement of fee claimed as per the provision of Section 12 (1) (c) of Right of Children to Free and Compulsory Education Act, 2009-09 Grants – in –Aid – 03 – Grants for Specific Schemes (DPC Code 2202 01 800 KU 0934)

11. The Government direct that the amount sanctioned in para 9 above shall be deposited into the Public Deposit Account maintained by the Member Secretary, Tamil Nadu State Mission of Education for All, Chennai-6. The Director of Elementary Education shall present necessary bills in this regard in Pay and Accounts Office (South), Chennai-35 for credit of the amount in Public Deposit 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, Sarva Shiksha Abhiyan to utilize the grant sanctioned for the purpose for which it is sanctioned. The Government also direct the State Project Director, Sarva Shiksha Abhiyan to furnish the proper Utilisation Certificate for the grant sanctioned above.

13. This order issues with the concurrence of Finance Department vide its U.O. No.1682/ACS(F)/P/Edn-II/2017, dated 22.03.2017.

(By Order of the Governor) T. Udhayachandran, Secretary to Government.

To
The State Project Director,
Sarva Shiksha Abhiyan,Chennai-6.
The Director of School Education, Chennai-6.
The Director of Matriculation Schools, Chennai-6.
The Director of Elementary Education, Chennai-6.
The Pay and Accounts Officer (South),Chennai-35.
The Accountant General, Chennai-18/35.
The Accountant General (By name), Chennai-18.
Copy to :-
The Finance (Edn-II/BG-I &II/BPE/W&M/L&A),Chennai – 9.
The Personal Assistant to Hon’ble Minister for School Education,Chennai-9.
The Chief Minister office, Chennai-9
The School Education (SSA) Department, Chennai-9.

// Forwarded / By Order //

[Signature]
Section Office