

**GOVERNMENT OF NCT OF DELHI  
DIRECTORATE OF EDUCATION  
(PRIVATE SCHOOL BRANCH)  
OLD SECTT: DELHI-110054**

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No.DE (362)/PSB/2017/ 23692-97

Dated:- 18/04/2018

**Subject: - Clarification in respect of re-imbursement to Private Schools for providing free education to the EWS/DG category students as per the mandate of Section 12(1)(c) of Right to Education Act, 2009.**

As per section 12 (1) (c) of RTE Act, 2009 every Private Unaided Recognized School *“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 per cent of the strength of that class, children belonging to weaker section and disadvantaged group in the neighborhood and provide free and compulsory education till its completion”*

As per section 12(2) of RTE Act, 2009

*“The school specified in sub-clause (iv) of clause (n) of section 2 providing free and compulsory education as specified in clause (c) of sub-section (1) 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:*

*Provided that such reimbursement shall not exceed per-child-expenditure incurred by a school specified in sub-clause (i) of clause (n) of section 2.*

*Provided further that where such school is already under obligation to provide free education to a specified number of children on account of it having received any land, building, equipment or other facilities, either free of cost or at a concessional rate, such school shall not be entitled to any reimbursement to the extent of such obligation”.*

In view of the above, it is relevant to mention that as per section 12(1)(c) of RTE Act, 2009 all Private Unaided Recognized schools are under obligation to provide admission to at least 25% of the total strength of the class to the EWS/DG Category and there is no bar to admit the children beyond 25% of the strength of the class.

Instances are being received in the department that private schools are not granting admissions to EWS/DG category on the following grounds:-

(i) The number of declared seats of general category students is not being filled so as to admit 25% of children of EWS/DG category of the total strength of the class.

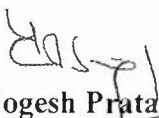
(ii) Re-imbursement of claim towards providing free education beyond 25% of the total strength of the class is not being made by the department.

The matter was examined in light of provisions of section 12(1) (c) of Right to Education Act, 2009 and observed that admission of allotted EWS/DG category children on the basis of 25% of the total strength of the class may also be reimbursed irrespective of the less General category admission done by the school in that class.

Further, reimbursement of selected/allotted candidates against the vacancies of academic session 2017-18 added during the current academic session 2018-19 will also be done to the respective private unaided recognized schools.

In view of the above, it is clarified that admission granted by the private unaided recognized schools under EWS/DG category beyond 25% admissions against the admissions under Open Seats/General Category Admission, shall be reimbursed as per the rates permissible under law and revised from time to time.

This issues with the prior approval of Competent Authority.

  
(Yogesh Pratap)

**DY, DIRECTOR OF EDUCATION (ACT-I)**

Principal/Manager

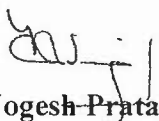
All concerned Private Unaided Recognized Schools of Delhi.

No.DE(362)/PSB/2017/

Dated

Copy to:-

1. P.S to Pr. Secretary (Education), GNCT of Delhi.
2. P.S to Director (Education), Dte. of Education, GNCT of Delhi.
3. Special/Addl. Directors/RDEs/JDEs/DDEs/ADEs, Dte. of Education, GNCT of Delhi.
4. OS (IT) with directions to place It on the website of Directorate of Education.
5. Guard file.

  
(Yogesh Pratap)

**DY, DIRECTOR OF EDUCATION (ACT-I)**