

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DIRECTORATE OF EDUCATION: PRIVATE SCHOOL BRANCH
OLD SECRETARIAT, DELHI-110054

F.No.DE.15(1025)/PSB/2023/Pt.file/ 8428-8433

Dated: 04/10/23

CIRCULAR

SUBJECT: Regarding Aadhar of Parents/Guardian mandatory for applying for the admission at entry level under EWS/DG/CWSN and from class 2nd onwards under Economic Weaker Section under Freeship scheme in Private Unaided Recognized Schools in Delhi.

1. As per Section 12(1)(C) of RTE Act, 2009, all Private Unaided Recognized Schools (except Minority schools) are under obligation to admit at least 25% of strength of entry level class/classes by children belonging to Economically Weaker Section, Disadvantaged Group and CWSN in neighborhood and provide free and compulsory elementary education till completion of elementary education.
2. Further, the Directorate of Education started the process of online allotment of seats in EWS/DG/CWSN category by computerized draw of lots at the entry level of class/classes in the Private Unaided Recognized school (except Minority) recognised under DSEAR Act & Rule 1973 in year 2016-17, and from year 2018-19 it was further extended in Private Unaided Recognized school (except Minority) recognised under RTE Act, 2009.
3. Under the Freeship Scheme, Directorate of Education, also allotting the Economically Weaker Section category candidates in neighborhood to the extent of 20% against the fresh admissions from classes 2nd onwards through computerized draw of lots after inviting online applications, in the Private Unaided Recognized Schools (Except minority schools) running on the land allotted by DDA/other Government agencies as per land allotment condition.
4. Further, It has also been decided vide order No. DE.15(1025)/PSB/2023/Pt.file/7706-7711 dated 01/09/23 that a candidate can avail one-time benefit for admission at entry level under EWS/DG/CWSN category for elementary education or admission from class 2nd onwards under Freeship scheme in Private Unaided Recognized Schools till completion of Education (except Minority schools) and not allowed any change of school as per settled policy of Directorate of Education.
5. The DoE vide Circular No. 15(840)/PSB/2022/5580-5584 dated 12.07.2022 made the AADHAR mandatory for online applying for admission process for EWS/DG and CWSN category under RTI Act or under Freeship scheme for EWS only in Private unaided recognised Schools in Delhi from the academic session 2023-24. However, the Ld. Single


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Judge in WP(C) 9840/2023 titled SASHANK YADAV v. GOVT OF NCT OF DELHI had granted stay against the aforementioned circulars of the DoE through impugned interim order dated 27.07.2023, by holding that the scheme of the Govt. of NCT of Delhi of making Aadhar Card of children mandatory for admission under EWS/DG and CWSN category in private unaided recognized schools is in contravention to the judgment dated 26.09.2018 passed by the Triple Bench of the Hon'ble Supreme Court in writ petition (civil) no. 494 of 2012 Titled as Justice K.S. Puttaswamy (Retd.) and others versus Union of India and Others. It is pertinent to mention that the interim stay granted by the Hon'ble High Court is restricted to the children as it makes seeking AADHAR from the students not in consonance with the Puttaswamy (Supra) judgement.

6. The DoE has noticed that multiple applications are being filed by an applicant in order to increase the probabilities of their selection in the computerized draw of lots by manipulating with address/name/any other related personal details. Further, it has also been noticed that such applicant got allotment for admission in multiple school because of the altered information furnished during applying online for admission. This malpractice results into defeat of the objective of beneficial schemes implemented for the admission at entry level and under Freeship scheme.
7. In order to dispense away with above said malpractices, a measure to be adopted to overhaul the online admission mechanism. Therefore, it has been decided by the Competent Authority of GNCTD that the Aadhar of Parents/legal Guardian who apply for admission of their wards, is must to achieve the legitimate goal to ensure the fair, transparent, uniform and hassle free admission process, so that the Right of eligible candidate for Free and Compulsory Education guaranteed under Section 12 (1) (c) of RTE Act, 2009 and DSEAR Act, 1973 may not get infringed.
8. Aadhar helps to identify duplicity in applying online for admissions result genuine candidates succeeded in computerized draw of lots, it is clarified that the information so collected qua Aadhar Card at the time of registration of the application form will be only minimal and limited to details contained therein i.e. personal details like Biometric etc. will be not stored, shared with any other agency. Aadhar card of Parents/Guardian to curb the malpractices adopted by several applicants by filling multiple application to increase their chances unfairly for selection.
9. The requirement of production of original Aadhar card of Parents/Guardian at the time of verification of the Aadhar details filled in the application form before the school authorities does not infringe/affect the right of the applicant rather it aims to protect the right of the

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deserving, eligible candidate under the above said category to avail the above said beneficial scheme of admission and will be in the interest of the society at the large.

10. It is pertinent to mention here that all Private Unaided Recognized Schools (except Minority schools) are under obligation to admit at least 25% of strength of entry level class/classes by children belonging to Economically Weaker Section, Disadvantaged group and CWSN in neighborhood and provide free and compulsory elementary education till completion of elementary education and under the Freeship Scheme, Directorate of Education, also allotting the Economically Weaker Section category candidates in neighborhood to the extent of 20% against the fresh admissions from classes 2nd onwards till completion of Education. Therefore, to get the benefit under the both schemes, Aadhar of parents/Guardian is to be mandatory for applying online for admission in the above said two schemes.
11. The Hon'ble LG of NCT of Delhi has conferred power to the Director (Education), Directorate of Education vide clause 10 of Notification No.15(172)/DE/Act/2010/69 dated 07/01/2011 that the Director (Education), Government of National Capital Territory of Delhi may, if he is of opinion that in the interest of school education in Delhi, in general and in order to implement the provisions of this notification in particular, it is necessary so to do, may issue instructions/guidelines/clarifications from time to time.
12. Therefore, to extend the benefit of both the schemes to large number of children/families of the eligible categories and in furtherance of the interim Order dated 27.07.2023 of the Hon'ble High Court of Delhi in WP(C) 9840/2023 titled SASHANK YADAV v. GOVT OF NCT OF DELHI barring the requirement of making AADHAR mandatory for children under EWS/DG and CWSN category in private unaided recognized schools and the Circular dated 12.07.2022 issued by the DoE, it has been decided that Aadhar of Parents/Guardian shall be mandatory for applying online for the admission at entry level under EWS/DG/CWSN category or admission from class 2nd onwards under Freeship scheme in Private Unaided Recognized Schools (except Minority schools).



(HIMANSHU GUPTA)
DIRECTOR (EDUCATION)

Dated: 04/10/23

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Copy for information to:-

1. PA to Director (Education), Directorate of Education, GNCT of Delhi.
2. PA to Addl. Director (Education), Directorate of Education, GNCT of Delhi.
3. All RDEs, Directorate of Education, GNCT of Delhi.
4. All DDEs (District), Directorate of Education, GNCT of Delhi.

5. All Private Unaided Recognized Schools (except Minority schools) of this Directorate.
6. Incharge (Computer Cell), with the request to upload on official website of this Directorate (in Public Circular).
7. Guard file.



(BIMLA KUMARI)

DEPUTY DIRECTOR OF EDUCATION (PSB)