

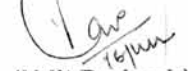
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
DIRECTORATE OF EDUCATION : RTE BRANCH  
OLD SECRETARIAT : DELHI -110054

F.No. DE (23)/15/ RTE /2011-12/325/2328

Dated : 16/11/12

CIRCULAR

A copy of The Right of Children to Free and Compulsory Education (Amendment) Act, 2012 and a copy of notification of enforcement of the above Act w.e.f. 1<sup>st</sup> August 2012 are hereby enclosed for information and compliance.

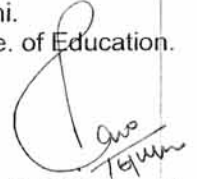


(Udit Prakash)

Addl. Director of Education (RTE)

Copy to :-

1. Pr. Secretary to Hon'ble Lieutenant Governor, GNCT of Delhi.
2. Pr. Secretary to Hon'ble Chief Minister, GNCT of Delhi.
3. Secretary to Minister of Education, GNCT of Delhi.
4. OSD to Chief Secretary GNCT of Delhi.
5. PS to Secretary (Education), Old Sectt., GNCT of Delhi.
6. PS to Director of Education, Old Sectt. GNCT of Delhi.
7. Directorate of Education, Municipal Corporation of Delhi.
8. Directorate of Education, New Delhi Municipal Council, New Delhi.
9. PS to Chief Executive Officer, Delhi Cantonment Board.
10. PS to Director, Dte. of Information and Publicity, GNCT of Delhi.
11. All Addl. Directors/RDEs/JDEs/DDEs/ADEs, Directorate of Education, GNCT of Delhi.
12. All Branch In Charges, Dte. of Education, GNCT of Delhi.
- ✓ 13. OS (IT) with the request to place it on the website of Dte. of Education.
14. Guard file.



(Udit Prakash)

Addl. Director of Education (RTE)

u8/c

F.No.1-28/2011-EE-4  
Government of India  
Ministry of Human Resource Development  
Department of School Education & Literacy

New Delhi, 31<sup>st</sup> July, 2012

DE ✓  
PS  
Handwritten signature and initials  
Addl. D/E (RTE)

Subject: Enforcement of the Right of Children to Free and Compulsory Education RTE (Amendment) Act, 2012.

A copy of the Notification on Enforcement of Right of Children to Free and Compulsory Education RTE (Amendment) Act, 2012 alongwith the Right of Children to Free and Compulsory Education RTE (Amendment) Act, 2012 is enclosed herewith for information and compliance.

11645/DE  
13/8/12

Handwritten signature  
(D.P Majhi)

Under Secretary to the Govt. of India  
Tele: 23384589

Encl: as above

1. Education Secretaries of all States/UTs
2. Chairperson/Member Secretary, NCPCR
3. All Members of NAC-RTE
4. Chairman- CBSE/NIOS
5. Commissioner-NVS/KVS

Copy to:

- PS to HRM
- PS to MOS, HRD
- EC to Secretary, HE/SE&L
- PPS to AS(SE)
- JS(EE-I)
- JS(SE-I)/JS(SE-II)
- Director (UT Division)
- All Directors/DS in EE-II Bureau

OSD (RTE)  
Handwritten signature  
12/8/12

235/RTE  
13/8/12

507/SE/GOI  
09/8/12

547/ Addl. D/E (RTE)  
14/8/12



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)  
प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं. 1388]  
No. 1388]

नई दिल्ली, बुधवार, जुलाई 25, 2012/श्रावण 3, 1934  
NEW DELHI, WEDNESDAY, JULY 25, 2012/SHRAVANA 3, 1934

मानव संसाधन विकास मंत्रालय  
(स्कूल शिक्षा और साक्षरता विभाग)  
अधिसूचना  
नई दिल्ली, 25 जुलाई, 2012

का.आ. 1686(अ).—केंद्रीय सरकार, निःशुल्क और अनिवार्य बाल शिक्षा का अधिकार (संशोधन) अधिनियम, 2012 (2012 का 30) की धारा 1 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए 01 अगस्त, 2012 को उस तारीख के रूप में नियत करती है जिसको उक्त अधिनियम के उपबंध प्रवृत्त होंगे।

[फा. सं. 1-28/2011-ईई.-4]

चुंदा सरूप, अपर सचिव

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of School Education and Literacy)

NOTIFICATION

New Delhi, the 25th July, 2012

S.O. 1686(E).—In exercise of the powers conferred by sub-section (2) of Section 1 of the Right of Children to Free and Compulsory Education (Amendment) Act, 2012 (30 of 2012), the Central Government hereby appoints the 1st day of August, 2012 as the date on which the provisions of the said Act shall come into force.

[F.No.1-28/2011-EE-4]

VRINDA SARUP, Addl. Secy.

१६६



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 32] नई दिल्ली, बुधवार, जून 20, 2012/ ज्यैष्ठ 30, 1934 (शक)  
No. 32] NEW DELHI, WEDNESDAY, JUNE 20, 2012/ JYAISTHA 30, 1934 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE (Legislative Department)

*New Delhi, the 20th June, 2012/Jyaistha 30, 1934 (Saka)*

The following Act of Parliament received the assent of the President on the 19th June, 2012, and is hereby published for general information:—

### THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION (AMENDMENT) ACT, 2012 [No. 30 OF 2012]

[19th June, 2012]

An Act to amend the Right of Children to Free and Compulsory Education Act, 2009

Be it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Right of Children to Free and Compulsory Education (Amendment) Act, 2012. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In the Right of Children to Free and Compulsory Education Act, 2009 (hereinafter referred to as the principal Act), in section 1, after sub-section (3), the following sub-sections shall be inserted, namely:— Amendment of section 1

“(4) Subject to the provisions of articles 29 and 30 of the Constitution, the provisions of this Act shall apply to conferment of rights on children to free and compulsory education.

(5) Nothing contained in this Act shall apply to Madrasas, Vedic Pathshalas and educational institutions primarily imparting religious instruction.”

Amendment  
of section 2.

3. In the principal Act, in section 2,—

(a) in clause (d), after the word "means", the words "a child with disability or" shall be inserted;

(b) after clause (e), the following clause shall be inserted, namely:—

'(ee) "child with disability" includes,—

(A) a child with "disability" as defined in clause (f) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995;

1 of 1996.

(B) a child, being a person with disability as defined in clause (j) of section 2 of the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999;

44 of 1999.

(C) a child with "severe disability" as defined in clause (o) of section 2 of the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999.

44 of 1999.

Amendment  
of section 3.

4. In section 3 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

(1) Every child of the age of six to fourteen years, including a child referred to in clause (d) or clause (e) of section 2, shall have the right to free and compulsory education in a neighbourhood school till the completion of his or her elementary education.

(b) in sub-section (2), the proviso shall be omitted;

(c) after sub-section (2), the following sub-section shall be inserted, namely:—

'(3) A child with disability referred to in sub-clause (A) of clause (ee) of section 2 shall, without prejudice to the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, and a child referred to in sub-clauses (B) and (C) of clause (ee) of section 2, have the same rights to pursue free and compulsory elementary education which children with disabilities have under the provisions of Chapter V of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995:

1 of 1996.

Provided that a child with "multiple disabilities" referred to in clause (h) and a child with "severe disability" referred to in clause (o) of section 2 of the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 may also have the right to opt for home-based education.'

44 of 1999.

Amendment  
of section 21.

5. In section 21 of the principal Act, in sub-section (2), the following proviso shall be inserted, namely:—

"Provided that the School Management Committee constituted under sub-section (1) in respect of,—

(a) a school established and administered by minority whether based on religion or language; and

(b) all other aided schools as defined in sub-section (ii) of clause (n) of section 2,

shall perform advisory function only."

Amendment  
of section 22.

6. In section 22 of the principal Act, in sub-section (1), for the words "School Management Committee, constituted", the words "School Management Committee, except the School Management Committee in respect of a school established and administered by minority, whether based on religion or language and an aided school as defined in sub-clause (ii) of clause (n) of section 2, constituted" shall be substituted.

451c

7. In section 25 of the principal Act, in sub-section (1), for the words "Within six months", the words "Within three years" shall be substituted. Amendment of section 25.

8. After section 38 of the principal Act, the following section shall be inserted, namely:— Insertion of new section 39.

"39. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to it to be necessary for removing the difficulty: Power of Central Government to remove difficulties.

Provided that no order shall be made under this section after the expiry of three years from the commencement of the Right of Children to Free and Compulsory Education (Amendment) Act, 2012.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament."

V. K. BHASIN,  
*Secretary to the Govt. of India.*