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 2018-2019 – Orders issued.

SCHOOL EDUCATION (MS) DEPARTMENT

G.O. (MS) No. 55

Dated 15.06.2020

Read:

2. G.O.(Ms)No.174, School Education (C2) Department, dated 08.11.2011
4. G.O.(Ms)No.38, School Education Department, dated 26.03.2020.

ORDER:-

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 25% reservation (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. The Director of Matriculation Schools in his letter 3rd read above, has sent the claim of reimbursement of amount and requested to issue order for sanction of an amount of Rs. 303,70,14,420.47/- towards reimbursement of fee to respective schools for the children admitted during 2013-14 to 2018-19 as detailed below:-
<table>
<thead>
<tr>
<th>Sl. No</th>
<th>HOD</th>
<th>Amount claimed for reimbursement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>DMS</td>
<td>354744717.04</td>
</tr>
<tr>
<td>2</td>
<td>DEE</td>
<td>196404679.00</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>551149396.04</td>
</tr>
</tbody>
</table>

6. In the Government order 4th read above, the Government, restricted the proposal of the Director of Matriculation Schools and sanction was accorded for a sum of Rs. 248,75,88,000/- (Rupees Two hundred and Forty Eight crore Seventy Five lakhs and Eighty Eight thousand 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 2018-19 and the remaining amount will be considered in the next financial year 2020-2021 separately.

7. The Director of Matriculation Schools in his letter 5th read above, has requested the Government to sanction and release at least an amount of Rs.11,64,55,125.32/- to reimburse the amount to Chennai District Matriculation Schools to cater the needs.

8. The Government, after careful consideration of the proposal of the Director of Matriculation Schools and accord sanction for a sum of Rs.11,64,55,125.32/- (Rupees Eleven Crore Sixty Four Lakh Fifty Five Thousand One Hundred and Twenty Five and Thirty Two Paise Only) for the reimbursement of fee claimed by the unaided private schools in Chennai District for the children admitted as per section 12(1)(c) of Right of children to Free and Compulsory Education Act, 2009 during the year 2018-19.

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 (DPC Code 2202 01 800 KU 30903)
10. The Government direct that the amount sanctioned in para 8 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 Matriculation Schools 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.

11. 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.

12. This order issues with the concurrence of Finance Department vide its U.O. No.17823/Edn-II/2020, dated 12.06.2020.

(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/L&A), 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//

[Signature]
Section Officer 15.02.2020