

# STATE OF THE NATION: RTE SECTION 12(1)(c) 2015 (Provisional)





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State of the Nation: RTE Section 12(1)(c) is a collaborative effort of the RTE Resource Centre at IIM Ahmedabad, Central Square Foundation, Accountability Initiative (Centre for Policy Research) and Vidhi Centre for Legal Policy

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## ABOUT THE PARTNER ORGANISATIONS

**Right to Education Resource Centre (RTERC)** was established in 2013 at the **Indian Institute of Management - Ahmedabad**, with the objective of ensuring 'equality in education' and 'quality education for all.' The Resource Centre works closely with multiple stakeholders such as the local government, schools, parents, NGOs, lawyers and educational institutions on a variety of projects ranging from awareness campaigns, action research projects, academic briefs and project evaluation reports.

**Central Square Foundation (CSF)** is a grantmaking organisation and policy thinktank focused on improving quality of school education and learning outcomes of children from low-income communities in India.

**Accountability Initiative (AI)**, Centre for Policy Research is a research initiative that works to address challenges to government accountability. This requires an approach that strengthens the link between citizens and government, while also creating accountability between decision makers and frontline service providers. As part of its services, Accountability Initiative provides regular, accessible, and relevant analyses of the implementation of government programs. The focus of this analysis is on planning, budgets, fund-flows and decision-making systems at the local administration level.

**Vidhi Centre for Legal Policy** is an independent legal policy advisory group whose mission is to achieve good governance in India through impacting legislative and regulatory design.

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# EXECUTIVE SUMMARY

This report titled State of the Nation: RTE Section 12(1)(c) purports to provide an overview of the status of implementation of Section 12(1)(c) of Right to Education Act. Section 12(1)(c) mandates that private unaided schools keep aside 25 percent of their entry level seats for children belonging to economically weaker sections and disadvantaged categories. The clause represents an instrument to increase equity in educational opportunities and create a more integrated and inclusive schooling system. The mandate currently has the potential to impact 1.6 crore children from EWS and DG categories in the next eight years.

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In the six years since its introduction, the mandate's implementation has experienced several roadblocks. To understand the systemic origins of these challenges, the present report considers the implementation from administrative, legal and financial perspectives. Further, to go deeper in understanding the various stages and processes associated with implementation of Section 12(1)(c), the report considers the implementation experience of states of Maharashtra and Rajasthan.

The first step involved in determining the performance of the implementation system involves considering the rules and structures issued by different states to implement Section 12(1)(c). The report relies on a rubric that analyses a state's implementation system on 21 criteria that we consider to be critical for its successful implementation. To this effect, states were analysed on each of the criteria using a three-level scale. This scale reflected how well defined the relevant state's rules and notifications were on each of the criteria and the degree of clarity provided by them. Following this, the states were given green, yellow or red rating. For the year 2014-15, the criteria that showed greater clarity or received a green review across different states include the definition of economically weaker sections and disadvantaged groups, clarity in defining entry level, defining the neighbourhood criteria and specifying the number of installments for reimbursements. The criteria that showed lack of clarity or received a red review, include the type of information regarding admissions shared by the government, clarity on the age criteria, location to collect and submit the form and the methodology to calculate reimbursements.

As a measure of an intermediate outcome targeted by the policy, we examine take-up of the mandate using DISE data from 2013-14 and 2014-15. Despite its limitations, the DISE is the most comprehensive education data set currently available and only one to provide a consistent snapshot of the implementation of the provision in each state.

For our analysis we use the number of enrolments at the entry level and the number of children continuing from previous years. States amongst themselves have large variation in their seat fill rate. The state fill rate is estimated to vary from 0 percent (Andhra Pradesh) to 44.61 percent (Delhi) in 2014-15. Similarly, the school participation rate – percentage of schools admitting at least one student under the mandate – varied from 0.08 percent (Andhra Pradesh) to 63.34 percent (Rajasthan) in 2013-14 to 0 percent (Andhra Pradesh) to 51.84 percent (Delhi) in 2014-15. We also analyse other data sources- namely the numbers reported by the states to the centre and from state governments' websites. There is a fair amount of inconsistency in these numbers, pointing to the necessity of having reliable child tracking systems.

Section 12(1)(c) of the Right to Education Act has been a subject of numerous litigations ever since its enactment in 2010. It is therefore important to highlight the disputes on this provision across all the High Courts and in the Supreme Court. The report conducts a legal analysis and provides update on issues concerning scope of applicability, definition of 25 percent, admission procedure and reimbursements.

One of the clauses of Section 12 mandates the state

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governments to reimburse the schools. Reimbursement amount per admitted student is mandated to be the lower of actual amount charged from the child by the school, or per child expenditure incurred by the state. In order to understand the status of implementation of this provision, the report examines the act, rules and notifications issued by 28 States. The report studies various facets of reimbursements across all states and remarks on their efficacy. These dimensions include calculation of the reimbursements, approaching the central government for reimbursements and centre-approved reimbursements to each state.

In view of increasing involvement of non-state actors in cases of advocacy and implementation with respect to Section 12(1)(c), the report also identifies contributions of civil society organisations in effecting various facets of implementation of across different states.

To examine various stages and associated processes involved in the implementation of Section 12(1)(c), the report studies a few select cities and states of India. The report considers primary data collected through field visits in Maharashtra and Rajasthan, and secondary data collected through reports published in popular English newspapers. It highlights a series of interdependent stages - state RTE rules, awareness, application process, allotment, admission process, reimbursement and grievance redressal. The report concludes by providing recommendations for improvement in the implementation of RTE Section 12(1)(c).

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# FOREWORD

Despite being enacted in 2009, the Right of Children to Free and Compulsory Education faces significant implementation challenges. Overcoming these implementation challenges is essential for the program to be effective. Understanding and devising solutions to address these challenges deserve attention from practitioners and researchers alike.

As part of an action research project at IIM Ahmedabad's Ravi J Mathai Center for Innovation in Education and under the rubric of "Right to Education Resource Center", students, staff, and faculty have been researching ways to improve RTE implementation for over two years. In this report, they share their understanding of the status of implementation of Section 12(1)c of the RTE that mandates that unaided private school set aside 25 percent of their seats at the entry level for children from economically weak and disadvantaged sections. I find their approach to working in the field with a focus on understanding and suggesting ways to overcome implementation challenges meaningful and relevant. I am sure this work has implications not only for this specific mandate but for policy implementation in general.

An equitable, inclusive education forms the bedrock of a democratic society. However, achieving that will require sustained effort. I hope the partnership across organisations that makes this report possible continues and strengthens. I congratulate the authors of this report for their work and hope that the policy community benefits from the hard work that has gone into it.

**Dr. Ashish Nanda**

*Director*

*Indian Institute of Management-Ahmedabad*

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# FOREWORD

Right to Education Section 12(1)(c) is one of the most important education reform initiatives in India. We already know its potential in offering choice of schooling to economically and socially disadvantaged children. Or its potential for making private schools more socially inclusive. Yet one of the often overlooked dimensions is its role in shifting the relationship between the government and the private schools. If successfully implemented, this provision can be one of the biggest public-private-partnership initiatives in the world.

Unfortunately there are still considerable challenges related to access to schools. Most of the states have either unclear rules or guidelines or are not implementing this provision. Awareness is still patchy, especially in rural areas. Once children enter the school system, provision of supporting and child tracking is almost non-existent.

Yet there are promising stories too. For example, a variant of Rajasthan's MIS admission to reimbursement system has been adopted by Delhi and Karnataka, with some other states wanting to learn and implement it. A lot of issues on streamlining implementation are now being taken and solved in the courts. Though most schools are still facing delays in reimbursement, yet there are states which are now reimbursing schools on time. Civil society organisations are successfully advocating for changes in policy at the state level and changes in the mindsets at the school level.

Going forward, it would be important to continue to show mirror to the system, highlight the challenges while also providing successful examples. It would be equally important to have a holistic analysis of this provision from administrative, legal, financial and civil society perspective.

I congratulate the report's authors for the second edition of the State of the Nation report and for presenting a thorough and critical analysis of this issue. I hope some of the important ideas in this report are implemented by the states and the central government to make this Right to Education a reality.

**Ashish Dhawan**

*Founder and Chairman*

*Central Square Foundation*

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# COMMONLY USED ABBREVIATIONS

AAY	Antyodaya Anna Yojana
AWP&B	Annual Work Plan and Budget
BAF	Bharat Abhyudaya Foundation
BPL	Below poverty line
CES	Center for Equity Studies
DEO	District Education Officer
DG	Disadvantaged Group
DISE	District Information System for Education
EWS	Economically weaker sections
GR	Government Resolution
IIM	Indian Institute of Management
KKPKP	Kagad Kach Patra Kashtakari Panchayat
MHRD	Ministry of Human Resource Development
MIS	Management Information System
NGO	Non-governmental organisation
OECD	Organisation for Economic Cooperation and Development
PAB	Project Approval Board
PIL	Public Interest Litigation
PMC	Pune Municipal Corporation
RE	Recurring expenditure
REPA	Right to Education Protection Authority
RTE	Right of Children to Free and Compulsory Education
RTI	Right to Information
SC	Scheduled Caste
SCPCR	State Commission for the Protection of Child Rights
SLAS	State Learning Achievement Survey
SSA	Sarva Shiksha Abhiyan
ST	Scheduled Tribe
UP	Uttar Pradesh
URC	Urban Resource Centre
US	United States of America
UT	Union Territory

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# CHAPTER 1: INTRODUCTION

An integrated, equitable schooling system is necessary for a progressive, democratic society. Besides being important in its own right, it is essential for challenging existing hierarchies and inequalities in a society. Equity is important not only for the purpose of social justice but for the performance of an education system as a whole. Disputing the idea of a trade-off between the goals of equity and quality, a 2012 report by the OECD states unambiguously: “*The highest performing education systems are those that combine equity with quality*”<sup>1</sup>. This empirical report shows that more equitable education systems also achieve higher learning outcomes on average and emphasise that inequality hurts not only the disadvantaged within a society, but society as a whole.

The Right of Children to Free and Compulsory Education Act (RTE) enacted in 2009 under Article 21(A) of the Indian constitution lays down the state’s obligations to children between the ages of 6 to 14. It also describes the manner in which the state seeks to pursue the task of creating an equitable society, in accordance with the Directive Principles of State Policy. Section 12 (1)(c) of the RTE, mandating that private unaided schools (with the exception of minority and residential schools) keep aside at least 25 percent of their entry level seats for children from economically weaker and disadvantaged sections of society, is seen as a critical instrument to achieve this goal. Most significantly, it potentially provides an opportunity for approximately 22 lakh children to gain access to a school that they are able to choose, relatively unconstrained by their economic backgrounds every year.

Despite the potential opportunities, the inclusion of Section 12(1)(c) in the RTE has attracted a significant amount of controversy, debate and resistance.<sup>2</sup> Critics argue that the mandate lends itself to misuse as it relies on easy-to-forgo documents, as recent events in Delhi demonstrate.<sup>3</sup> Supporters of private schooling worry about

financial implications on private schools due to ‘inadequate’ reimbursements by the governments and see the mandate as undue interference. Contrary to this, the size and expansion of private schooling also raise concerns about the financial implications on education budgets and potential ‘crowding out’ of necessary investments in government schools on the one hand. Supporters of public schooling view the mandate as yet another indication of abdication by the state of its responsibilities toward public education system and tacit backing of privatisation.

Opinion is also divided on the mandate’s impact on children themselves. A popular opinion is that potentially unbridgeable social distances between students admitted under the mandate and the rest of the students would lead to adverse consequences for those the mandate seeks to benefit. There is also concern about the potential fall in learning levels for the rest of the students as teachers get diverted to helping children without adequate learning support and an environment amiable to academics at home. On the other hand, the supporters have emphasized that implementation of the section makes schools more representative of Indian society, enhances learning outcomes for all and fulfils fundamental goals of education.<sup>4</sup>

Surprisingly, despite many of these claims being empirical, there is little large scale empirical work informing these claims. While we are still not in a position to evaluate many of these questions, we build on last year’s report - State of the Nation: RTE Section 12(1)(c) (2015) - to describe and analyse the progress that has been made nationwide in fulfilling this right to children granted by the state. We point to potential outcomes that deserve greater scrutiny, but our emphasis, like last year, remains on empirically studying the implementation process and measures of it.

## FULFILMENT OF RIGHTS

While the child is the right holder of the mandate under the RTE, for her to be able to exercise this right, a number of stakeholders at different levels need to fulfil their duties. These include appropriate government authorities at the central, state and local levels responsible for formulating,

[1]Equity and Quality in Education. OECD Publishing, 2012. [http://www.oecd-ilibrary.org/education/equity-and-quality-in-education\\_9789264130852-en](http://www.oecd-ilibrary.org/education/equity-and-quality-in-education_9789264130852-en).

[2] Srivastava, Prachi, and Claire Noronha. “Institutional Framing of the Right to Education Act Contestation, Controversy and Concessions.” *Economic and Political Weekly* XLIX, no. 18 (May 3, 2014): 51–58.

[3] “FIR on Fake EWS Admission Racket in Top Delhi Schools - Times of India.” *The Times of India*. Accessed March 3, 2016. <http://timesofindia.indiatimes.com/city/delhi/FIR-on-fake-EWS-admission-racket-in-top-Delhi-schools/articleshow/47303225.cms>.

[4]Sarin, Ankur, and Swati Gupta. “Quotas under the Right to Education: Not Leading towards an Egalitarian Education System.” *Economic and Political Weekly*, Special Article, 49, no. 38 (September 2014): 65–72

financing and implementing the specific mandates emanating from the legislation. The enactment of the RTE as a fundamental right also necessitates that justice is delivered on it and the institution of an effective grievance redressal mechanism backed by the judiciary. However, it is unlikely that the child – the right holder – can access and make demands on the state machinery on her own. Fulfilment of the RTE further needs the active participation of non-state actors including civil society organisations and most importantly the guardians of the child.

The progress in implementing the 25 percent mandate has undoubtedly been slow. However, in an environment where the failure to implement policies might not be considered exceptional, the fact that there has been progress deserves recognition. For example, according to data from the District Information System for Education (DISE) the state fill rate – share of available seats filled by the mandate – has increased from 14.66 percent in 2013-14 to 15.12 percent in 2014-15, the most recent year for which DISE data is available. Similarly, the number of schools participating – schools admitting at least one student under the mandate – has increased from 44,158 in 2013-14 to 45,996 in 2014-15.

As with most social policies, the implementation experience of the mandate has varied tremendously between states. Given that education lies in the concurrent list of the Constitution with the states and centre sharing responsibilities, this is not surprising. The differences in the efficacy of implementation reflect differences in the underlying political economy around schooling, implementation capacities and the ideological values and beliefs of policymakers across states. Differences can also be attributed to differences in civil society mobilisation in creating awareness about the right and ensuring that it is implemented. Continuing the examples above, the state fill rate is estimated to vary from 0.08 percent (Andhra Pradesh) to 55.13 percent (Rajasthan) in 2013-14 to 0 percent (Andhra Pradesh) to 44.61 percent (Delhi) in 2014-15. Similarly, the school participation rate – percentage of schools admitting at least one student under the mandate – varied from 0.08 percent (Andhra Pradesh) to 63.34 percent (Rajasthan) in 2013-14 to 0 percent (Andhra Pradesh) to 51.84 percent (Delhi) in 2014-15.

## THE RATIONALE FOR THE “25 PERCENT” MANDATE

The debate between the quality of private and government schools is far from a settled one. The best that can be said in favour of private schools from existing evidence is that private schools do a slightly less abysmal job than government schools but do so at lower costs on average. Notwithstanding the debate, the role of private schools in elementary education in India continues to rise. Given the perceived public benefits of education, the rise only compels the need for the state to turn to private schools and use them as instruments to pursue goals that might have conventionally been only the state’s duty. In many ways, Section 12(1)c of the RTE represents the state’s first real acknowledgement of this growth and its consequences.

In clarifying its purpose, policymakers are quite clear: *“Admission of 25 percent children from disadvantaged groups and weaker sections in the neighbourhood is not merely to provide avenues of quality education to poor and disadvantaged children. The larger objective is to provide a common place where children sit, eat and live together for at least eight years of their lives across caste, class and gender divides in order that it narrows down such divisions in our society.”*<sup>5</sup>

Pointing to the Statement of Objects and Reasons (SOR) of an earlier draft, the section wise rationale for the RTE<sup>6</sup> explains the shared responsibilities that private schools have towards achieving universal education:

*“The Right of Children to Free and Compulsory Education Bill, 2008, is anchored in the belief that the values of equality, social justice and democracy and the creation of a just and humane society can be achieved only through provision of inclusive elementary education to all. Provision of free and compulsory education of satisfactory quality to children from disadvantaged and weaker sections is, therefore, not merely the responsibility of schools run or supported by the appropriate governments, but also of schools which are not dependent”.*

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[5] Ministry of Human Resource Development, GOI. “The Right of Children to Free and Compulsory Education Act, 2009: Clarification on Provisions,” January 31, 2012. [http://mhrd.gov.in/sites/upload\\_files/mhrd/files/upload\\_document/RTE\\_Section\\_wise\\_rationale\\_rev\\_0.pdf](http://mhrd.gov.in/sites/upload_files/mhrd/files/upload_document/RTE_Section_wise_rationale_rev_0.pdf).

[6] Ministry of Human Resource Development, GOI. “The Right of Children to Free and Compulsory Education Act, 2009: Clarification on Provisions,” January 31, 2012. [http://mhrd.gov.in/sites/upload\\_files/mhrd/files/upload\\_document/RTE\\_Section\\_wise\\_rationale\\_rev\\_0.pdf](http://mhrd.gov.in/sites/upload_files/mhrd/files/upload_document/RTE_Section_wise_rationale_rev_0.pdf).



This rationale has found support in judgments that have consequently ruled in favour of the mandate. Another primary rationale has been “inclusion” or “social cohesion” which refers to the idea that a “major public purpose of schooling in a democratic society, the provision of a common educational experience that will orient all students to grow to adulthood as full participants in the social, political, and economic institutions of our society.”<sup>7</sup> Pointing to this, the Ministry of Human Resource Development (MHRD) clarification on provisions states that:

*“The currently used term ‘inclusive’ education implies, as did earlier terms like ‘common’ and ‘neighbourhood’ schools, that children from different backgrounds and with varying interests and ability will achieve their highest potential if they study in a shared classroom environment. The idea of inclusive schooling is also consistent with constitutional values and ideals, especially with the ideals of fraternity, social justice and equality of opportunity”*

However, these explicitly stated purposes of the mandate have received little attention in the debates that have ensued, with most controversy surrounding its implementation and whether or not private schools should be governed by public obligations.

## SCHOOL CHOICE

The 25 percent mandate has often been labelled as a voucher system as it enables the use of public funds to finance the schooling of children in private schools. While there is a wide heterogeneity in the types of school voucher programmes used around the world, the mandate also differs from some typical voucher programmes in some carefully considered ways and offers suggestions to design of vouchers systems.

Some distinguishing features include:

### Critical mass of 25 percent:

By specifying a minimum share of students who should be admitted in schools, the mandate ensures that the child

coming from a disadvantaged background is not completely isolated. As policymakers explain, “A smaller proportion would serve only a token purpose... Their participation in classroom interaction will be neither strong nor sufficiently manifest to enrich the overall experiential learning taking place in any given subject area. Only a critical mass can play such a role”.<sup>8</sup>

### Applicable at the entry level class:

Recognising the challenges of integration in a segregated society, the policy mandates integration starting at the school’s entry level grade. Guarding against “quick-fix social engineering”, the presence of the requirement is attributed to the “fact that children take time to socialise and teachers take time to develop new attitudes and pedagogic skills... with these children moving up, and a new cohort of children entering pre-school and Class I in each successive year, the school will gradually have a more diverse population spread across all classes. Progression at this pace will allow children the opportunity to grow up together and create bonds: bonds that can survive social walls.”

## NEED FOR EVIDENCE

In the 5 years since the introduction of the RTE act, Section 12(1)(c) has been actively debated by state and non-state actors. Paradoxically, the mandate that seeks to enforce a public purpose on private schools has both been strongly resisted as well as welcomed by supporters of private school education.

Those resisting the mandate argue that it infringes on the rights of private schools, makes them vulnerable to the bureaucratic capriciousness and unfairly imposes the burden of reducing segregation in the schooling system on them. They further point to the state’s inability to implement policies in a transparent and honest way. The recent examples from Delhi, where the management in some elite private schools were found to be in collusion with brokers, undoubtedly points to the ways in which the mandate can be corrupted, but it also highlights the complicity of the private schools in the corruption.

On the other hand, many proponents support the mandate under the belief that it enhances school choice, especially for the disadvantaged. Further, in allowing private actors to play a greater role in schooling, the mandate is seen to introduce market forces that would improve the productive efficiency of the school system. In doing so, the proponents

[7] Levin, Henry M. “A Comprehensive Framework for Evaluating Educational Vouchers.” *Educational Evaluation and Policy Analysis* 24, no. 3 (September 21, 2002): 159–74. doi:10.3102/01623737024003159.p.63.

[8] Ministry of Human Resource Development, GOI. “The Right of Children to Free and Compulsory Education Act, 2009: Clarification on Provisions,” January 31, 2012. [http://mhrd.gov.in/sites/upload\\_files/mhrd/files/upload\\_document/RTE\\_Section\\_wise\\_rationale\\_rev\\_0.pdf](http://mhrd.gov.in/sites/upload_files/mhrd/files/upload_document/RTE_Section_wise_rationale_rev_0.pdf).

point to the examples put forward by authors like James Tooley<sup>9</sup>, of low cost schools providing similar, if not higher quality education in terms of learning outcomes. The extent to which these examples can be generalised is contested. For example, acknowledging that the “picture on low-cost schooling is fragmentary”, GeethaNambissian argues that there is “*little evidence or possibility of the promise of high quality education for a low fee from private players*”.<sup>10</sup>

Most research on school choice has focussed on the effects on children directly affected by an increased opportunity to attend a school using a voucher or other means. The outcomes that have been examined include academic as well as non-academic ones. The literature is divided on the success of using instruments like vouchers on positively impacting these outcomes.

The evidence from India comes primarily from a randomised control trial done in Andhra Pradesh that tracks children for 5 years. The contentious nature of the debate is evident from the fact that the same data leads to different interpretations. D.D Karopady concludes that “*private schools add no value to children in terms of learning outcomes as compared to government schools*.”<sup>11</sup> However, using the same data, Karthik Muralidharan and Venkatesh Sundararaman find “*positive impacts on voucher winners*” from the fact “*private schools in this setting deliver slightly better test score gains than their public counterparts (better on Hindi and same in other subjects) and do so at a substantially lower cost per student*.”<sup>12</sup> While the difference in interpretations rests primarily on the fact that government schools do not teach Hindi at all, the diametrically opposite manner in which the results are characterised speaks to the ideological divides that underlie this debate.

Using the enforcement of EWS quotas in Delhi as a “*natural experiment*,” Rao (2013) provides empirical evidence of the

value of integrated classrooms in elite schools in Delhi. He argues that increase in the presence of poor children makes advantaged students more pro-social and generous and less likely to discriminate against economically weaker children. He also records negative effects on English but no effect on Hindi and Maths for the advantaged students.

Internationally, countries like the United States, Chile, Denmark, the Netherlands, South Korea, and Sweden have used universal voucher programmes at different scales. Cote d’Ivoire and the Czech Republic have targeted voucher programmes that are related to geographical areas, while those in Colombia, Guatemala, and Pakistan target specific populations.

Studies using experimental and quasi-experimental designs have been reported from Columbia<sup>13,14</sup> and South Korea<sup>15</sup>, although the latter looks at the question indirectly. These studies find that students who attend private voucher schools experience a significant gain in test scores. The evidence from various efforts in using vouchers in the US is summarised as suggesting “*at most small improvements in the academic results of students who move to private schools thanks to the voucher*”.<sup>16</sup>

Chile’s experience in using school vouchers is often pointed to as a favourable and an early example of the potential of vouchers. While earlier studies— largely using cross-sectional data— did estimate meaningful positive impacts, more recent studies using longitudinal data do not corroborate the earlier evidence.<sup>17</sup>

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[9] The Beautiful Tree: A Personal Journey Into How the World’s Poorest People Are Educating Themselves. [S.l.]: CATO INST, 2013.

[10] Nambissian, Geetha B. “Private Schools for the Poor: Business as Usual?” Economic and Political Weekly XLVII, no. 41 (October 13, 2012).

[11] Karopady, D. D. “Does School Choice Help Rural Children from Disadvantaged Sections?” Economic and Political Weekly Vol. 49, no. Issue No. 51 (2014).

[12] Muralidharan, Karthik, and Venkatesh Sundararaman. “The Aggregate Effect of School Choice: Evidence from a Two-Stage Experiment in India.” The Quarterly Journal of Economics 130, no. 3 (August 2015): 1011–66. doi:10.1093/qje/qjv013.

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[13] Angrist, Joshua, Eric Bettinger, and Michael Kremer. “Long-Term Educational Consequences of Secondary School Vouchers: Evidence from Administrative Records in Colombia.” American Economic Review 96, no. 3 (June 2006): 847–62. doi:10.1257/aer.96.3.847.

[14] Angrist, Joshua, Eric Bettinger, Erik Bloom, Elizabeth King, and Michael Kremer. “Vouchers for Private Schooling in Colombia: Evidence from a Randomized Natural Experiment.” American Economic Review 92, no. 5 (December 2002): 1535–58. doi:10.1257/000282802762024629.

[15] Kang, Changhui. “Classroom Peer Effects and Academic Achievement: Quasi-Randomization Evidence from South Korea.” Journal of Urban Economics 61, no. 3 (May 2007): 458–95. doi:10.1016/j.jue.2006.07.006.

[16] Lara, B., A. Mizala, and A. Repetto. “The Effectiveness of Private Voucher Education: Evidence From Structural School Switches.” Educational Evaluation and Policy Analysis 33, no. 2 (June 1, 2011): 119–37. doi:10.3102/0162373711402990.

[17] Lara, B., A. Mizala, and A. Repetto. “The Effectiveness of Private Voucher Education: Evidence From Structural School Switches.” Educational Evaluation and Policy Analysis 33, no. 2 (June 1, 2011): 119–37. doi:10.3102/0162373711402990.



Despite this literature, there is very little we know about long-term systematic impacts of policies like the 25 percent mandate. *“School choice advocates often argue that the introduction of market mechanisms in education allows equal access to high quality schooling for all. Expanding school choice opportunities, it is said, would allow all students – including disadvantaged ones and the ones attending low performing schools – to opt for higher quality schools, as the introduction of choice in education can foster efficiency, spur innovation and raise quality overall. However, evidence does not support these perceptions, as school and associated market mechanisms can enhance segregation.”*<sup>18</sup>

## BEYOND EVIDENCE

While stating that *“no study had found any substantial difference in student achievement as a result of choice, competition and vouchers”*, Clive Belfield and Henry M. Levin argue that *“the search for evidence on the educational effectiveness of vouchers is a charade that will not settle the debate”*.<sup>19</sup>

Explaining the ideological divides that influence the debate on vouchers, Levin said *“the debate over vouchers can be partially understood in terms of the general differences in perspective between libertarians or economic liberals with their reliance on the marketplace and political liberals with their reliance on the government. It can also be partially understood in terms of valuing public versus private outcomes of education”*<sup>20</sup> Given this, he proposes that a comprehensive framework to evaluate any voucher programme should consider the following four dimensions:

- a. Freedom of choice
- b. Productive efficiency
- c. Equity
- d. Social cohesion

## REPORT OUTLINE

The purpose of the State of the Nation: Section 12(1)(c) is to report on the progress in implementing Section 12(1)(c), an

innovative and far reaching provision of the RTE. In doing so, we also gather and communicate useful evidence that may facilitate better implementation, and improvements in design.

Clearly specified rules and processes are the first, essential steps towards the implementation of the mandate. In Chapter 2 of this report, we revisit the rubric we created last year to grade the states on the clarity of rules governing the implementation of the mandate. While there have been some changes, the overall picture has not changed considerably. Of the 28 states examined, 16 states are graded “red” or “unsatisfactory” on a majority of the 21 dimensions we have evaluated. Chapter 2 also reports the progress with enrolment of students and participation by schools using DISE data. Notwithstanding the problems with the DISE— and we elaborate on these in the chapter— the DISE remains the only nationally comparable source of data that has governmental legitimacy.

Despite being enacted nearly seven years ago, Section 12(1)(c)—and rules stemming from—remains a contested and complex policy. These contestations have often taken the form of legal challenges. Chapter 3 of the report lays out the legal issues that emerged in the implementation of Section 12(1)(c). The report points at several cases that negotiate the definition of neighbourhood criteria, school choice, entry level and criteria for admission. These cases are viewed as emerging from the operation of the policy on the ground.

Chapter 3 also analyses judicial decisions from the High Courts and the Supreme Court in the last three years. The judgments have largely focused on areas such as the applicability of Section 12(1)(c), the constituents of the 25 percent reservation, the admission procedure and the reimbursement. The analysis finds that the courts have been determined to maintain and fulfil the social welfare objective of Section 12(1)(c).


Chapter 4, focuses on the reimbursement systems and per child recurring costs. This chapter examines the act, rules and notifications issued by the 28 States to understand the provisions around reimbursements and remark on their efficacy.

Chapter 5 examines the role played by various civil society organisations in facilitating the implementation of RTE Section 12(1)(c). The role of 12 such organisations across 7

[18] OECD, “Equity and Quality in Education. Supporting Disadvantaged Students and Schools” (OECD Publishing, 2012), 64.OE

[19] Belfield, Clive, and Henry M. Levin. “Vouchers and Public Policy: When Ideology Trumps Evidence.” *American Journal of Education* 111, no. 4 (August 1, 2005): 548–67. doi:10.1086/431183.

[20] Levin, Henry M. “A Comprehensive Framework for Evaluating Educational Vouchers.” *Educational Evaluation and Policy Analysis* 24, no. 3 (September 21, 2002): 159–74. doi:10.3102/01623737024003159.



states has been documented in this chapter.

Chapter 6 examines various stages and associated processes involved in the implementation of Section 12(1)(c) across a few select cities and states of India. This has been done in two ways - primary data collected through field visits in Maharashtra and Rajasthan, and secondary data collected through reports published in popular English newspapers majorly from Karnataka, Maharashtra and Delhi. It highlights a series of interdependent stages - state RTE rules, awareness, application process, allotment, admission process, reimbursement and grievance redressal. The last section of the chapter provides a guide for improvement in the overall implementation process of RTE Section 12(1)(c) after deriving insights from the implementation experiences.

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# CHAPTER 2:

## OVERVIEW OF RTE IMPLEMENTATION IN STATES

### OBJECTIVES

Evaluating the implementation process is fraught with challenges and is perhaps secondary to the question of impact of the policy on relevant outcomes. However, the outcomes of a mandate like Section 12(1)(c) are likely to take time and clearly the desired outcomes cannot be achieved without effective policy implementation. To examine the progress different states have made in implementing Section 12(1)(c), we study and grade the rules and notifications issued by states to implement this provision as well as analyse data on enrollment and participation from the annual District Information System for Education (DISE). We believe that the analysis of the rules and notifications, and an exploratory study of the relevant indicators in the DISE data provide insights on the progress of the mandate's implementation and specific ways in which it can be improved.

### PART A: ASSESSMENT OF NOTIFICATIONS AND RULES

#### Development of the Rubric

To analyse the various notifications and rules, we developed a rubric that considers the rules from the perspective of the “user”, which in the case of Section 12(1)(c) is most likely to be the guardian of an eligible child.. The rubric incorporates various categories which are evaluated on four to five criteria. The categories reflect the critical stages in the successful implementation of Section 12(1)(c) and demonstrate the information needed to access the law for its benefits. Refer to Table 2.1 for the categories, criteria and their rationale.

For many states, we have also included an additional section below the rubric called “Special Mention.” This section contains facets that are important in state's implementation but could not be reflected adequately in our assessment using the rubric. These will vary depending on the states and some may have none.



**TABLE 2.1: RATIONALE BEHIND CRITERIA CHOICES**

Category	Criteria	Rationale
Clarity in Definition and Proof Requirement	Clear definition of EWS and Disadvantaged Groups	Determines the eligible families
	Documents for each category of applicants clearly defined (where to get documents not necessary but notable)	Necessary information for parents to apply
	Age criteria for Entry Level defined	In depth study of Maharashtra revealed schools cancelled admissions on the basis of inappropriate age. Parents can confirm eligibility of child.
	Entry level stated (Grade 1 or Pre-primary)	Determines entry level and hence eligibility for students
	Neighborhood Criteria	Also determines eligibility
Information Outreach/ Awareness	Method of information dissemination	Helps stakeholders know where and how information will be shared
	Type of information to be shared	Ensures pertinent information regarding the Act and Section 12 is being shared
	Authority responsible for information dissemination	Asks the important question of who is in charge of educating the public regarding Section 12, who can and should be held accountable
Selection Process	Admission form format described or attached to notification	If a format is given, there is no issue regarding how an application needs to be written, what information to give, or how to file it
	Timeline for admissions cycle	Ensures the process runs smoothly, schools begin academic year on time. Helps parents understand the process of admission. Keeps parents accountable to deadlines
	Date for lottery	Transparency in system. Keeps schools accountable to random selection. Ensures parents have time to gain admission elsewhere if not allotted a seat/take admission in time if allotted a seat
	Location to collect and/or submit forms	Ease of access to necessary documents. Clarity for parents to file application correctly
	Authority to oversee lottery/ selection process	Keeps schools accountable. Transparency and authenticity in process
Transparency in reimbursement provision and reimbursement process	How reimbursement has been calculated (details on numerator)	Keeps Government accountable to calculation of reimbursement
	Criteria for reimbursement (or documents needed) for all installments	Schools held accountable to children they admit. Schools aware of requirements that must be fulfilled
	Number of installments	Lets schools know when and how much reimbursement is to be expected
	Clarity on who is financially responsible for additional expenses of uniforms and books	Only tuition understood to be “free.” Asks the question of who is responsible to pay for additional items
Grievance Mechanism and Monitoring	Local authority named	Central Law outlines process of Grievance Redressal. States only responsible to designate local authority
	Formation of the SCPCR/REPA	Serves as an appellate authority for Grievance Redressal and monitoring agency for RTE implementation. Second level of grievance redressal in a state

### Evaluation of the Rubric

The evaluation reflects our interpretation of all state level rules and notifications that we were able to locate. We recognize that these interpretations are subjective. We have tried to be consistent across states and our judgements reflect the perspective of users who are most likely to need and use this information. While it is possible we might have missed some documents (and we welcome being pointed to them) we conducted an exhaustive search of information available publicly as well as filed Right to Information (RTI) requests to ensure we had as complete information as was possible. We believe this search was more exhaustive than individual citizens would have ability to undertake themselves. Therefore, any information we may have missed is likely to be missed by an average citizen as well and is also reflective of the inaccessible manner in which information on the policy has been disseminated.

- Green indicates that the information for the state is complete and would allow someone to go forward in pursuing mandated benefits. This is represented by a set of rules and notifications that clearly lay out a mechanism of implementation.
- Yellow is selected for cases where the rules and notifications provide some clarity but need more explanation. In this case, while the information is partially useful it may or may not be enough for an individual to understand the law or pursue benefits.
- Red indicates either no mention of a mechanism, or the rules and notifications fail to provide any clarity or understanding about the mechanism, either confusing or dissuading someone from accessing the law.

*Refer to Table 2.2 for examples of colour assignment.*

TABLE 2.2: EXAMPLES OF COLOUR ASSIGNMENT			
Criteria	State	Approach	Colour
Documents for Admission	Delhi	“For the admission of child belonging to weaker sections - Income certificate issued by revenue officer not below the rank of Tehsildar of BPL Ration Card (yellow colored) or AAY Ration card (pink colored) shall be proof of income.”	Green
Criteria for Reimbursement	Andhra Pradesh	“The second installment being reimbursed is subject to 80 percent attendance every month, verification of the enrolments as well as learning outcomes of the students. However, no clarification was provided on what learning outcomes included or how that would be measured.”	Yellow
Financial Responsibility of Additional Items	Tripura	“Although the responsibility to provide items such as books and uniforms falls on the schools, financial responsibility for these items is not assigned to anyone.”	Red

## Major Trends

Aggregating our data depicts that some criteria were nationally well-addressed while some not so. Table 2.3 lists the best and the worst addressed criteria.

TABLE 2.3 – DISTRIBUTION OF GRADES ACROSS THE RUBRIC			
	Green	Yellow	Red
Definition of Economically Weaker Section and Disadvantaged Group	23	4	1
List of necessary documents for each category of applicants	9	3	16
Age criteria for entry level	5	2	21
Entry level	19	0	9
Neighbourhood criteria	22	5	1
Method of information dissemination	5	4	19
Type of information to be shared	3	0	25
Authority responsible for information dissemination	6	5	17
Description of admission form format or sample copy attached to notification	7	1	20
Timeline/dates for admissions cycle	8	4	16
Date for lottery	6	3	19
Locations to collect and/or submit forms	6	1	21
Authority to oversee lottery/ selection process	8	2	18
Frequency of calculation of per-child expenditure	12	0	16
Authority to calculate per child expenditure	11	2	15
Method of calculating reimbursement	2	2	24
Criteria for reimbursement (or documents needed) for all instalments	7	7	14
Number of instalments for reimbursement	16	0	12
Authority responsible for finance of additional items (uniforms and books)	4	1	23
Appointment of local authority	8	18	2
Formation of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	27	0	1

The table given above reflects that the definition of EWS and disadvantaged categories, the entry level class and the neighbourhood criteria have been well defined across states, indicating that measures have been taken to identify eligible children under Section 12(1)(c). However, what is severely lacking is the process of reaching out to such children. 25 states do not mention the type of information that needs to be disseminated and 19 states do not prescribe a concise method of information dissemination. The lack of clarity on awareness mechanisms can adversely hamper the fill rate of seats in such states. Moreover, by not prioritising awareness measures, states may not be able to reach out to all the children who are eligible and who may otherwise benefit from Section 12(1)(c).

Further, states are also lacking in specifying timelines, date of lottery and location to pick/drop forms. This is also closely linked to poor awareness mechanisms – if States are able to declare timelines and locations for forms, this information can be disseminated. However, since there is ambiguity regarding the procedure itself, it contributes to the lack of awareness.

As many as 24 states have not shown transparency in the method of calculating reimbursement, while there is clarity on the number of instalments in which the reimbursement is to be paid. This points towards a need for states to declare their methods of calculating reimbursements in a transparent and fair manner.

The authority for grievance redressal, the State Commission for Protection of Child Rights (SCPCR) has also been established in nearly all States, except one. This could perhaps be due to the mandate of the 2005 legislation to set up the commissions at the state and national level, which allowed states ample time to set up respective commissions. What may be worrying is that there is ambiguity regarding the recognition of the local authority in 18 states. Since the RTE Act prescribes a three-tiered grievance redressal mechanism where the first point is that of the local authority, the entire process of a fair and just redressal is lost. To ensure that there is implementation of the provisions, it is required that the local authorities are appointed and are made aware of the responsibilities under the RTE Act.



In the next table (Table 2.4), we present states with highest number of greens— Delhi, Gujarat, Maharashtra, Rajasthan, Karnataka and Tamil Nadu. These states have provided a much clearer roadmap for getting Section 12 (1)(c) implemented in their respective states. While the current rubric is in no way an indicator of an effective on ground implementation, a clearer policy should definitely translate to better implementation.

The states that fare poorly in the rubric include Chhattisgarh, Jharkhand, Meghalaya, Sikkim, Bihar, Goa, Manipur, Mizoram, Nagaland, Odisha and Punjab. Even after 6 years of enactment, these States are yet to introduce measures to impact better implementation.

TABLE 2.4 – STATEWISE COMPARISON OF GRADES			
States	Green	Yellow	Red
Andhra Pradesh	7	3	11
Arunachal Pradesh	5	7	9
Assam	7	3	11
Bihar	6	1	14
Chhattisgarh	3	1	17
Delhi	14	1	6
Goa	5	1	15
Gujarat	16	2	3
Haryana	9	4	8
Himachal Pradesh	9	1	11
Jharkhand	1	2	18
Karnataka	12	2	7
Kerala	7	3	11
Madhya Pradesh	6	6	9
Maharashtra	15	1	5
Manipur	7	1	13
Meghalaya	4	1	16
Mizoram	4	3	14
Nagaland	6	2	13
Odisha	7	1	13
Punjab	5	2	14
Rajasthan	16	4	1
Sikkim	3	0	18
Tamil Nadu	13	4	4
Tripura	8	1	12
Uttar Pradesh	10	2	9
Uttaranchal	7	7	7
West Bengal	8	4	9

Analysing the aggregated data, there has been an overall increase in the number of green lights over the last two year with the improvements by states such as Karnataka, Tamil Nadu, Punjab and Haryana. The number of red lights has also decreased slightly in the same states. While there has been some clarity on the admission criteria and process, states are yet to focus on reimbursement where maximum red lights have been given.

Total greens (2014-15)	212
Total greens this year (2015-16)	220
Total reds last year (2014-15)	304
Total reds this year (2015-16)	298

## PART B: DATA ANALYSIS

To better understand the implementation, it is fundamental to ask that how many children are benefitting from this provision. Or, if there has been any year-on-year improvement in the number of beneficiaries. Also once admitted, are the children continuing under this policy. For the purpose of such analysis, we have considered the following data sources:

1. Data reported by the state governments to the Ministry of Human Resource and Development (MHRD)<sup>21</sup>
2. District Information System for Education (DISE), which is an initiative to improve education related information and covers all districts in the country
3. Minor sources, including presentations by some state governments, numbers reported by governments on their education portal or in media, information received through RTIs to states, etc.

Unfortunately, for most of the states, there are significant disparities in the numbers reported from different sources.

The numbers reported by the state governments to the MHRD have some official state sanction because of their link to the reimbursement. Unfortunately, we know from Project Approval Board (PAB) minutes that MHRD has also found fault in the numbers reported by some states.

Also though some states independently report aggregate number of admissions at district and state level, yet it is

[21] This becomes important as the updated SSA framework also includes supporting states for reimbursement to private schools under Section 12(1)(c) of the RTE Act

impossible to verify the authenticity of the data at a school level and make comparison year on year. States like Madhya Pradesh have detailed educational portals where these details are uploaded, yet the data is not in easy-to-analyse format.

Ultimately DISE data is the only source for comparative, school-wise, performance of states across a common set of indicators. Though there are issues with DISE data due to its low-stake nature and self-reporting<sup>22</sup>, it gives the raw school level data for analysis and correction. We have cleaned the DISE data at the school level and used it to study the state's implementation. Please see **Annexure 1** for detailed methodology for using and cleaning the DISE data.

Before we discuss the DISE data findings, it is important to briefly discuss other data sources.

### **1. Data reported by the State Governments to the MHRD**

Honourable Minister of HRD department, in reply to a question in Lok Sabha on the benefits to economically weaker sections under the RTE Act<sup>23</sup>, stated that:

*“27 States/UTs have issued notification or made provision in their State RTE Rules regarding admission of children belonging to disadvantaged and weaker sections under Section 12(1)(c). States have reported a total of 17.35 lakh children admitted in private schools in the academic year 2014-15.”*

In response to a Right to Information<sup>24</sup> request filed to the MHRD for all states and UTs for information related to the implementation, the department has provided the detailed state-wise, year-wise breakdown of the numbers reported by the states.

**Out of 34 states and UTs<sup>25</sup>, 18 show zero schools implementing Section 12(1)(c) of the act.** These are Andhra Pradesh, Arunachal Pradesh, Daman and Diu, Goa, Haryana, Himachal Pradesh, Kerala, Manipur, Mizoram,

Nagaland, Sikkim, Tripura, West Bengal, Meghalaya, Pondicherry, Punjab and Telangana.

For the other 16 states and UTs:

#### **a. School Participation<sup>26</sup>:**

There are 3,00,359 private schools in the country out of which only 91,146 private schools are implementing Section 12(1)(c). This gives us a national school participation rate of 30.35 percent.

Delhi and Chandigarh reported 100 percent school participation while Maharashtra and Uttar Pradesh fared poorly with 6 percent and 0.02 percent schools participating respectively.

#### **b. Number of children admitted:**

These 16 states have also reported a total number of 17.35 lakh students admitted in the year 2014-15. This is same as the reply of the HRD minister in the Lok Sabha.

#### **c. How accurate is this data?**

The number of 17.35 lakh admissions in 2014-15 prima facie looks erroneous.

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[22] For more issues, please see State of the Nation: RTE Section 12(1)(c) for issues with the reliability of the data.

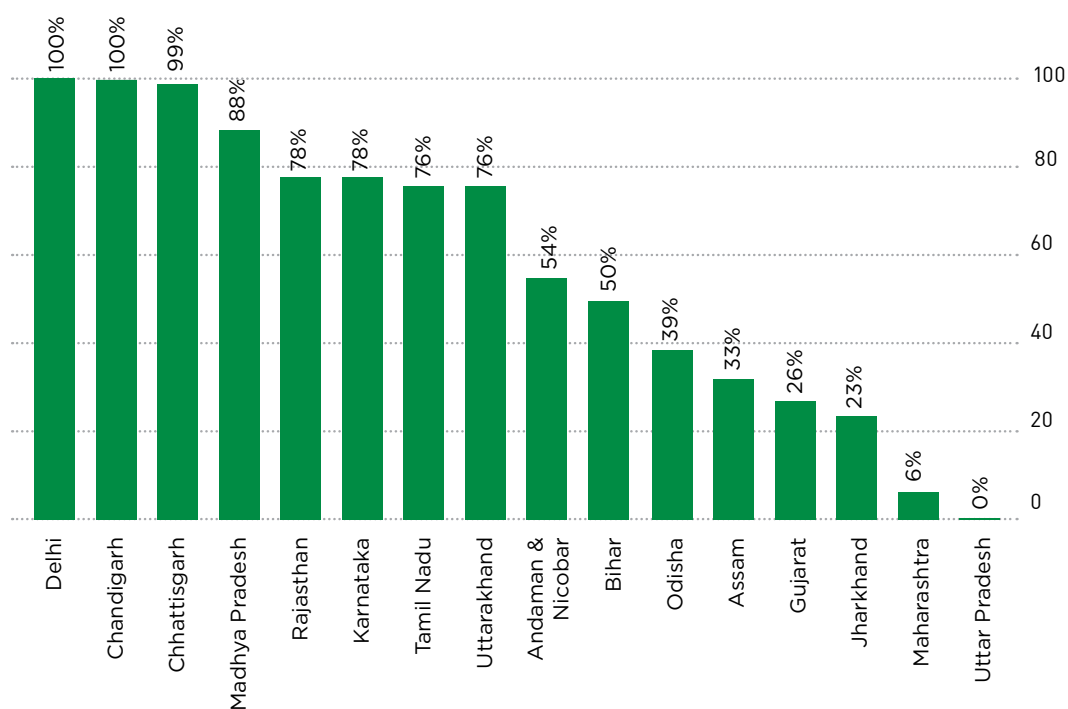
[23] Ministry of Human Resource Development, Lok Sabha Starred Question No. 510. Asked by SubhashRamraoBhamre. Answered on 29.04.2015

[24] RTI reply number F.No.15-1/2015-EE-4 and is dated 15th May, 2015. The reply is also available online at [www.rtionline.gov.in](http://www.rtionline.gov.in)

[25] Lakshadweep and Jammu and Kashmir are not a part of this analysis as there are no private schools in the former and the RTE Act is not applicable in the latter.

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[26] A participating school is defined as a school with at least one admission

**Graph 2.1: School participation according to data provided by states to centre****TABLE 2.5: SECTION 12(1)(C) ENROLMENTS, AS REPORTED BY STATES TO CENTRE**

State/ UTs	Students admitted up to 2012-13	Students admitted up to 2013-14	Students admitted in session 2014-15
Madhya Pradesh	168770	423000	637123
Rajasthan	100002	238811	436070
Karnataka	49282	116734	142554
Tamil Nadu	1179	49864	131566
Chhattisgarh	25693	59955	100927
Uttarakhand	17246	51798	66851
Maharashtra	0	38025	65719
Bihar	4306	19804	61887
Delhi	20440	-	33201
Odisha	0	-	31150
Gujarat	0	449	13033
Jharkhand	0	6690	8237
Assam	0	-	4653
Chandigarh	672	1530	2145
Andaman and Nicobar Islands	233	233	394
Uttar Pradesh	0	60	108
<b>Total</b>	<b>3,89,293</b>	<b>10,06,953</b>	<b>17,35,618</b>

Some states like Uttarakhand have reported the actual number of admissions in 2014-15<sup>27</sup>, while some other states have reported cumulative numbers. Rajasthan, for example, had reported 4.36 lakh children to the PAB under Section 12(1)(c) out of which 1.89 lakh were approved for classes 1 to 3. Similarly, according to Madhya Pradesh government, there were only 1.43 lakh<sup>28</sup> total seats available in 2014. Thus the numbers for Rajasthan and Madhya Pradesh in the RTI reply are

clearly cumulative. Both these states account for almost 62 percent of the numbers reported by the states to the Centre.

Similarly, states like Karnataka and Tamil Nadu<sup>29</sup> have the similar issue with differences between the numbers reported by the MHRD and independent reporting by the state.

**TABLE 2.6: COMPARISON OF THE STATE DATA SUBMITTED TO CENTRE WITH OTHER DATA SOURCES**

	Students admitted up to 2012-13		Students admitted up to 2013-14		Students admitted in session 2014-15	
	Central RTI	Other Sources	Central RTI	Other Sources	Central RTI	Other Sources
Karnataka	49282	49282	116734	73108	142554	93690
Tamil Nadu		1179	49864	49864	131566	86729
Uttarakhand	17246	31951	51798	51798	66851	66851

Thus, though the numbers reported by the states and UTs to the MHRD are important, it is difficult to independently verify these numbers.

## 2. DISE data

Using the DISE data for the years 2013-14 and 2014-15, we have calculated the seat fill rate and school participation rate. Instead of directly using the numbers reported by the schools in DISE, we have cleaned the data. Please refer to the **Annexure 1** for details of cleaning and using the DISE data.

### a. Seat Fill Rate

In 2014-15, roughly 3.46 lakh seats were filled out of approximately 22.9 lakh seats available under Section 12(1)(c), resulting in a fill rate of 15.12 percent. This is a slight improvement from 3.2 lakh seats filled out of 21.8 lakh available seats (14.66 percent fill rate) in 2013-14.

The top-performing states in fill rate were Delhi (44.61 percent), Rajasthan (39.26 percent), Tamil Nadu (37.75 percent), Chhattisgarh (32.94 percent) and Uttarakhand (31.96 percent).

The worst-performing states all had fill-rate less than 1 percent- Andhra Pradesh (0 percent), Telangana (0.01 percent), Mizoram (0.21 percent), Uttar Pradesh (0.79 percent) and Odisha (0.97 percent).

### b. School Participation

In 2014-15, out of 2.17 lakh schools only 45,996 schools had taken at least one student under this provision. In 2013-14, there were 44,158 participating schools out of total 2.06 lakh schools.

Nationally, Andhra Pradesh (0 percent), Telangana (0.01 percent) and Mizoram (0.17 percent) had the lowest school participation while Delhi (51.84 percent), Tamil Nadu (51.24 percent) and Rajasthan (47.88 percent) had the highest school participation rate.

### c. Low-fill rate and effect of capping and cleaning the DISE data

During the analysis, we observed that 4389 schools reported the number of admissions through RTE 25 percent quota, as more than the number of their class I enrolment. As the Section 12(1)(c) enrolments cannot go beyond the total number of seats available in entire Class

[27] In reply to our RTI request, Uttarakhand government reported this number with the district-wise breakdown of seats

[28] For details, please see <http://www.hindustantimes.com/education/mp-to-make-rte-admission-online-from-this-year/story-4lZm9hIOAvXKzF6e98eZxI.html>

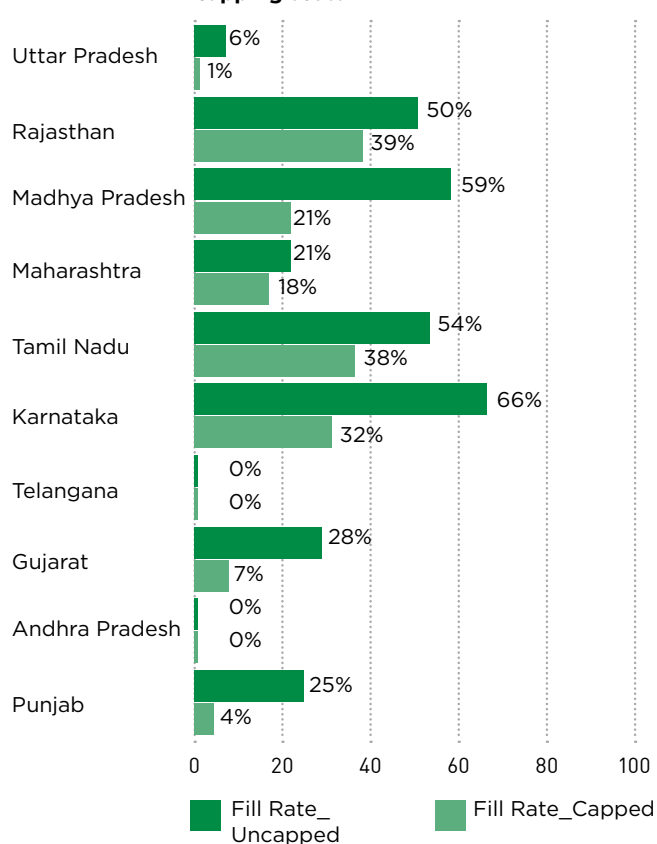
[29] We base Karnataka's numbers on a note circulated by Karnataka's education department at NUEPA on extension of the RTE Act to pre-school. Tamil Nadu's numbers are based on a letter dated 5th May, 2015 by Chief Minister of TN Thiru O. Panneerselvam to Shri Narendra Modi, Prime Minister of India.



1, this number has been wrongly reported by the school. We have therefore, cleaned the data to remove such schools from our analysis.

Further, for each school, we have capped the maximum numbers of RTE Section 12(1)(c) enrolments to 25 percent of the total enrolments in that school in Std. I. This means that any school with fill rate greater than 100 percent would be capped at 100 percent.

**Graph 2.2: Drop in the fill rate after capping seats**



Without cleaning the DISE data for these discrepancies, the national data is 7.05 lakh seats filled out of 23.1 lakh available seats with the fill rate of 30.53 percent. This is significantly more than 15.12 percent fill rate reported after cleaning the data set and applying the upper cap of 25%. For the top 10 states with maximum number of seats, there is an almost average 15 percent absolute difference in fill rate after capping the seats. Also these states have the bulk of national seats, accounting for a total of 18.3 lakh seats between them.

The reason for this drop is simple. The schools which have reported higher RTE 25 percent admissions than their class I strength, contribute largely to this

difference. For eg, a school in Surat, Gujarat, reported 2006 admissions through Sec 12(1)(c) even as the total number of children enrolled in the school from Class I to Class 8 were only 144. Additionally, there is significant percentage of schools which show more than 100 percent fill rate. As the Table 2.7 suggests, there are 16,695 schools nationally which have reported fill rate greater than 100 percent. Big states with highest drop in the fill rate, Madhya Pradesh (38.34 percent) has 3,627 schools (out of 23,650 schools) which are showing fill rate greater than 100 percent. The numbers for Karnataka (34.1 percent drop) are 1,732 schools out of 12,190 schools.

**TABLE 2.7: NATIONAL DATA- BREAKDOWN OF FILL RATE IN SCHOOLS**

RTE Admissions Fill Rate	Number of Schools
Zero	1,70,931
Less than 50 percent	8,548
Between 50 and 100 percent	12,547
100 percent	8,206
Between 100 percent and 400 percent	16,695
Greater than 400 percent (more than Class 1 strength)	4,389

#### d. Dropouts

DISE has also reported the number of children continuing from previous years for the year 2013-14 and 2014-15. Its significance is that this allows for tracking the drop-outs under Section 12(1)(c) nationally.

According to DISE, there was a huge 68.65 percent drop-out of EWS and DG children from the year 2013-14 to 2014-15.

These numbers are almost certainly gross exaggerations as unlike the fill rate, it is difficult to cap the number of children continuing from previous years.

**TABLE 2.8 (A): STATES WITH HIGHEST DROPOUTS**

Odisha	96.36 percent
Arunachal Pradesh	94.44 percent
Sikkim	91.00 percent
Nagaland	90.49 percent
Kerala	89.94 percent

**TABLE 2.8 (B): STATES WITH LOWEST DROPOUTS**

Telangana	0.00 percent
Andhra Pradesh	9.02 percent
Delhi	26.07 percent
Jharkhand	45.85 percent
Uttarakhand	46.02 percent

## STATE WISE ANALYSIS OF RULES AND NOTIFICATIONS AND DISE DATA

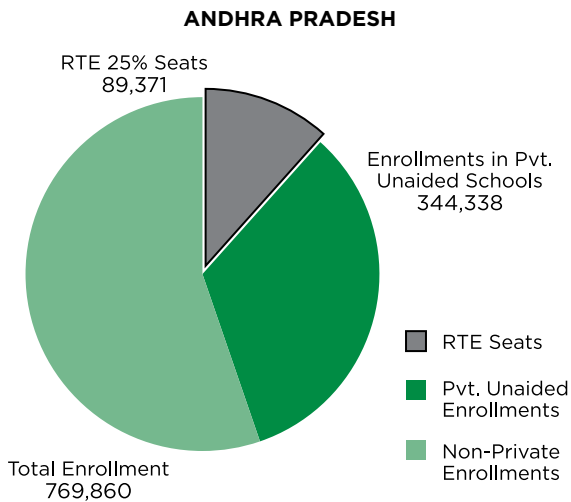
# ANDHRA PRADESH

ANDHRA PRADESH			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Seven categories of 'socially disadvantaged' children recognized. Families of BC and minorities (including OC's) whose income does not exceed Rs. 60,000/- per annum categorized as 'EWS'.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No record of required documents for above categories.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No minimum or maximum age limit specified for any class.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Entry level recognized as pre-primary. First class taking fresh students required to reserve at least 25% of seats for EWS/DG children.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Classes I-V, a school must be established within a walking distance of 1km from the neighborhood.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No method given to disseminate information before admissions
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No list of information to be shared.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No one held responsible for any information dissemination.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No sample copy of the admissions form attached. No description of admissions form within the text.
	Timeline/dates for admissions cycle	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Overarching date 12th June to 31st August of relevant academic year given.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No centralized date for lottery assigned nor decentralized school specific dates.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No location for collection and submission provided.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No individual named responsible to oversee lottery process.
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Committee to decide per child expenditure to meet annually in December, first time being three months from date of constitution of Rules.
	Authority to calculate per child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Committee comprising of Secretary Finance, Principal Secretary Primary Education, Principal Secretary/Secretary School Education, Commissioner and Director of School Education, State Project Director Rajiv Vidya Mission (Sarva Sikhsha Abhiyan), a representative of private school managements , representatives of two prominent NGOs, nominated by the Government shall decide per child expenditure
	Method of calculating reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Statement coiped from MHRD's model rules.

ANDHRA PRADESH			
Category	Criteria	Criteria Status	Comments
	Criteria for reimbursement (or documents needed) for all instalments		The first instalment is reimbursed after a list of students admitted is submitted to the DEO. The second instalment being reimbursed is subject to 80% attendance every month, verification of the enrolments as well as learning outcomes of the students. However, no clarification was provided on what learning outcomes included or how that would be measured.
	Number of instalments for reimbursement		Reimbursement to be made in two instalments. First 50% to be reimbursed in September, remaining 50% in January.
	Authority responsible for finance of additional items (uniforms and books)		Schools held responsible to provide books and uniforms to students. No clarity on financially responsible party.
Grievance Mechanism and Monitoring	Appointment of local authority		Mandal parishad/zilla parishad/municipalities and panchayats named local authorities.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)		Andhra Pradesh State Commission for Protection of Child Rights constituted.
Special Mention	Extension of Neighborhood Limits		Section 9(2) states that before extending limits of local area, Mandal Educational Officer must ensure all seats in a Government School filled up.
	Teacher Training		Mention of special training for teachers to learn appropriate teaching methods for children with special needs for the purpose of inclusive education.
	Child Tracking and Monitoring		Chairperson of the School Management Committee responsible to maintain list of children from EWS and DG in the neighborhood area of every private school within his jurisdiction.
			Government of Andhra Pradesh to evolve child tracking system for academic purposes and also a child's retention, transition and migration. Specific to migration, Government took responsibility of making arrangements to track migration of children between districts within the state and provide seasonal hostels in villages where migration of labor was common. Government also took responsibility to educate migrant children from other states by setting up on site schools at the work places of migrant workers.
	Learning Outcomes		Government of Andhra Pradesh considers child's learning outcomes as a criteria for reimbursement. No clarity on what exactly Government is looking for in terms of learning outcomes.
Implementation of RTE Act		RTE Act not being implemented in the State. Government claims to be waiting for funds from Central Government before successfully implementing the Act.	

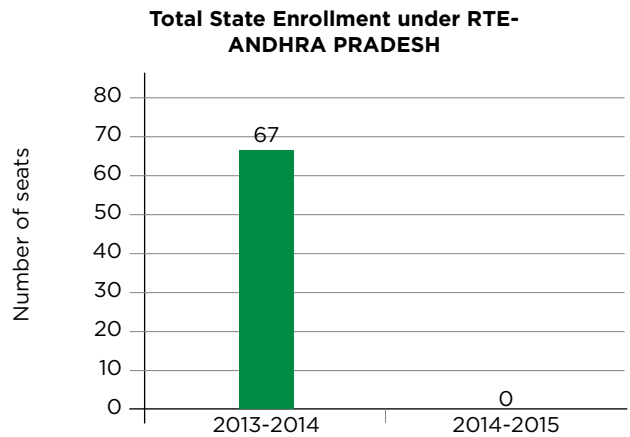
### Seats Available

In 2014-15, total 769860 students were enrolled in Std. I in the state, out of which 344338 enrollments were in private unaided schools, where 89371 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 178497.



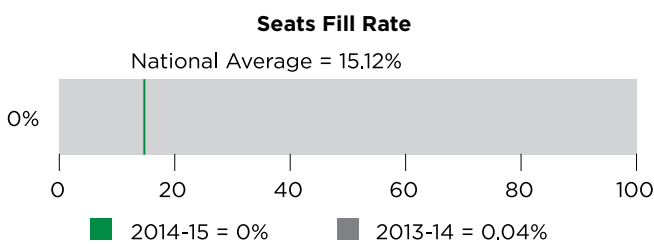
### Enrollment through RTE

A Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 0 as compared to 67 enrollments in 2013-14.



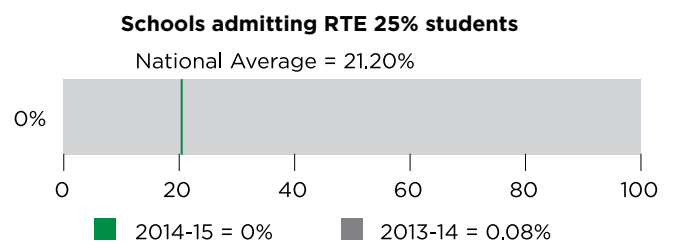
### Seats Fill Rate

Out of a total 89371 seats available under this section, a total of 0 seats were filled in 2014-15 with a seat fill rate of 0%. In 2013-14, the seat fill rate was 0.04%.

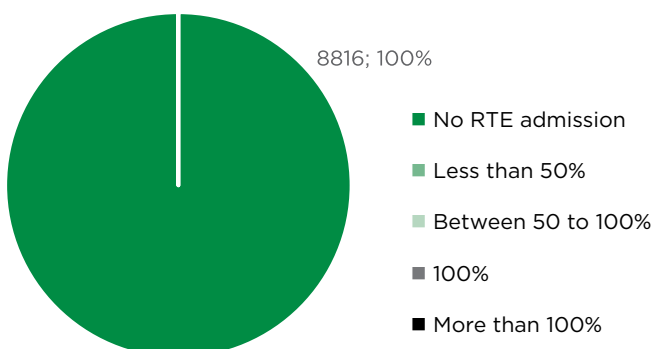


### School Participation Rate

In 2014-15, out of a total of 8816 private unaided schools in the state, only 0 school had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 0%. The participation rate was 0.08% in 2013-14.



### Schools by Seats Fill Rate





























## ARUNACHAL PRADESH

ARUNACHAL PRADESH			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	DG' includes SC and ST, educationally backward or groups having a disadvantage due to social, cultural, economic, geographic, linguistic or gender reasons. Income limit for "EWS" to be specified in a separate notification but there was none. BPL families, orphans and children with disability also eligible but no clarification about which category they fall under.
	List of necessary documents for each category of applicants	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Each applicant to have certificate showing which category they belong to by competent authority. Applicants allowed to submit documents up to three months post admission, including self declaration for proof of residence. Physical handicap can be verified by principal.
	Age criteria for entry level	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Child applying to class I must be minimum five years by March 31st in the year seeking admission and maximum seven years. No age limit given for pre-school.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	25% provision to be made in pre-school if facility is available.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	In urban areas or major towns, children can apply to schools within 1km radius of the neighborhood. In other areas, children can apply to schools within 3km radius of the neighborhood.
Process of Information Outreach/Awareness	Method of information dissemination	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Schools to put up the date of lottery on their noticeboards.
	Type of information to be shared	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Only date of the lottery mentioned.
	Authority responsible for information dissemination	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Schools to put up the date of lottery on their noticeboard.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No description of application form in text . No sample copy provided.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No timeline for the admission and no other dates for specific processes.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No centralized or decentralized date for the lottery.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mentioned of where parents could collect or submit application forms/documents.
	Authority to oversee lottery/ selection process	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Committee to oversee lottery: 1. Principal/Headmaster: Convenor 2. Teacher: Member (to be nominated by Principal/HM) 3&4. Two Parents (one lady): Members (one parent has from the candidates to be admitted under section 12) 5. SMC Members: Member (nominated by Chairman, SMC). Can add a 6th member to be nominated by the Principal from the students of class IX to XII.

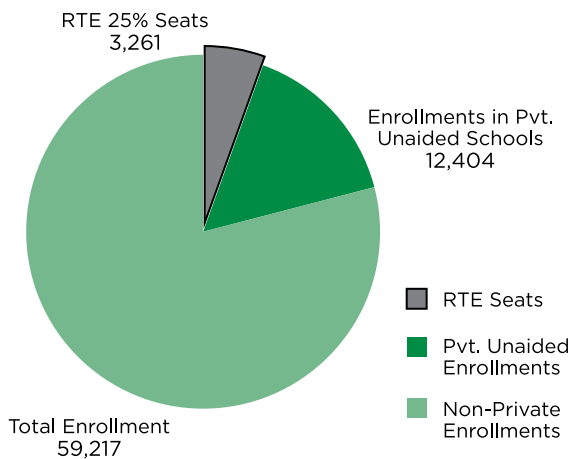
## ARUNACHAL PRADESH

Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	  	No timelines provided to suggest how frequently the per child expenditure would be re-assessed.
	Authority to calculate per child expenditure	  	No committee or individual was held responsible for calculating the per child expenditure.
	Method of calculating reimbursement	  	Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments	  	No mention of any documents that schools have to submit in order to receive reimbursement.
	Number of instalments for reimbursement	  	No reference to number of instalments for reimbursement.
	Authority responsible for finance of additional items (uniforms and books)	  	Government of Arunachal Pradesh financially responsible for textbooks, notebooks, stationary, uniform and transport. Items can be reimbursed on proper production of bills. To be reimbursed only for the children admitted under the 25% provision and is subject to limit decided by the State Govt.
Grievance Mechanism and Monitoring	Appointment of local authority	  	Municipal corporation/municipal council/zilla/parishad/panchayat named as local authorities.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	  	State Commission for the Protection of Child Rights constituted.

### Seats Available

In 2014-15, total 59217 students were enrolled in Std. I in the state, out of which 12404 enrollments were in private unaided schools, where 3261 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 3306.

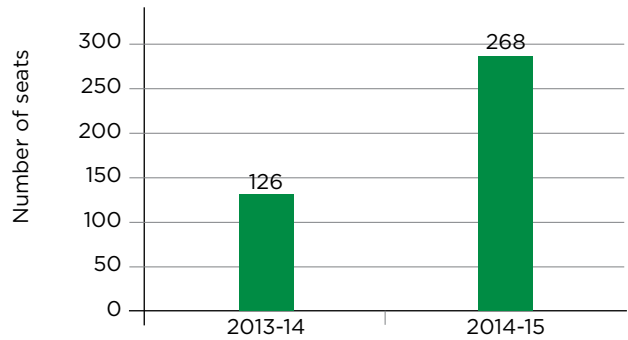
**Enrollments in Class 1 - ARUNACHAL PRADESH**



### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 268 as compared to 126 enrollments in 2013-14.

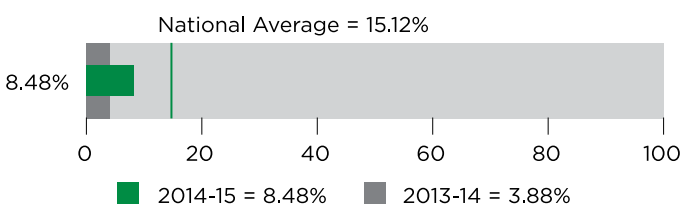
**Total State Enrollment under RTE- ARUNACHAL PRADESH**



### Seats Fill Rate

Out of a total 3161 seats available under this section, a total of 268 seats were filled in 2014-15 with a seat fill rate of 8.48%. In 2013-14, the seat fill rate was 3.88%.

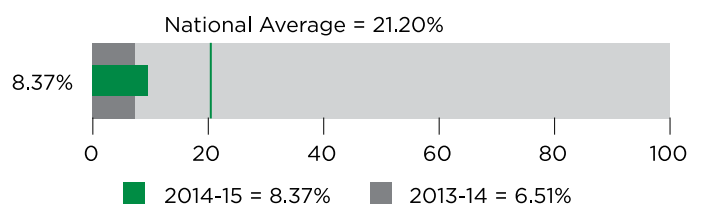
**Seats Fill Rate**



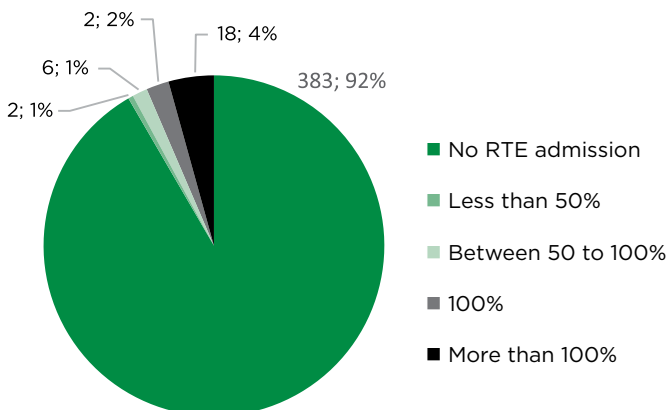
### School Participation Rate

In 2014-15, out of a total of 418 private unaided schools in the state, only 35 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 8.37%. The participation rate was 6.51% in 2013-14.

**Schools admitting RTE 25% students**



**Schools by Seats Fill Rate**



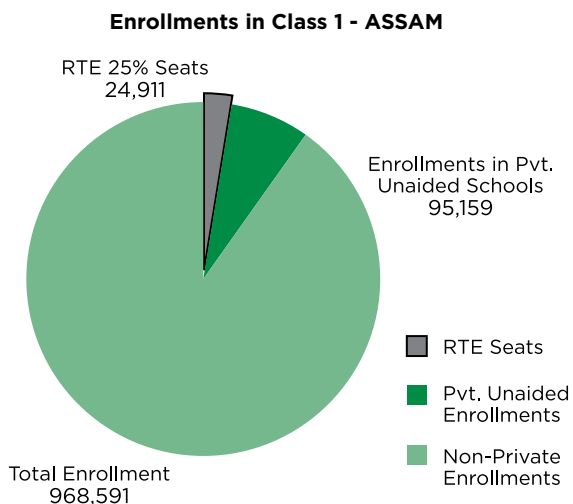
ASSAM			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Six categories of eligibility for 'DG' - SC, ST, child with special needs, orphan, migrant and street child, and HIV affected/infected child. 'EWS' category only for BPL families.
	List of necessary documents for each category of applicants	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	SC/ST category must have certificate from competent authority. Migrant and street children must get certificate from the Labour Department or local police station. Parents or guardians of children belonging to EWS must obtain certificate from the proper authority within the State Revenue Department. Documents for orphans and HIV infected/affected children not mentioned.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No maximum or minimum age limit given for any entry level class.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Reservation of 25% seats extended to pre-schools.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	For classes I-V, schools must be built within 1km of a neighborhood. Distance limit applies to applications made under Section 12.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No preferred method of information dissemination given.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No reference to important information needing dissemination.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No one held responsible for any awareness efforts.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No admission form attached to any notification. Did not find a description of the admission form within text.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No timelines given for any of the processes of admission cycle.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No centralized or decentralized date for the lottery assigned.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of any location from where forms could be collected or where they could be submitted.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority assigned to oversee the lottery.



ASSAM			
Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure		Committee to decide per child expenditure must meet within six months of the commencement of the RTE Rules and every year in December after that.
	Authority to calculate per child expenditure		Committee to assess per child expenditure shall be Secretary, Finance Deptt; Secretary, Elementary Education Deptt; Mission Director, SSA, Assam; Director, Elementary Education, Assam, and Director, SCERT, Assam.
	Method of calculating reimbursement		Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments		For the first instalment, schools must submit list of students admitted in the school to District Educational Officer by July. No document or criteria listed for second reimbursement.
	Number of instalments for reimbursement		The first instalment of 50% reimbursed in the month of September. The remaining 50% reimbursed in the month of January.
	Authority responsible for finance of additional items (uniforms and books)		Schools responsible for providing school uniforms and books, however, financial responsibility not assigned.
Grievance Mechanism and Monitoring	Appointment of local authority		The list of local authorities are: (1) The Municipal Corporation, (2) All Municipal Boards of the State, (3) All Town Committees, (4) All Zilla Parishads, (5) All Anchalik Panchayats, (6) All Gaon Panchayats.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)		Assam has constituted the State Commission for Protection of Child Rights.

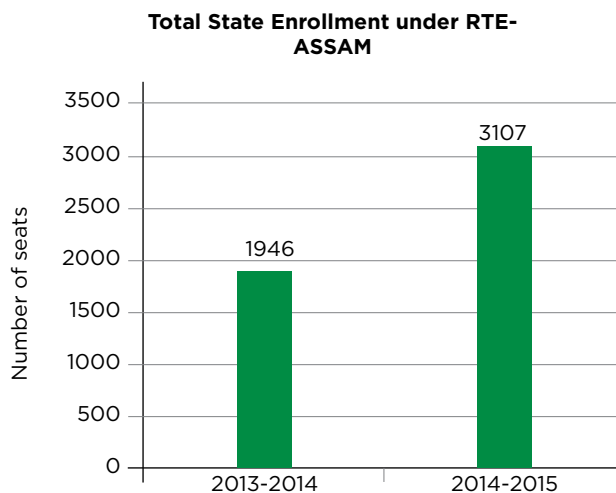
### Seats Available

In 2014-15, total 968591 students were enrolled in Std. I in the state, out of which 95159 enrollments were in private unaided schools, where 24911 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 21545.



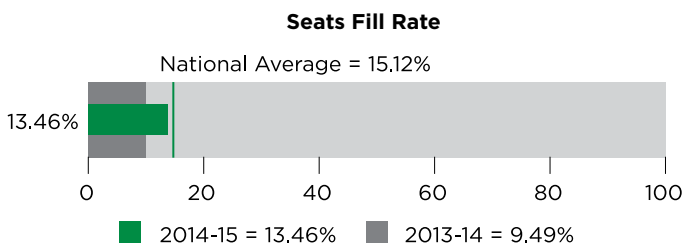
### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 3107 as compared to 1946 enrollments in 2013-14.



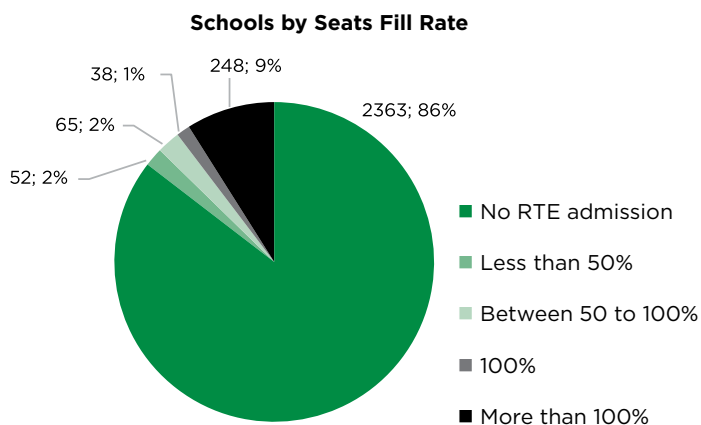
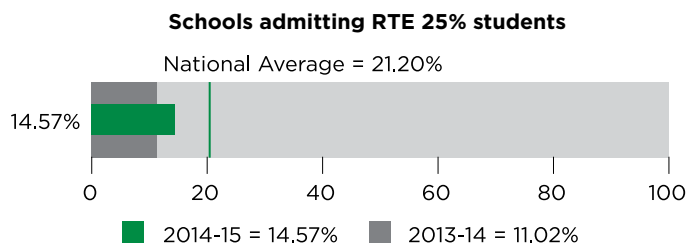
### Seats Fill Rate

Out of a total 23087 seats available under this section, a total of 3107 seats were filled in 2014-15 with a seat fill rate of 13.46%. In 2013-14, the seat fill rate was 9.49%.



### School Participation Rate

In 2014-15, out of a total of 2766 private unaided schools in the state, only 403 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 14.57%. The participation rate was 11.02% in 2013-14.



BIHAR			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	EWS defined as children of all castes and communities whose parents or guardians have an annual income of less than Rs. 2 lakh. DG defined as children of SC/ST families, backward section and extremely backward section families, minority groups whose parents or guardians have an annual income of Rs. 1 lakh.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No list detailing which documents each of the above categories needed for admission.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No minimum or maximum age limit specified for application to entry level class.
	Entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Not clarified whether Section 12 applicable only at class I or whether it also applies to pre-school.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Neighborhood called habitation. Primary schools must be within 1km of a habitation IF habitation has minimum 40 children between ages 6-14 years. Neighborhood limit also applies to admissions made under Section 12.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mechanism for information dissemination mentioned.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No list of what information needed to be shared with stakeholders.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority/party assigned the responsibility of information dissemination.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No admission form attached to notification and no description of admission form within the text.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No timelines provided for any of the processes of an admission cycle.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No central date assigned and schools not asked to appoint their own dates for lottery.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No locations specified for form collection or submission.
	Authority to oversee lottery/selection process	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Head Teacher/Principal named authority to oversee lottery selection. Appellate authority identified as District Education Officer.

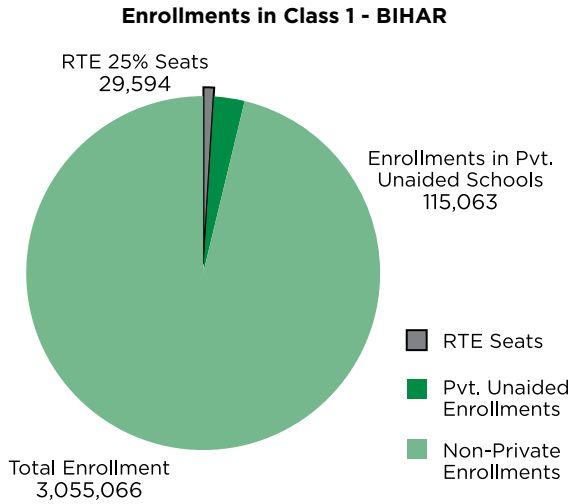
## BIHAR

Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Per child expenditure to be assessed on an annual basis.
	Authority to calculate per child expenditure	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	State government to assess per child expenditure. No specific assignment within state government mentioned.
	Method of calculating reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Statement copied from the MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No criteria that schools need to fulfill in order to claim reimbursement.
	Number of instalments for reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of how many instalments for reimbursement.
	Authority responsible for finance of additional items (uniforms and books)	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Schools held responsible to provide books and uniforms but no party held financially responsible for these expenses.
Grievance Mechanism and Monitoring	Appointment of local authority	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	For primary and secondary schools, gram panchayats education committee. For urban areas municipal commission's, municipal council's empowered committee identified as local authorities.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	State Commission for Protection of Child Rights constituted.



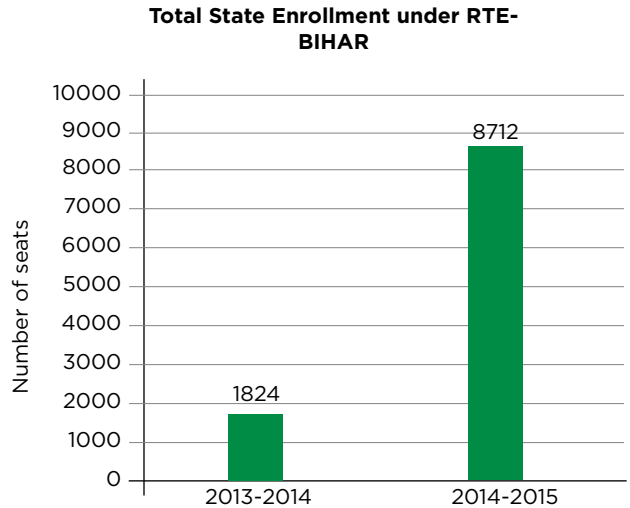
### Seats Available

In 2014-15, total 3055066 students were enrolled in Std. I in the state, out of which 115063 enrollments were in private unaided schools, where 29594 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 19461.



### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 8712 as compared to 1824 enrollments in 2013-14.

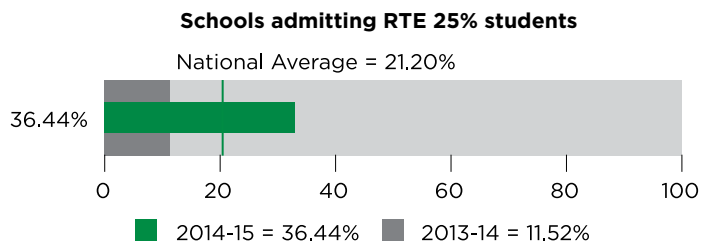
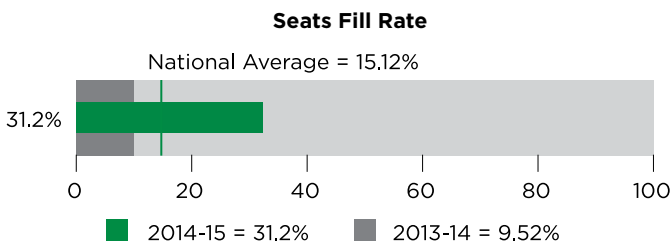


### Seats Fill Rate

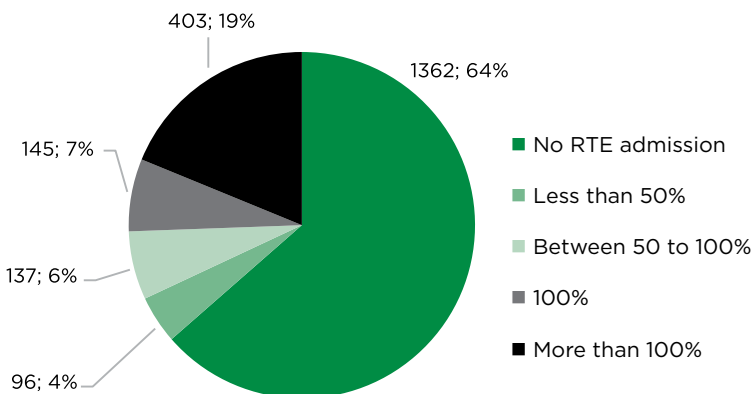
Out of a total 27924 seats available under this section, a total of 8712 seats were filled in 2014-15 with a seat fill rate of 31.2%. In 2013-14, the seat fill rate was 9.52%.

### School Participation Rate

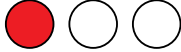
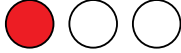





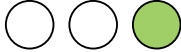
In 2014-15, out of a total of 2143 private unaided schools in the state, only 781 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 36.44%. The participation rate was 11.52% in 2013-14.



### Schools by Seats Fill Rate

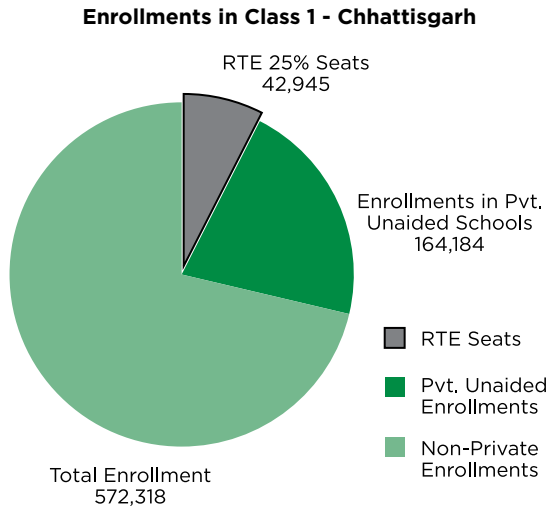


CHHATTISGARH			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	SC, ST, a child whose parents belongs to primitive tribal groups, a child with 40 percent disability, and a child whose parents have certificate of recognition of forest rights identified as DG. Children belonging to EWS are from BPL list and children whose parents are not alive now but used to be on the BPL list at the time of death.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No list of documents for any of the above categories given.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No minimum or maximum age of eligibility mentioned for any class.
	Entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No clarity on whether Section 12 is applicable only to class I or pre-primary also.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Primary schools for classes I-V must be within a walking distance of 1km. Neighborhood limit applies to Section 12.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention any methods of information dissemination.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of information necessary to share with the general public.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No one assigned the task of spreading awareness regarding Section 12 or the RTE Act.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No sample copy of the admission form attached and no written description within the text of the notification.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No dates assigned for any process of the admission cycle.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No centralized or decentralized date allotted for the lottery. No reference to schools choosing their lottery date.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of location for applicant to collect/submit required forms for application.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority appointed to oversee the lottery process.

CHHATTISGARH			
Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure		Not clarified how often per child expenditure would be assessed.
	Authority to calculate per child expenditure		No authority held responsible to assess the per child expenditure.
	Method of calculating reimbursement		Statement copied from MHRD's model rules
	Criteria for reimbursement (or documents needed) for all instalments		Criteria to claim reimbursement not given.
	Number of instalments for reimbursement		No mention of the number of instalments for reimbursement to schools.
	Authority responsible for finance of additional items (uniforms and books)		Schools held responsible to provide books and uniforms but financial responsibility not assigned.
Grievance Mechanism and Monitoring	Appointment of local authority		Local authorities need to be more specific. Example of one local authority given below: (a) In relation to schools in the area under administrative control of a Zila Panchayat, the Zila Panchaya. Chattisgarh has identified 5 other local authorities in the same manner.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)		Chattisgarh has constituted the State Commission for the Protection of Child Rights.
Special Mention	Financial Responsibility		“Financial Responsibility of the State Government for the resources made available by Central Government” is the only mention of any financial responsibility. Does not specify to which resources it is referring.

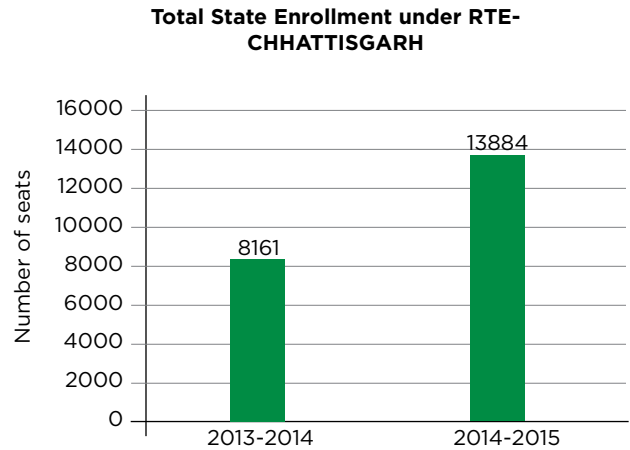
## Seats Available

In 2014-15, total 572318 students were enrolled in Std. I in the state, out of which 164184 enrollments were in private unaided schools, where 42945 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 38438.



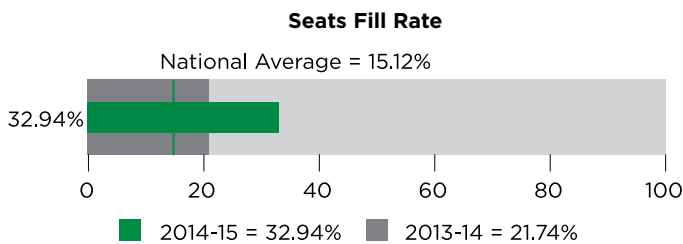
## Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 13884 as compared to 8161 enrollments in 2013-14.



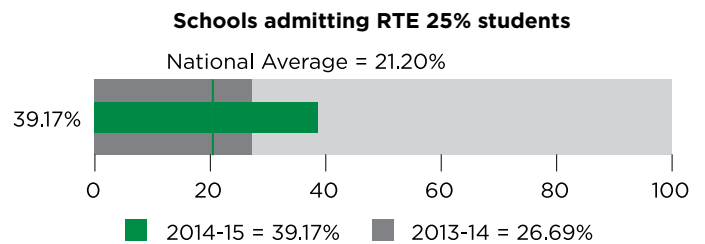
## Seats Fill Rate

Out of a total 42151 seats available under this section, a total of 13884 seats were filled in 2014-15 with a seat fill rate of 32.94%. In 2013-14, the seat fill rate was 21.74%.

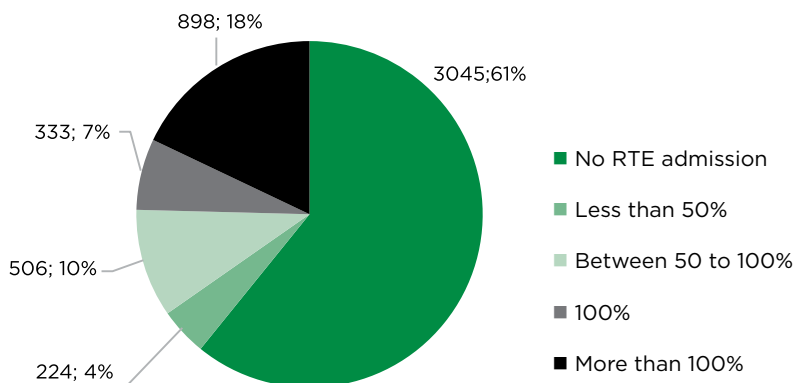


## School Participation Rate

In 2014-15, out of a total of 5006 private unaided schools in the state, only 1961 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 39.17%. The participation rate was 26.69% in 2013-14.



























## Schools by Seats Fill Rate



DELHI			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	EWS identified as children whose parents have total annual income of less than one lakh rupees from all sources. Previous requirement of minimum residency revoked.
	List of necessary documents for each category of applicants	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	DG identified as children from SC,ST, OBC (not creamy layer), children with special needs, children suffering from disability and orphans and transgender.
	Age criteria for entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	DG category not required to submit income certificate. Documents needed for each of category of applicants given with department/office and rank of signing officer. For example: For the admission of child belonging to EWS - income certificate issued by revenue officer not below the rank of Tehsildar or BPL ration card (yellow colored) or AAY ration card (pink colored) shall be proof of income.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	This entire list is also printed on page 2 of the application form that parents fill out.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Minimum age for pre-school admission is three, four and five years by 31st March, 2014 respectively for Pre-School, Pre-Primary and Class I.
	Process of Information Outreach/Awareness	Method of information dissemination	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>
Type of information to be shared		<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools must display total number of seats, free seats available at entry level, date of submission of applications, the date(s) of display of list of eligible candidates for draw, date(s) of draw, date(s) of display of list of successful candidates, date(s) of display of waiting list, date(s) of deposition fees, last date of admission.
Authority responsible for information dissemination		<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Application receipt given to parents must indicate the date(s) of display of list of eligible candidates for draw, date(s) of draw, date(s) of display of list of successful candidates, date(s) of display of waiting list, date(s) of deposition of fees, last date of admission.
Selection Process	Description of admission form format or sample copy attached to notification	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Common registration form is available online for both the computerized and non-computerized lottery process. The form has also been attached to the circular. This is a slight change from the previous year where there was no computerized form.
	Timeline/dates for admissions cycle	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	The timelines and dates for admissions have been announced through a circular for the academic year. Since the process is centralized for 2016-17, the dates are uniform across all schools unlike the previous year.
	Date for lottery	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Date has been declared through a circular unlike the previous year where the school was to declare the date for lottery.
	Locations to collect and/or submit forms	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	The form is available online and for the schools participating in the online lottery, the applicants will be required to fill the form through the website. For private unaided schools that are managed by the local authorities, the process will not be through the centralized lottery, but will carry on as per the rules of the previous years (manual lottery).
	Authority to oversee lottery/selection process	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	The results of the lottery will be drawn through a computerized process. For the schools, not participating in the centralized lottery, observers will be allocated to such schools for overseeing the process of lottery, as per the previous years rules.

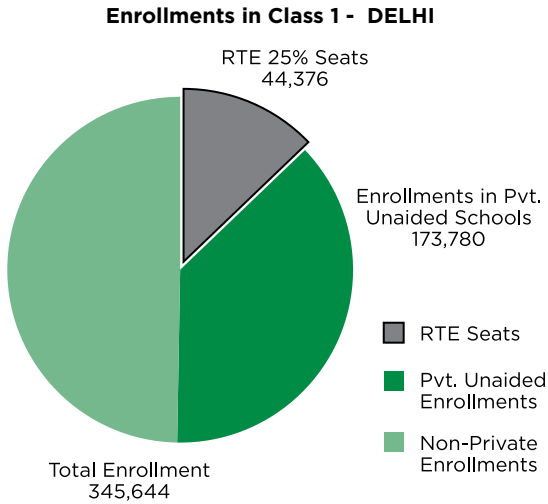


## DELHI

Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	  	How often per child expenditure would be assessed was not mentioned.
	Authority to calculate per child expenditure	  	No committee or individual was assigned the responsibility to assess the per child expenditure.
	Method of calculating reimbursement	  	Statement copied from the MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments	  	No criteria or documents for reimbursement mentioned.
	Number of instalments for reimbursement	  	No number of instalments for the reimbursement given.
	Authority responsible for finance of additional items (uniforms and books)	  	Schools held responsible to provide uniforms and books but no financial responsibility not assigned.
Grievance Mechanism and Monitoring	Appointment of local authority	  	Local authorities are listed below. (a) In relation to school under administrative control of the Government, the Government (b) In relation to school under administrative control of any Municipal Corporation, such Municipal Corporation (c) In relation to school under administrative control of New Delhi Municipal Council, that Council (d) In relation to school under administrative control of Delhi Cantonment Board, that Board.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	  	Delhi Commissions for Protection of Child Rights constituted
Special Mention	Tracking and Monitoring		Separate circular listed information schools must collect regarding EWS and DG children in their classes. This information then has to be uploaded into an online portal. Purpose of this exercise not mentioned.
			Every admitted child shall be assigned a unique ID once data is uploaded on a portal. ID shall remain the same during the stay of the child in the school. Purpose of this exercise not mentioned.
	Grievance Redressal		Each district to have a District Admission Monitoring Committee (DAMC). The Dy. Director (Education), Directorate of Education, GNCTD shall be the Chairperson of the DAMC. Any parent, aggrieved by the action of the school may file a complaint in writing to the DAMC, addressed to the concerned Dy. Director of Education (Chairperson). Any further process of redressal was not mentioned. This sounds promising as a start. It would be helpful to explain the entire process thoroughly.

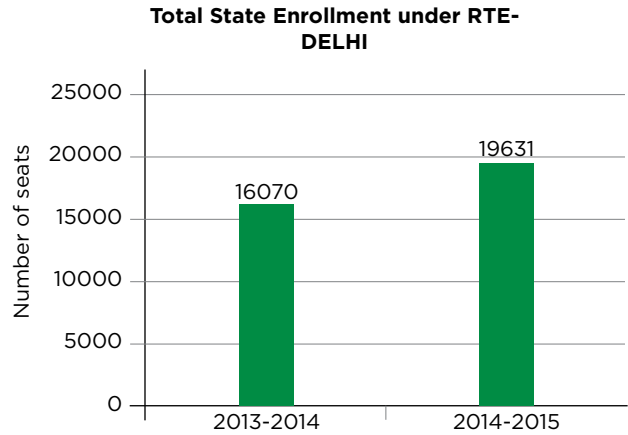
### Seats Available

In 2014-15, total 345644 students were enrolled in Std. I in the state, out of which 173780 enrollments were in private unaided schools, where 44376 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 39109.



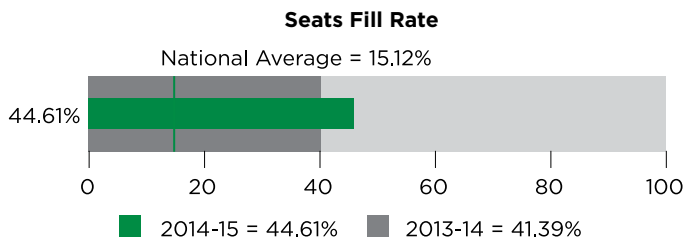
### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 19631 as compared to 16070 enrollments in 2013-14.



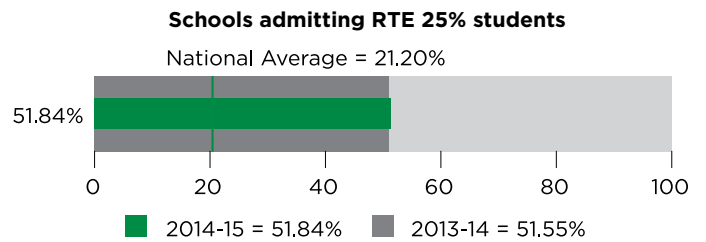
### Seats Fill Rate

Out of a total 44002 seats available under this section, a total of 19631 seats were filled in 2014-15 with a seat fill rate of 44.61%. In 2013-14, the seat fill rate was 41.39%.

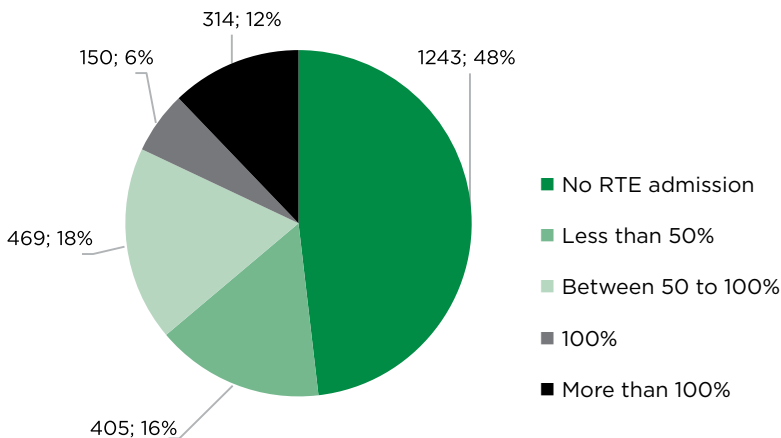


### School Participation Rate

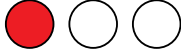
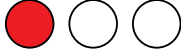

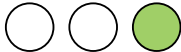




In 2014-15, out of a total of 2581 private unaided schools in the state, only 1338 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 51.84%. The participation rate was 51.55% in 2013-14.



### Schools by Seats Fill Rate

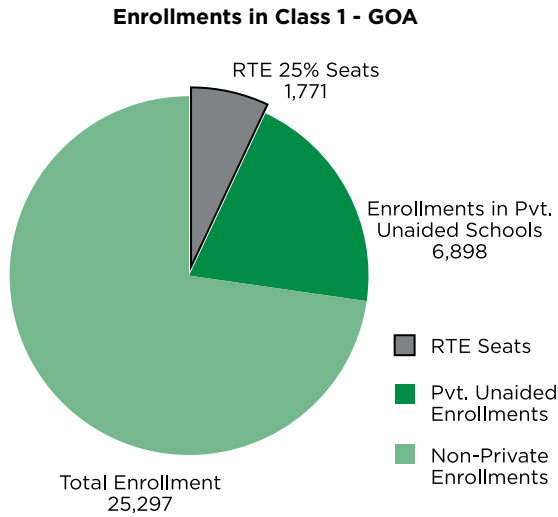


GOA			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Differently abled children identified as DG. Minimum limit has been set at Rs. 1 lakh for EWS.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of documents required for any category of applicants.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Minimum or maximum age limit for admission under Section 12 1(c) not mentioned.
	Entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Not specified whether Section 12 will be applicable only in class I or in pre-primary as well.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Primary schools with classes I-V must be established 1km from the neighborhood. Distance limit applicable for admissions under Section 12.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Not outlined any specific methods for information dissemination.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of what information needed to be shared.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority held responsible for awareness efforts.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No sample copy of the admission form attached. No description of the admission form in the text of the notification.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No dates mentioned for the admissions cycle.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention about the date of the lottery to be undertaken by schools for RTE admissions.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Locations for collection/submissions of forms not identified.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Authority to oversee the entire lottery process not been identified.

GOA			
Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure		Frequency at which per child expenditure would be assessed was not mentioned.
	Authority to calculate per child expenditure		No one held responsible to assess the per child expenditure.
	Method of calculating reimbursement		No explanation as to how per child expenditure was calculated.
	Criteria for reimbursement (or documents needed) for all instalments		For first instalment, schools must submit list of children belonging to EWS and DG to the Deputy Director by July. Information to be submitted in reimbursement application form attached to the end of the notification (Form V). The final instalment reimbursed after verification of the enrolment of children and their attendance in school (minimum of 80% each month/child).
	Number of instalments for reimbursement		Instalments to be made in September (50%) and January (50%).
	Authority responsible for finance of additional items (uniforms and books)		Schools responsible to provide books and uniforms, financial responsibility for expenditure of these items was not mentioned.
Grievance Mechanism and Monitoring	Appointment of local authority		Local authority identified as the municipal corporation/municipal council/zila parishad/ nagar panchayat.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)		State Commission for Protection of Child Rights constituted.

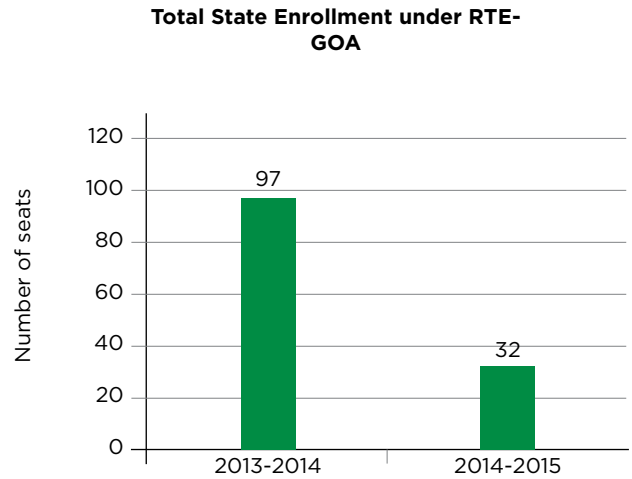
### Seats Available

In 2014-15, total 25297 students were enrolled in Std. I in the state, out of which 6898 enrollments were in private unaided schools, where 1771 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 1789.



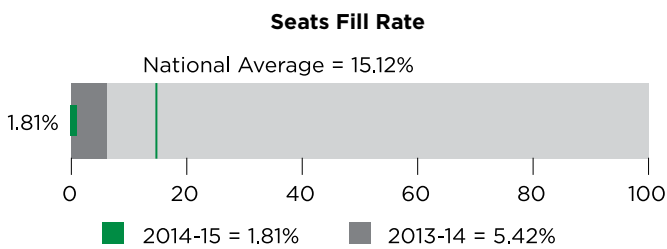
### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 32 as compared to 97 enrollments in 2013-14.



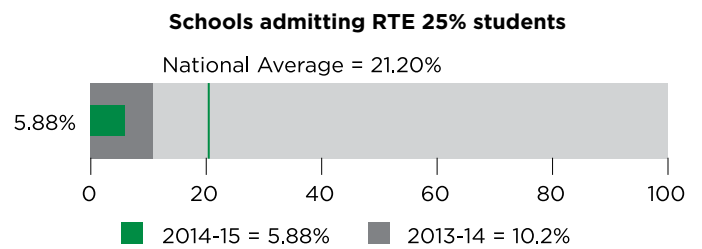
### Seats Fill Rate

Out of a total 1771 seats available under this section, a total of 32 seats were filled in 2014-15 with a seat fill rate of 1.81%. In 2013-14, the seat fill rate was 5.42%.

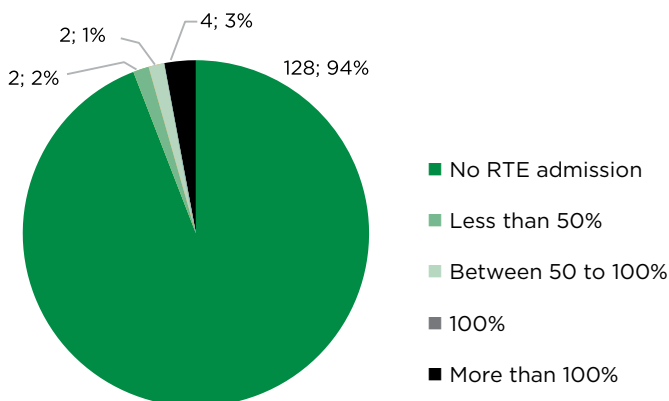


### School Participation Rate

In 2014-15, out of a total of 136 private unaided schools in the state, only 8 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 5.88%. The participation rate was 10.2% in 2013-14.



### Schools by Seats Fill Rate





## GUJARAT

GUJARAT			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Children from EWS are from BPL families. Children from DG are from SC, ST, and OBC. Additional list of nine categories given, but not specified if DG or EWS.
	List of necessary documents for each category of applicants	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Documents for several groups listed but not all.
	Age criteria for entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	For pre-school admission, child must be at least three years of age by June 1st of the academic year. For elementary school, child must be at least six years of age on date of admission. Five years of age may be considered if child has completed five years by June 1st of that year.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	25% reservation of seats only for class I.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	A school with classes I-V must be within walking distance of 1km from neighborhood. This limit applies to Section 12 applications.
Process of Information Outreach/Awareness	Method of information dissemination	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Admission Control Committee must run help desk at two district offices until completion of admissions process. Notice board to display vital information.
	Type of information to be shared	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools must display total seats, no. of seats available, last date for the submission of application, eligible candidate for draw, display date for notice board, draw date, declaration date of to be enrolled students, declaration date of waiting list, date of pay fees, last date for admission. Format to keep information given in attached form. District Primary Education Office also to advertise 25% admission in schools.
	Authority responsible for information dissemination	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools, Admission Control Committee and District Primary Education Office all have their own responsibilities.
Selection Process	Description of admission form format or sample copy attached to notification	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Admission form attached in Annexure.
	Timeline/dates for admissions cycle	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	School must declare last date for the submission of application, display date for notice board, draw date, declaration date of to be enrolled children, declaration date of waiting list, date to pay fees, last date for admission etc.
	Date for lottery	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools must declare their own date of lottery.
	Locations to collect and/or submit forms	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	School to provide general admission form free of cost. Form also available at District Education Officer or from website of education department. Parents have to get the form submit to concerned District Education Officer.

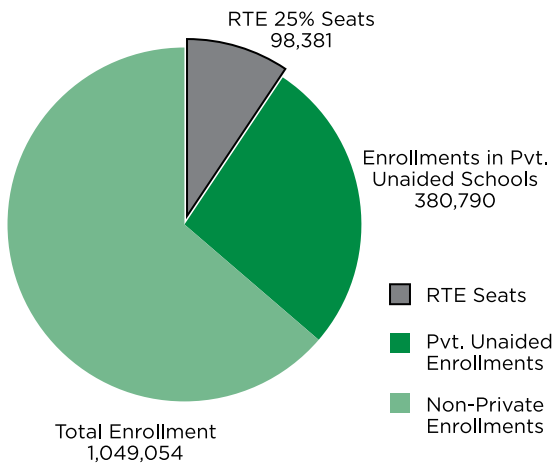
## GUJARAT

Category	Criteria	Criteria Status	Comments
	Authority to oversee lottery/ selection process	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Admission Control Committee with following committee members responsible for lottery process: (1) District Education Officer/District Primary Education Officer (2) Administrative Officer/Deputy District Education Officer (3) Respective School Administrator/Representative (4) School Principal (5) Parent from the school of admission In this committee no. 3-5 candidates are changed for every school.
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Per child expenditure to be assessed each year.
	Authority to calculate per child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Committee to assess per child expenditure consists of Account Officer of the Primary Education, Account Officer of the Sarva Shiksha Abhiyan, Commissioner MDM, Account Officer MDM and Financial Advisor under Chairmanship of Director, Primary Education.
	Method of calculating reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No criteria or documents mentioned for schools to claim reimbursement.
	Number of instalments for reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of the number of instalments for reimbursement.
	Authority responsible for finance of additional items (uniforms and books)	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Schools must give two sets of uniforms. Reimbursement to be made according to government expense on uniforms. Difference in expense to be borne by schools. Books not mentioned.
Grievance Mechanism and Monitoring	Appointment of local authority	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Local authority named as District Primary Education Officer for schools within the area of concerned District Panchayat and the area comprised of the Municipal Coporation and Municipality. For the remaining/other areas, the concerned District Education Officer of the District.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Right to Education Protection Authority (REPA) constituted.
Special Mention	Teacher Training		School Management to hold special training to sensitize teachers towards special category children for integration.
	Learning Outcomes		Learning Outcomes a key goal for schools. Table of requirements and their weightage included in notification.
	Scheme Implementation		Section 12(1)(c) introduced in Gujarat as a scheme in eight municipalities covering 5300 children.
	Eligibility		Free education under Section 12(1)(c) guaranteed till child stays in the shool which granted admission.

### Seats Available

In 2014-15, total 1049054 students were enrolled in Std. I in the state, out of which 380790 enrollments were in private unaided schools, where 98381 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 98851.

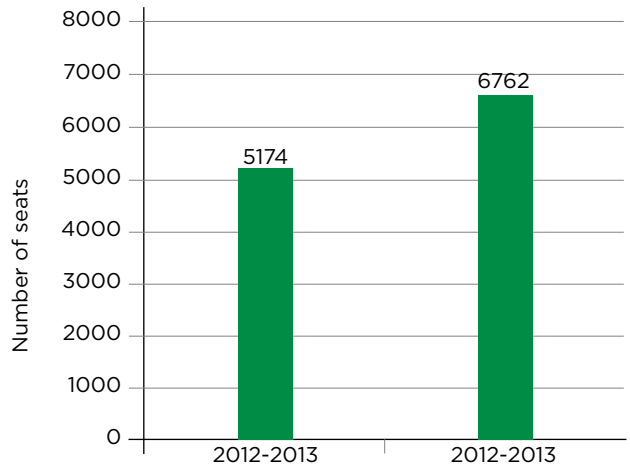
**Enrollments in Class 1 - GUJARAT**



### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 6762 as compared to 5174 enrollments in 2013-14.

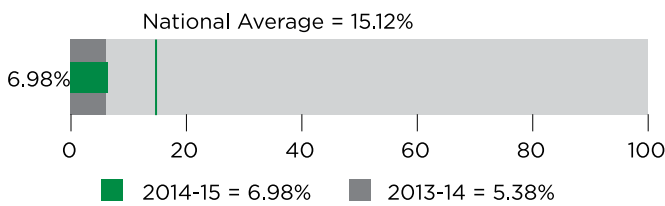
**Total State Enrollment under RTE- GUJARAT**



### Seats Fill Rate

Out of a total 96870 seats available under this section, a total of 6762 seats were filled in 2014-15 with a seat fill rate of 6.98%. In 2013-14, the seat fill rate was 5.38%.

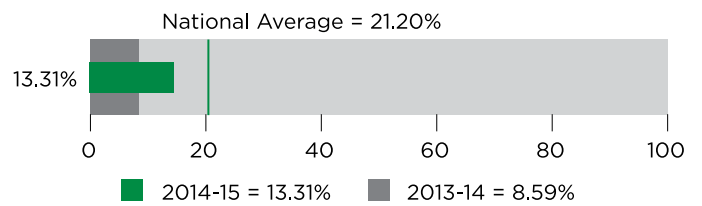
**Seats Fill Rate**



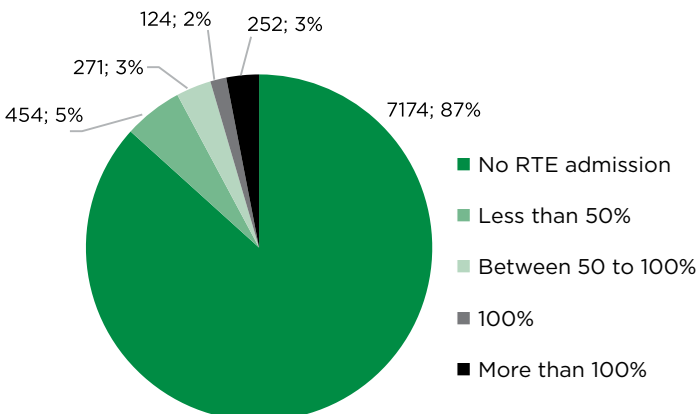
### School Participation Rate

In 2014-15, out of a total of 8275 private unaided schools in the state, only 1101 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 13.31%. The participation rate was 8.59% in 2013-14.

**Schools admitting RTE 25% students**



**Schools by Seats Fill Rate**

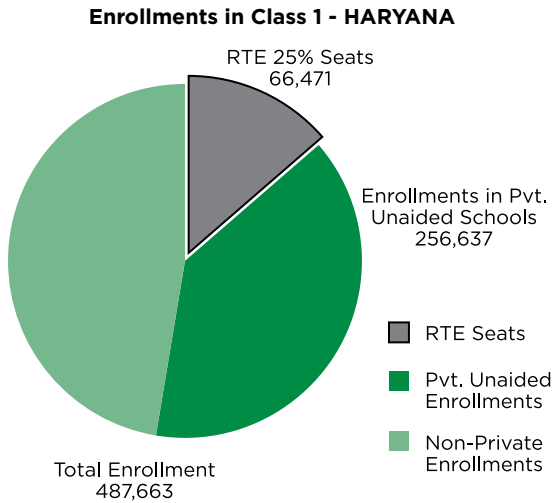


HARYANA			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	DG and EWS defined together but clear. Children of BPL list family, orphan, HIV affected children, children with special needs, children of war widow eligible.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of documents required to take admission.
	Age criteria for entry level	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Age for admission in class I is five to six years. Age for pre-primary not mentioned.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools must reserve 25% of available seats from pre-primary classes.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	For classes I-V schools must be within a walking distance of 1km from neighborhood. Distance limit also applicable to admissions made under Section 12. Alternative statement describes neighborhoods as wards in urban area and Gram Panchayat.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Not mentioned any methods to be used for awareness efforts.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No list of critical information that needs to be shared with the general public.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority was held responsible for information dissemination.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Sample copy of the admission form not attached to notifications. No written description of admission form in the text.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No specific dates mentioned for the admission cycle.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No central date appointed for lottery and no reference made for schools to choose their own dates.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Locations to collect and submit the application form and supporting documents was not mentioned.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority appointed to oversee the lottery.

HARYANA			
Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Committee must meet three months after the commencement of the Rules and annually in September after that.
	Authority to calculate per child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Committee to assess per child expenditure must consist of Financial Commissioner and Principal Secretary (Finance), Financial, Commissioner and Principal Secretary (School Education), Financial Commissioner and Principal Secretary (Planning), Director of Elementary Education and State Project Director Sarva Shiksha Abhiyan.
	Method of calculating reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	For first instalment, schools must submit list of childrens' names admitted to the District Elementary Officer for verification by July. For the second instalment schools must show a minimum of 80% attendance till January and submit a copy of the pupil cumulative record. Retention and attendance will be verified.
	Number of instalments for reimbursement	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	First instalment of 50% to be made in September and second instalment in February.
	Authority responsible for finance of additional items (uniforms and books)	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Schools responsible to provide books and uniforms, but no one financially responsible.
Grievance Mechanism and Monitoring	Appointment of local authority	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Local authority shall be (i) the School Management Committee (ii) the Block Education Officer, Block Elementary Education Officer, District Elementary Education Officer, Additional Deputy Commissioner and Deputy Commissioner (iii) Mewat Development Board and Shivalik Development Board in their respective jurisdiction.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Right to Education Protection Authority (REPA) constituted.
Special Mention			

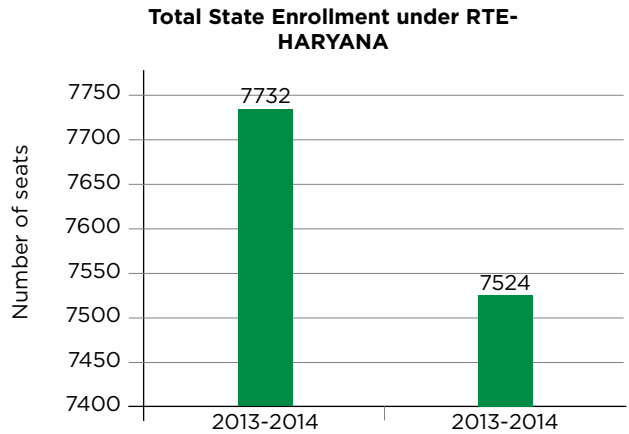
### Seats Available

In 2014-15, total 487663 students were enrolled in Std. I in the state, out of which 256637 enrollments were in private unaided schools, where 66471 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 62992



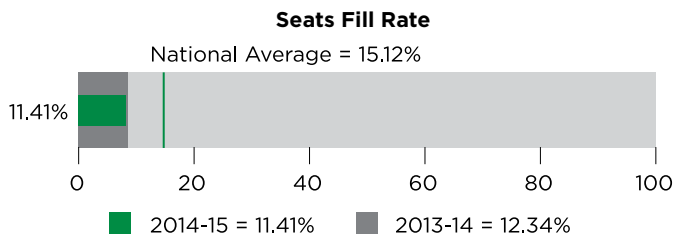
### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 7524 as compared to 7732 enrollments in 2013-14.



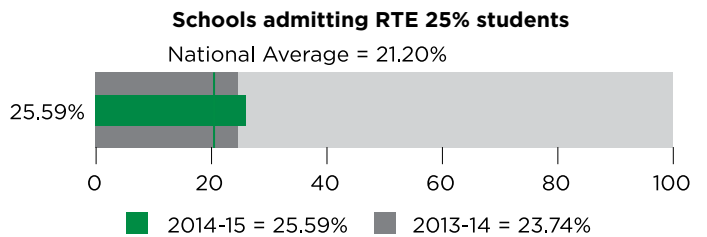
### Seats Fill Rate

Out of a total 65921 seats available under this section, a total of 7524 seats were filled in 2014-15 with a seat fill rate of 11.41%. In 2013-14, the seat fill rate was 12.34%.

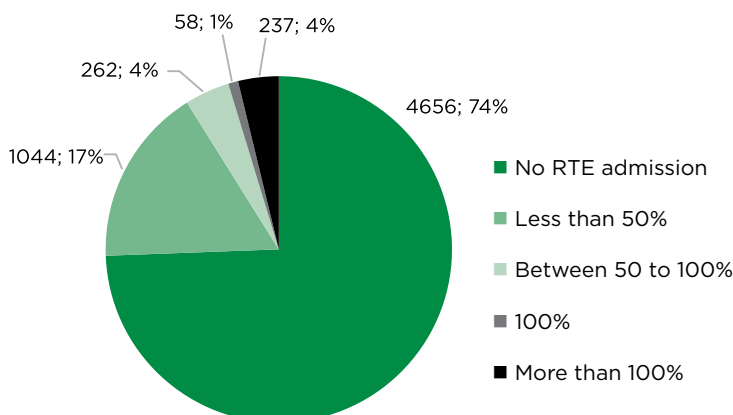


### School Participation Rate

In 2014-15, out of a total of 6257 private unaided schools in the state, only 1601 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 25.59%. The participation rate was 23.74% in 2013-14.



### Schools by Seats Fill Rate





## HIMACHAL PRADESH

HIMACHAL PRADESH			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Children belonging to ST, SC, OBC, families below the poverty line, and disabled children eligible under DG. Children from BPL list families eligible under the EWS.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No documents mentioned for any of the above categories.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No minimum or maximum age limit specified for any class.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Section 12 applicable not only in class I but in pre-primary classes.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	School must be within a walking distance of 1.5km of a neighborhood. This distance limit applies to admissions made under Section 12.
Process of Information Outreach/Awareness	Method of information dissemination	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Schools to use their notice boards and their websites to display information.
	Type of information to be shared	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Schools must share number of seats available for EWS and DG applicants. No other information mentioned.
	Authority responsible for information dissemination	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Schools responsible for information dissemination.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No sample copy of the admission form attached and no description of the admission form in the text.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No dates appointed for any of the processes that occur during the admissions cycle.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No centralized or decentralized date for lottery appointed.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of locations from where applicants could collect and/or submit required documents.
	Authority to oversee lottery/selection process	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Lottery process must be held in the presence of parents of children who have applied and a representative of Deputy Director of Elementary Education or Block Elementary Education Officer of the district or block.

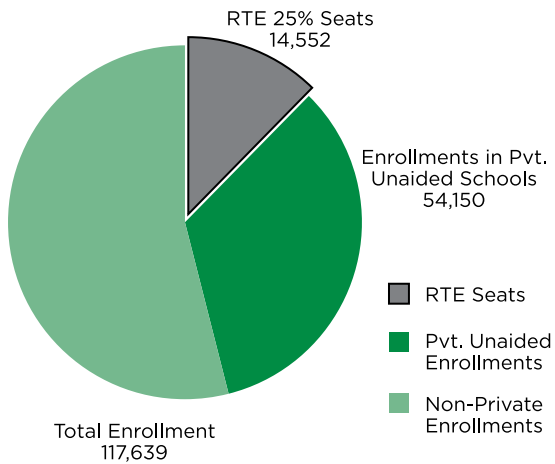
## HIMACHAL PRADESH

Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Per child expenditure must be calculated every two years, for the upcoming academic year. Committee to meet in the month of September.
	Authority to calculate per child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Committee to assess per child expenditure comprises of Director, Elementary Education, State Project Director (SSA) and Joint controller (F&A), SSA.
	Method of calculating reimbursement	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	School must submit its claim for reimbursement by 31st of July for first instalment and 31st of January for final instalment. Second instalment shall be reimbursed by March each year after the verification of the retention and attendance of EWS and DG children. Schools must show a minimum of 80% attendance and submit a copy of the pupil cumulative record. No mention of any criteria or documents required for first instalment.
	Number of instalments for reimbursement	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	First instalment of 50% to be reimbursed in September and balance to be reimbursed in March.
	Authority responsible for finance of additional items (uniforms and books)	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Schools responsible to provide books and uniforms but financial responsibility not assigned to any party.
Grievance Mechanism and Monitoring	Appointment of local authority	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Local authority no assigned.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Right to Education Protection Authority (REPA) constituted.
Special Mention	Reimbursment		State has declared they will not reimburse any amount to private unaided schools if any seat is left vacant in the neighborhood Government School.

### Seats Available

In 2014-15, total 117639 students were enrolled in Std. I in the state, out of which 54150 enrollments were in private unaided schools, where 14522 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 13434.

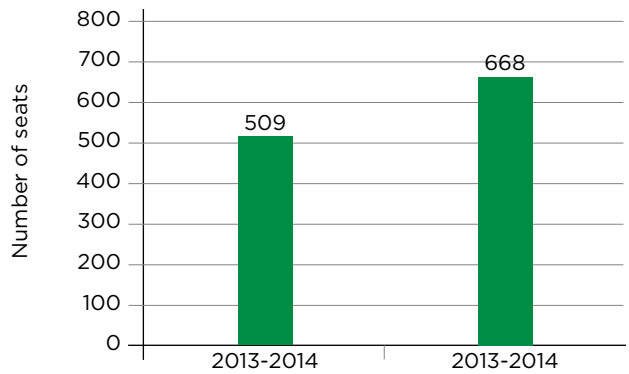
**Enrollments in Class 1 - HIMACHAL PRADESH**



### Enrolment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 668 as compared to 509 enrollments in 2013-14.

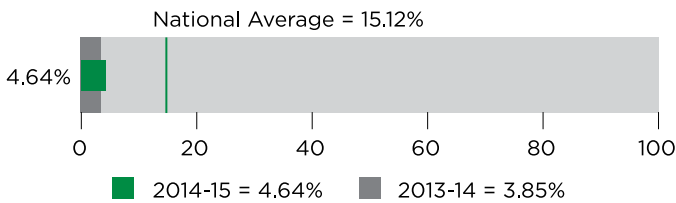
**Total State Enrolment under RTE- HIMACHAL PRADESH**



### Seats Fill Rate

Out of a total 14406 seats available under this section, a total of 668 seats were filled in 2014-15 with a seat fill rate of 4.64%. In 2013-14, the seat fill rate was 3.85%.

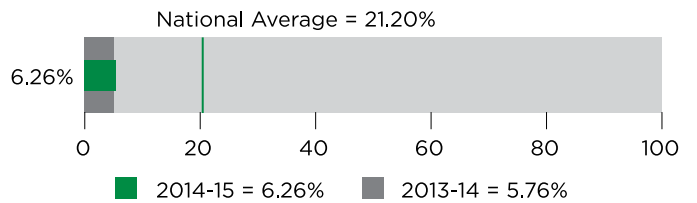
**Seats Fill Rate**



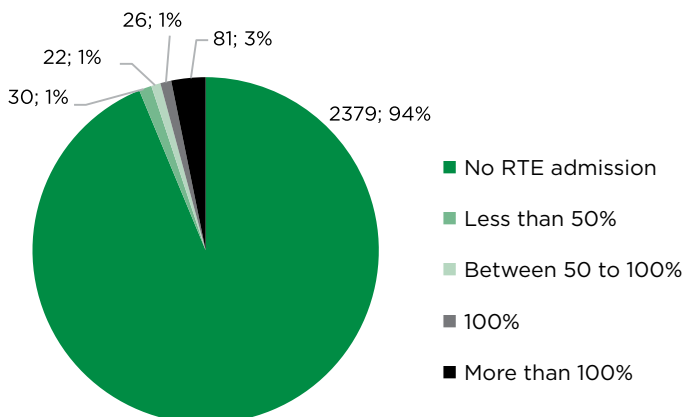
### School Participation Rate

In 2014-15, out of a total of 2538 private unaided schools in the state, only 159 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 6.26%. The participation rate was 5.76% in 2013-14.

**Schools admitting RTE 25% students**



**Schools by Seat Fill Rate**

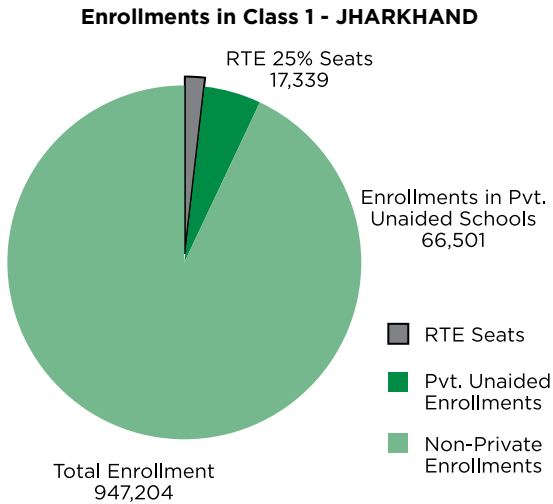


JHARKHAND			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	For EWS and DG only the children of BPL families are eligible. From those families, children from ST, SC, minority groups will be given first preference.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No documents listed for any of the categories mentioned above.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No minimum or maximum age criteria was mentioned for any class.
	Entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Entry level not explicitly defined as being class I or pre-primary. Simply mentioned that seats must be made available at entry level.
	Neighbourhood criteria	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Schools with classes I-V must within walking distance of 1km from neighborhood. No mention as to whether these limits are applicable to section 12.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No list of preferred methods of information dissemination.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No lists given for the type of information that needed to be shared.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No party held responsible for awareness efforts.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No sample copy of the admission form attached nor was it described in the text of any notification.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No dates for any of the processes during the admission cycle were mentioned.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No centralized or decentralize date for lottery appointed.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Locations for collection and submission of forms were not mentioned.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority appointed to oversee the lottery.

JHARKHAND			
Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Frequency of calculating per child expenditure not mentioned.
	Authority to calculate per child expenditure	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No party held responsible for assessing per child expenditure.
	Method of calculating reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No details provided with regards to how per child expenditure was calculated.
	Criteria for reimbursement (or documents needed) for all instalments	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	There was no criteria given for schools to be able to claim reimbursement.
	Number of instalments for reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Number of instalments for reimbursement not given.
	Authority responsible for finance of additional items (uniforms and books)	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Schools held responsible to provide books and uniforms to children but no one held financially responsible for these expenses.
Grievance Mechanism and Monitoring	Appointment of local authority	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No local authority assigned.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	State Commission for Protection of Child Rights constituted.

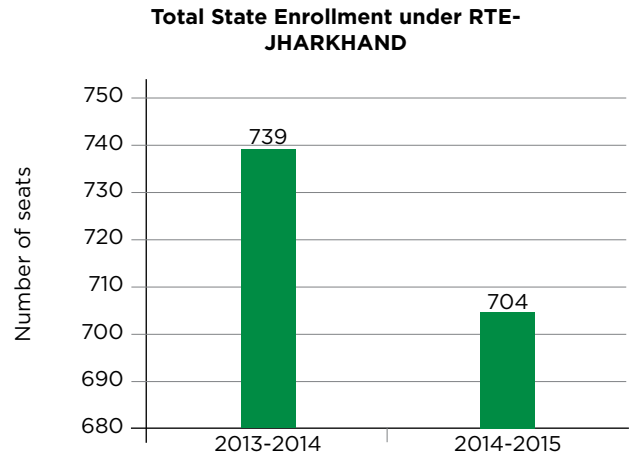
## Seats Available

In 2014-15, total 947204 students were enrolled in Std. I in the state, out of which 66501 enrollments were in private unaided schools, where 17339 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 17675.



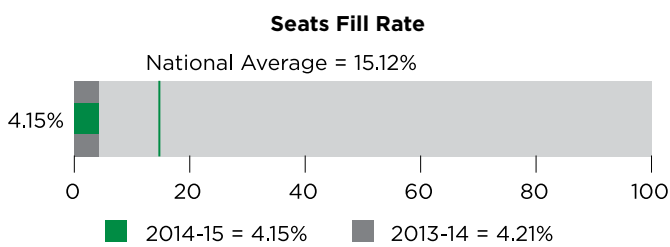
## Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 704 as compared to 739 enrollments in 2013-14.



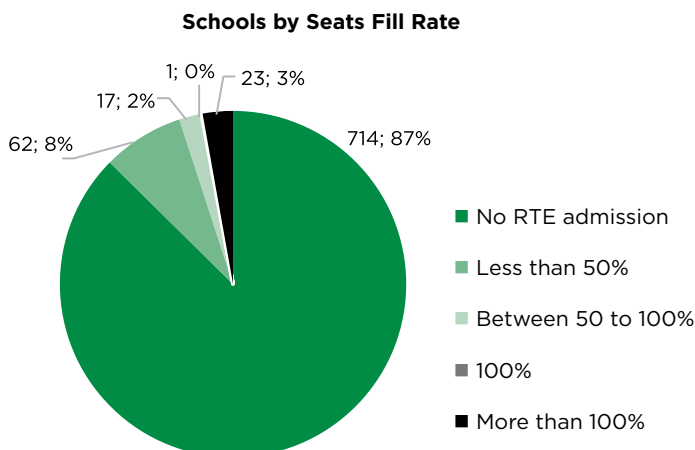
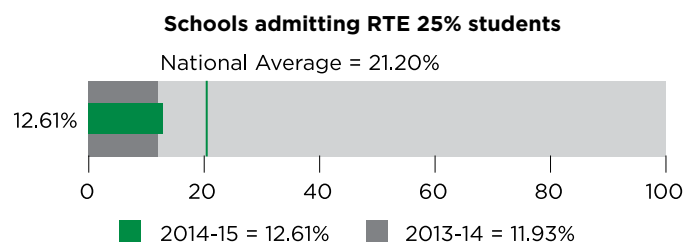
## Seats Fill Rate

Out of a total 16953 seats available under this section, a total of 704 seats were filled in 2014-15 with a seat fill rate of 4.15%. In 2013-14, the seat fill rate was 4.21%.



## School Participation Rate

In 2014-15, out of a total of 817 private unaided schools in the state, only 103 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 12.61%. The participation rate was 11.93% in 2013-14.

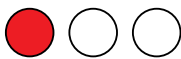
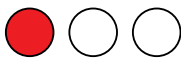
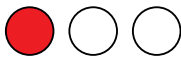









## KARNATAKA

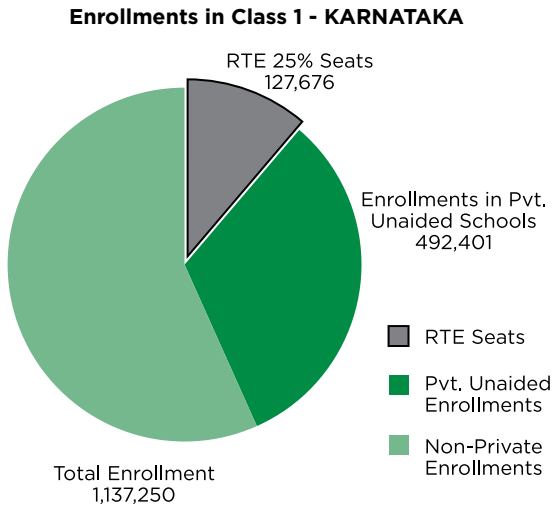
KARNATAKA			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	11 groups of children eligible under Disadvantaged Group category. Economically Weaker Section children defined as coming from all castes and communities (excluding DG) whose parents or guardians annual income is less than Rs. 3.5 lac.
	List of necessary documents for each category of applicants	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Income proof is not required for applicants from SC, ST or Category I. Residence proof can be either Election Photo Identity Card or Aadhaar Card or Aadhaar Enrollment slip - no other proof of residence document will be accepted. Certificates for special status is also to be produced.
	Age criteria for entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	3 years 10 months to 4 years 10 months as on June 1st for entry into LKG; 5 years 10 months to 6 years 10 months as on June 1st for entry into class I. This is change from the previous years where there was no age criteria set.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Entry level defined as pre-primary where available.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	In rural areas, the neighbourhood criteria shall be 1KM. In Urban areas, the ward shall be considered as the neighbourhood. Parents can apply for schools outside of their own ward, ONLY if there are no unaided RTE quota schools in their own ward. The criteria has changed from the previous year.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of information dissemination methods to be used.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No list given for type of information to be shared.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority held responsible for information dissemination.
Selection Process	Description of admission form format or sample copy attached to notification	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Application form attached with instructions on how to fill. Format for certificates also included.
	Timeline/dates for admissions cycle	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Table of timelines given for major deadlines of admission cycle. The following categories will be first priority and will be allotted schools in their neighbourhood without the lottery process - orphans, transgender, migrant and street children, HIV affected and children with special needs
	Date for lottery	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Dates have been given unlike previous years
	Locations to collect and/or submit forms	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Form is online and in case, applicants do not have access to the internet, they may approach the head teacher or the BEO - unlike the previous years
	Authority to oversee lottery/ selection process	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Lottery done by computer software developed by NIC

## KARNATAKA

Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure		Frequency of per child expenditure not given.
	Authority to calculate per child expenditure		No authority named to calculate per child expenditure.
	Method of calculating reimbursement		Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments		"Status Report of School" attached to notification and due by July and January for first and second instalment of reimbursement.
	Number of instalments for reimbursement		First instalment of 50% to be made in September and remaining balance to be credited in January after receiving "Status Report."
	Authority responsible for finance of additional items (uniforms and books)		No financial authority named for additional expenses of books and uniforms.
Grievance Mechanism and Monitoring	Appointment of local authority		Local Authority is Municipal Corporation or Municipal Council or Zilla Parishad or Nagar Panchayat or Panchayat, and includes other authority having administrative control. Named Zilla Panchayat Standing Committee of Education and Health responsible for providing free and compulsory education.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)		State Commission for Protection of Child Rights constituted.
Special Mention	Admission Above 25%		No claim for reimbursement allowed for children admitted over and above 25%.
	Per Child Expenditure		Upper limit of per student expenditure to be reimbursed for children admitted to Std.I shall be Rs. 11,848/- per annum per student.
	Certificates for Admission		Schools to obtain certificates for Orphan Child/ Migrant Child/Street Child/Disabled/Child requiring special attention/HIV affected child during time of application.
	Income Limit		Income limit for EWS children revised. Annual income up to Rs. 3.50 lakhs are eligible to submit applications, but children from families having annual income of less than Rs. 1.00 lakh to be considered first.
	Break up of 25%		7.5% for SC, 1.5% for ST and balance 16% for other categories

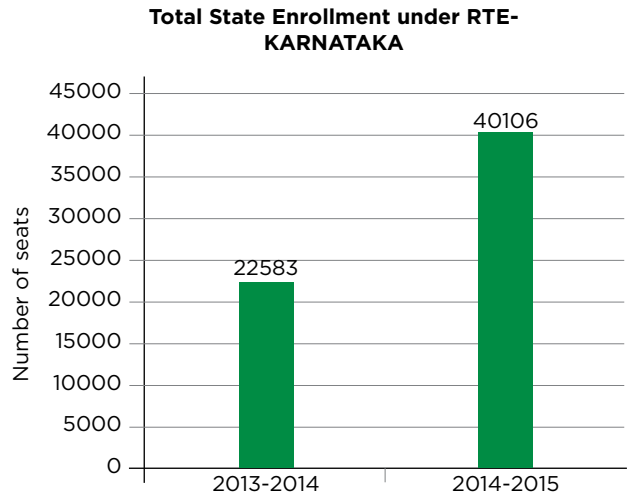
### Seats Available

In 2014-15, total 1137250 students were enrolled in Std. I in the state, out of which 492401 enrollments were in private unaided schools, where 127676 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 119467.



### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 40106 as compared to 22583 enrollments in 2013-14.

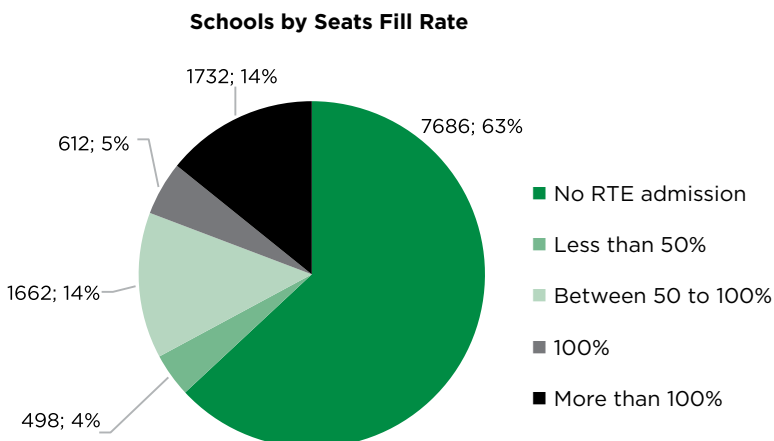
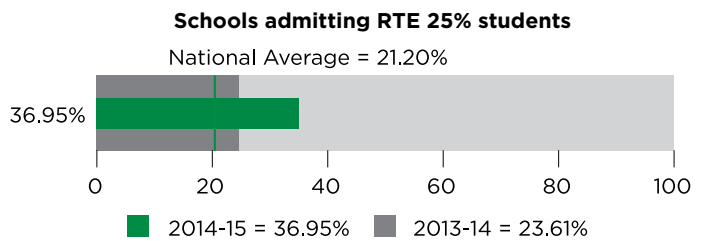
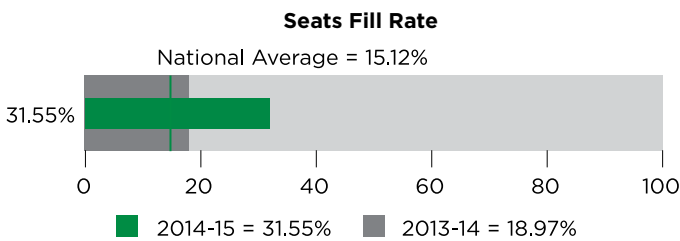


### Seats Fill Rate

Out of a total 127122 seats available under this section, a total of 40106 seats were filled in 2014-15 with a seat fill rate of 31.55%. In 2013-14, the seat fill rate was 18.97%.

### School Participation Rate

In 2014-15, out of a total of 12190 private unaided schools in the state, only 4504 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 36.95%. The participation rate was 23.61% in 2013-14.



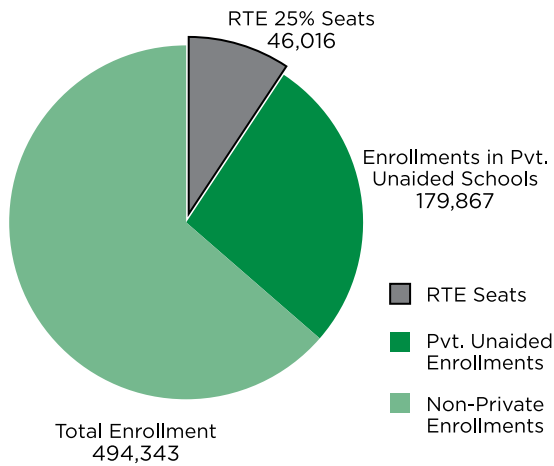
KERALA			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	EWS means a child whose parents or guardians' annual income is less than Rs. 60,000/-. DG means SC, ST, socially and educationally backward class, HIV affected children and children of HIV affected parent, orphans and children from recognised orphanages, children with learning disabilities, children with autism, children with special needs.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Documents required for above categories of children not given.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No minimum or maximum age limit given for entry class.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Section 12 applicable in class I and pre-school classes.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	A primary school with classes I-V must be walking distance of 1km from the neighborhood. Limit also applies to admissions under Section 12.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of how information was going to be spread to the general public.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Rules do not discuss the dissemination of "First Step Information", only discuss that information must be spread.
	Authority responsible for information dissemination	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	State Advisory Council to act as an interface between the media and public. Government to create awareness, mobilization and a positive environment around implementation of the Act. Not clear what this means in terms of awareness since no specific actions are mentioned for the SAC to do.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No sample copy of the admission form attached and no detailed description within the text of the notification.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No specific dates were assigned for any of the processes during the admission cycle.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No centralized or decentralized date for the lottery.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of locations collecting or submitting applications and supporting documents.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority held responsible for overseeing the lottery.
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Committee to assess per child expenditure must meet within three months of the commencement of the Act, and every year in September after that.
	Authority to calculate per child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	The committee consists of Secretary (Finance), Secretary (General Education), Secretary (Local Self Government), Director of Public Instruction and Director (Sarva Siksha Abhiyan).
	Method of calculating reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	No criteria or documents mentioned for first instalment of reimbursement. Second instalment shall only be made on verification of a minimum of 80% attendance in school for children under the EWS and DG category.

KERALA			
Category	Criteria	Criteria Status	Comments
	Number of instalments for reimbursement		First instalment of 50% will be sent in September and the remaining in January.
	Authority responsible for finance of additional items (uniforms and books)		No clarity on financial responsibility for the expenditure on additional items like school books and uniforms.
Grievance Mechanism and Monitoring	Appointment of local authority		Local authority identified as the Municipal Corporation or Municipal Council or Zila Parishad or Nagar Panchayat or Panchayat, and include other authorities or bodies having administrative control over the school.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)		The State Commission for the Protection of Child Rights has been constituted in Kerala.
Special Mention	Tracking and Monitoring		Kerala wants to monitor learning levels of children in all elementary schools including private unaided. They wish to employ an external agency like the University Department to conduct regular evaluations on learning outcomes in 5% of the schools and bring out annual reports on the quality of elementary education. They also want half yearly and annual review of the performance of the academic authority regarding its compliance with the Act. This is the beginning of a much larger process but its definitely a step in the right direction.
			The Academic Authority has been mandated to design and implement a process of holistic school quality assessments based on performance indicators. Schools will also be continuously rated on a five point scale with parameters including student achievement, physical infrastructure, teacher training, assessment and evaluation and co-curricular activities. Schools found to be failing in the last two categories on the five point scale will need to undergo remedial measures with a definite timeframe and support. Again, similar to above, this is the beginning of a larger process and definitely needs more thought at this stage.
	Teacher Training		The Government to consult with other academic authorities to prepare a scheme to provide pre-service and in-service training to pre-primary and elementary school teachers in all schools including private unaided. It must also design a monitoring mechanism for this purpose. For private unaided schools, the expenditure for these teacher trainings will be borne by the school.
	Reimbursement		A school which has given admission to a child who has not enrolled in a government or aided school will not receive reimbursement for that child. The statement is a little confusing, but it is similar to the next statement that unless the child has no government or aided school within walking distance, they may apply to private schools but the school will forfeit their reimbursement by granting admission.
			Government will only reimburse expenditure of private unaided schools for EWS and DG students if no government or aided schools within walking distance.
Counseling		Government to provide emotional and psychological counseling for all children by professionals who would co-ordinate with Government Departments like Health and Social Welfare.	

### Seats Available

In 2014-15, total 494343 students were enrolled in Std. I in the state, out of which 179867 enrollments were in private unaided schools, where 46016 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 44847.

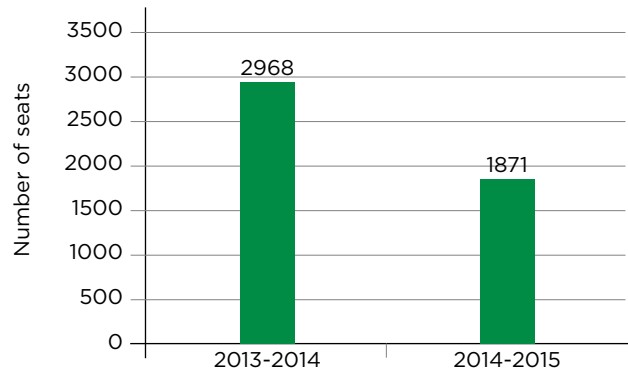
**ENROLLMENTS IN CLASS 1 - KERALA**



### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 1871 as compared to 2968 enrollments in 2013-14.

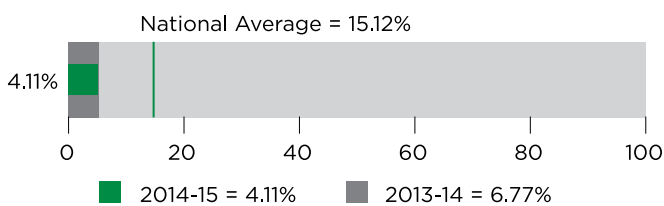
**Total State Enrollment under RTE- KERALA**



### Seats Fill Rate

Out of a total 45540 seats available under this section, a total of 1871 seats were filled in 2014-15 with a seat fill rate of 4.11%. In 2013-14, the seat fill rate was 6.77%.

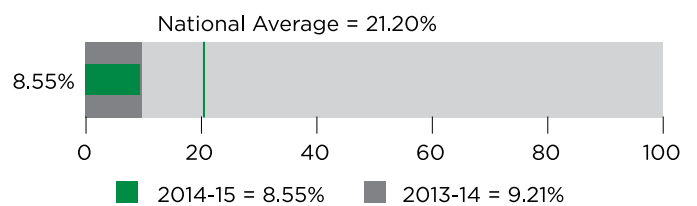
**Seats Fill Rate**



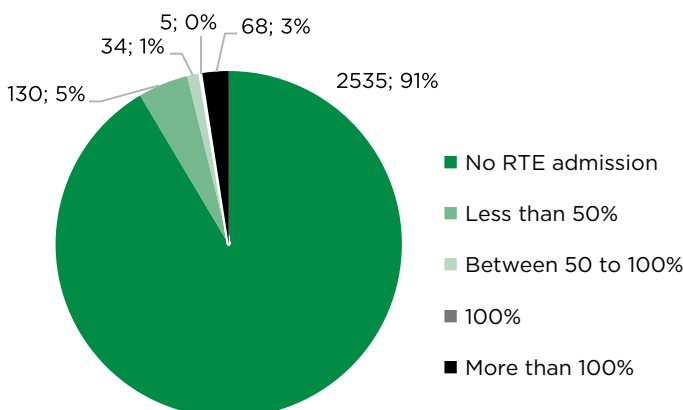
### School Participation Rate

In 2014-15, out of a total of 2772 private unaided schools in the state, only 237 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 8.55%. The participation rate was 9.21% in 2013-14.

**Schools admitting RTE 25% students**



**Schools by Seats Fill Rate**





## MADHYA PRADESH

MADHYA PRADESH			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	DG means SC, ST, de-notified tribes, homestead families of forest village/entitled families, and disabled children. EWS defined as families living below poverty line.
	List of necessary documents for each category of applicants	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Notification No./ Rashike/RTE/2013/394 dated Jan. 16, 2013 has detailed list of documents needed for each of the categories above, and which documents can serve what purpose. For example all applicants need a certificate of residence; there are 6 types of documents that will be accepted as proof of residence: "(i) Voter ID/Aadhar Card (ii) Rural Area Job Card... (iii) Passport/Driving License/Electricity Bill/Water Bill (iv) Any other official document..."
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	There was no minimum or maximum age limit specified for any class.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Section 12 applicable to class I as well as pre-primary.
	Neighbourhood criteria	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Neighborhood limit in rural areas means the village and adjoining wards of urban area if there are any. In urban areas the neighbourhood limit is the ward, adjoining wards and adjoining villages, if any. This applies to admissions taken under Section 12 as well.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	There were no preferred methods of information dissemination mentioned.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No list of important information to be shared with general public.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Nobody held responsible for awareness efforts.
Selection Process	Description of admission form format or sample copy attached to notification	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Sample copy of the admission form is attached to the notification. Applicant may submit a typed of handwritten application in the format prescribed.
	Timeline/dates for admissions cycle	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	The last date for submission of application form is given as 08.02.2013 for the 2013-14 academic year. Since then we could not find an updated date.
	Date for lottery	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Parents to be informed regarding the date of lottery. The previous years lottery date was 15th Feb, 2013. Did not find any updated date on any of the notifications.
	Locations to collect and/or submit forms	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Completed application form to be submitted to the school. In cases of noncompliance and applicants have difficulty submitting an application, they can submit the same at the office of the District Education Officer.
	Authority to oversee lottery/ selection process	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	On the date of the lottery, the District Education Officer is responsible to appoint an observer for each school.

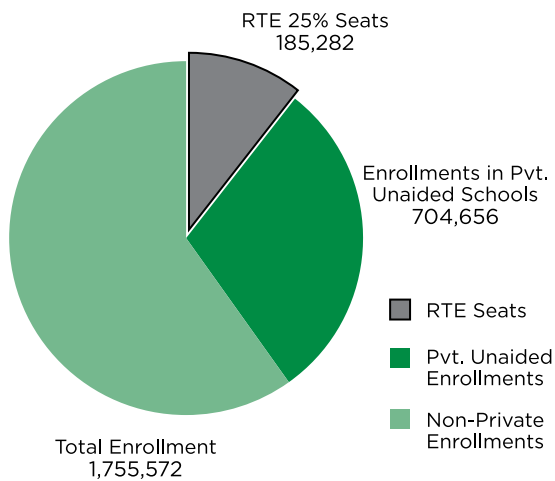
## MADHYA PRADESH

Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure		There were no details on how often per child expenditure would be assessed.
	Authority to calculate per child expenditure		No authority responsibility to assess per child expenditure.
	Method of calculating reimbursement		No statement was provided on how reimbursement was calculated.
	Criteria for reimbursement (or documents needed) for all instalments		No criteria or list of documents was listed to claim reimbursement.
	Number of instalments for reimbursement		Reimbursement will be in one installment in the month of March. It was also noted that further guidelines would be notified in a future notification but we found none.
	Authority responsible for finance of additional items (uniforms and books)		No financial responsibility was assigned for the expenditure on additional items such as books and uniforms.
Grievance Mechanism and Monitoring	Appointment of local authority		In rural areas the local authority is the Zila Panchayat Raj Avam Gram Swaraj Adhiniyam. In urban areas the authority is Municipal Corporation, the Municipality, Nagar Parishad. These are still not specific enough.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)		Madhya Pradesh has constituted the State Commission for Protection of Child Rights.
Special Mention	Tracking and Monitoring		Jan Shikshak instructed to maintain a list of children belonging to the disadvantaged group and the weaker section of every unaided school, aided and specified category of schools within his/her jurisdiction. Purpose of exercise not clear.
	Reimbursement		Madhya Pradesh committed to reimbursement of more than 25% admissions. Procedure for this not explained at all.

### Seats Available

In 2014-15, total 1755572 students were enrolled in Std. I in the state, out of which 704656 enrollments were in private unaided schools, where 185282 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 191678.

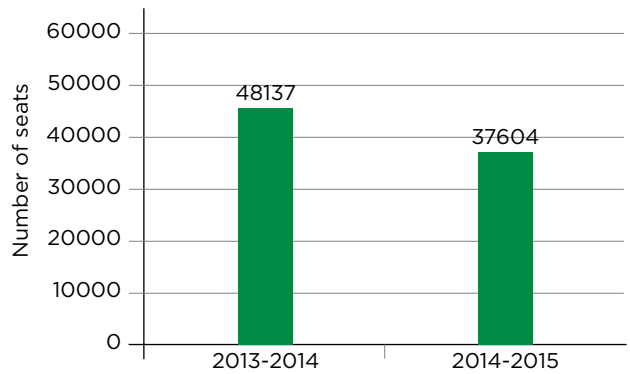
**ENROLLMENTS IN CLASS 1 - MADHYA PRADESH**



### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 37604 as compared to 48137 enrollments in 2013-14.

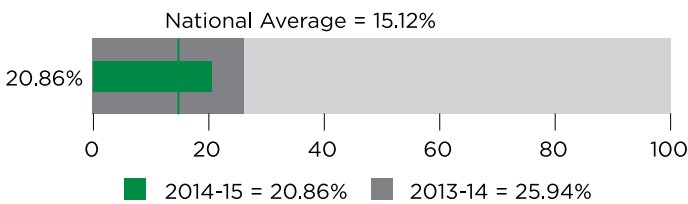
**Total State Enrollment under RTE- MADHYA PRADESH**



### Seats Fill Rate

Out of a total 180274 seats available under this section, a total of 37604 seats were filled in 2014-15 with a seat fill rate of 20.86%. In 2013-14, the seat fill rate was 25.94%.

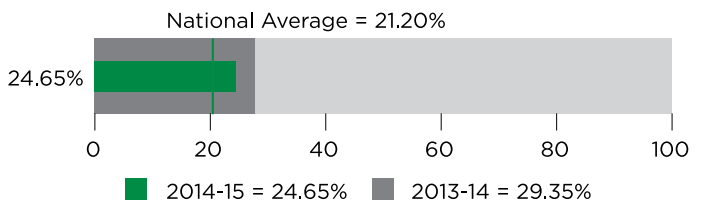
**Seats Fill Rate**



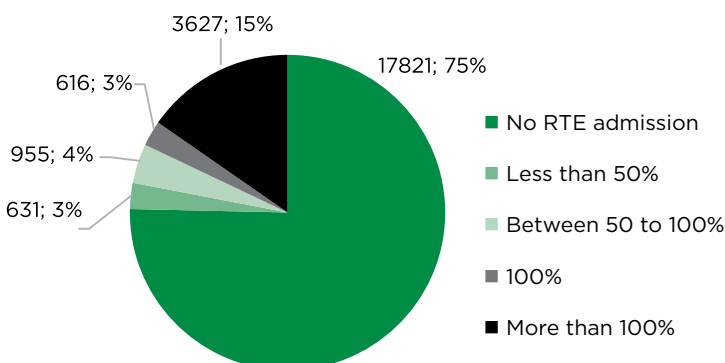
### School Participation Rate

In 2014-15, out of a total of 23650 private unaided schools in the state, only 5829 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 24.65%. The participation rate was 29.35% in 2013-14.

**Schools admitting RTE 25% students**



**Schools by Seats Fill Rate**



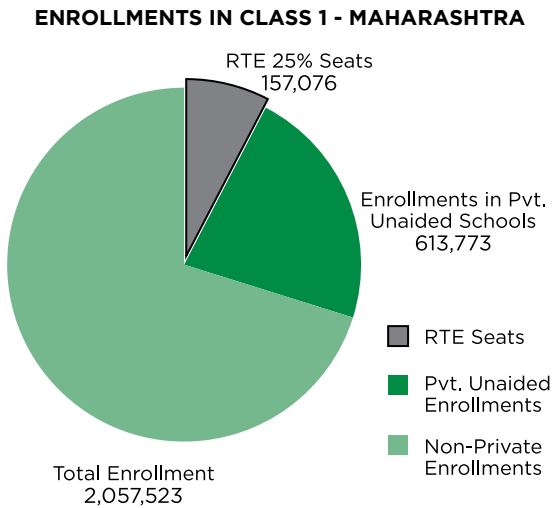
# MAHARASHTRA

MAHARASHTRA			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	DG means SC, ST, child with disability.
	List of necessary documents for each category of applicants	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	EWS means child belonging to Vimukta Jatis and Nomadic Tribe (VJNT), OBC, SBC and the religious minorities specified by the State Government, and annual income of whose parent or guardian is below one lakh rupees.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	All applicants must have relevant certificates: birth certificate, income certificate issued by the Revenue Officer not below the rank of Tehsildar, caste certificate issued by Sub Divisional Officer (revenue) or Deputy Collector in the name of child or his parent, for disabled children (CWSN) disability certificate issued by Civil surgeon/ Superintendent of Government notified hospitals having disability more than 40 percent, proof of residence - any one of the following in order of priority - UID Aadhar Card, Passport, Election Photo Identity Card, Electricity Bill, Telephone Bill, Water Bill, a House Tax Receipt, driving licence issued by competent authority in the name of the parents/guardians."
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	No minimum or maximum age limit given for any class.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Section 12 reservations applicable to pre-school education. A notification was brought out to clarify that if the number of seats in pre-primary exceed that of class I, then 25% of the class I strength is to be admitted in pre-primary and, if the strength of pre-primary is less than class I, then 25% of pre-primary is to be filled and later adjusted accordingly in class I.
Process of Information Outreach/Awareness	Method of information dissemination	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools must publicize in the neighbourhood area through means like loud speaker, pamphlets, local TV, website, public announcement (Dawandi) etc.
	Type of information to be shared	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	School must publish a notice including: (i) total number of seats available in class I or pre-school (ii), seats available, (iii) dates (from - to) during which application forms will be issued, (iv) dates (from - to) during which application forms shall be received/ collected, (v) dates on which Admission Committee shall meet to scrutinize applications of eligible children, (vi) further dates for publicity (if applicable), additional time for children to apply, meeting of Admission Committee etc, (vii) draw of lottery, (viii) dates of publishing the lists of children selected for admission along with the waiting list in the school.
	Authority responsible for information dissemination	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools must publicize in the neighbourhood area through means like loud speaker, pamphlets, local TV, website, public announcement (Dawandi) etc.

MAHARASHTRA			
Category	Criteria	Criteria Status	Comments
Selection Process	Description of admission form format or sample copy attached to notification	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Application form available online on www.rtemaharashtra.in or any website declared by the Government. No mention of paper copy.
	Timeline/dates for admissions cycle	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools must declare important dates of the admission cycle.
	Date for lottery	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools must declare date of lottery.
	Locations to collect and/or submit forms	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Forms to be submitted to schools. Application form available online.
	Authority to oversee lottery/ selection process	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	As per the updated rules, the lottery will be done by the system online.
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of how often per child expenditure would be assessed.
	Authority to calculate per child expenditure	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority named to assess per child expenditure.
	Method of calculating reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	School must submit reimbursement claim on the claim form attached in annexure to concerned education officer. Claim for first instalment must include declaration that full, proper and transparent procedure was followed in the presence of the members of the Admission Committee including nominee of the Education Officer and these children would not have gained admission but for the provisions of the Act. Claim for second instalment must include a declaration from school that all children admitted under these Rules have completed the academic year successfully and have been promoted and given admission to the next higher class in the same school.
	Number of instalments for reimbursement	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	There are two instalments for reimbursement. The first is after 30th October and the second after 30th April.
	Authority responsible for finance of additional items (uniforms and books)	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No financial authority for additional items named.
Grievance Mechanism and Monitoring	Appointment of local authority	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Local authority for Municipal Commission is Municipal Commissioner, rural area is Primary Education Officer, Cantonment Board/Municipal Council is Commanding Officer or Zila Parishad's Primary Education Officer.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	State Commission for Protection of Child Rights constituted.
Special Mention	Reimbursement		Reimbursement is also available for pre-primary.
	Eligibility		Schools not allowed to admit children who are already admitted or who would otherwise have means to gain admission.

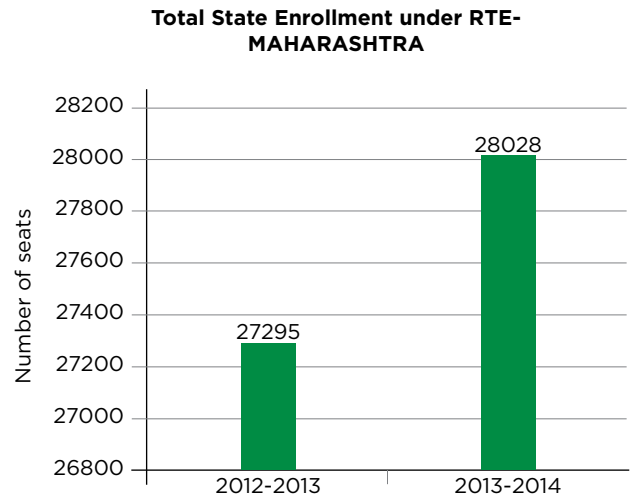
### Seats Available

In 2014-15, total 2057523 students were enrolled in Std. I in the state, out of which 613773 enrollments were in private unaided schools, where 157076 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 146026.



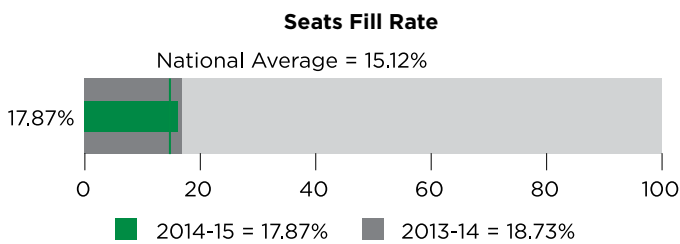
### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 28028 as compared to 27295 enrollments in 2013-14.



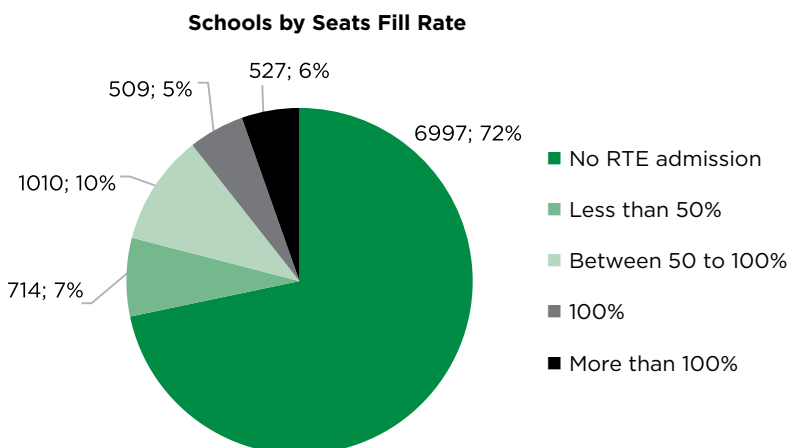
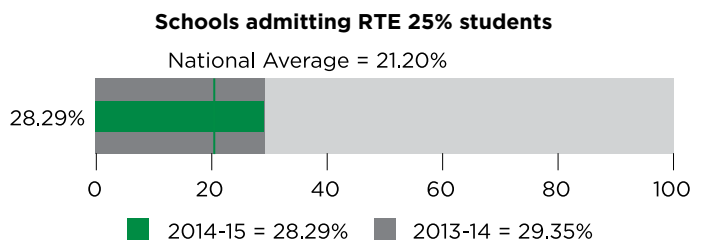
### Seats Fill Rate

Out of a total 156860 seats available under this section, a total of 28028 seats were filled in 2014-15 with a seat fill rate of 17.87%. In 2013-14, the seat fill rate was 18.73%.



### School Participation Rate

In 2014-15, out of a total of 9757 private unaided schools in the state, only 2760 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 28.29%. The participation rate was 29.35% in 2013-14.





## MANIPUR

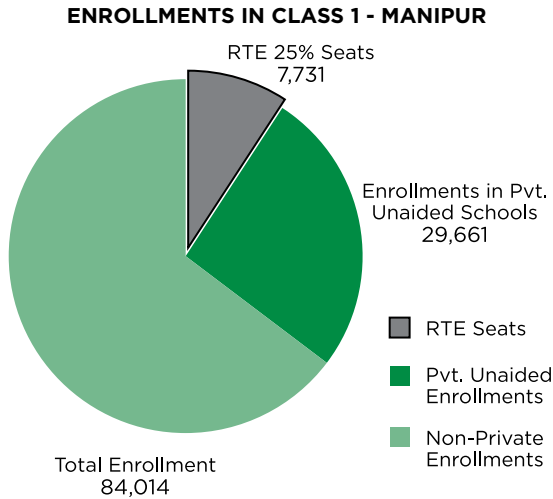
MANIPUR			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	DG means SC, ST, orphans, children with special need and HIV affected/infected children. EWS means a child belonging to backward class, minorities, including OCs whose parents' income does not exceed Rs. 40,000/- annually.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No documents for any category mentioned.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No minimum or maximum age limit given for any class.
	Entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Manipur has not notified whether Section 12 would be applicable only to class I or whether admissions would be taken in pre-primary classes as well.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	For classes I-V, schools must be within walking distance of 1km from the neighborhood. This is applicable for the purposes of Section 12.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Manipur does not mention any method of information dissemination.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No list of information to be shared with the public regarding Section 12 or the RTE.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No responsibility for information dissemination assigned.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No copy of the admission form or description in the text of the notification.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No timeline or specific dates were assigned to any of the process during the admissions cycle.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No centralized or decentralized lottery date mentioned.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of a location for collection or submission of documents.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority to oversee the lottery process.

## MANIPUR

Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Committee to assess per child expenditure shall meet six months after the commencement of the Act, and every year in December after that.
	Authority to calculate per child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Committee to assess per child expenditure shall be Secretary (Finance), Government of Manipur, Secretary (Education - S), Government of Manipur, Director (Education - S), Manipur and State Project Director (Sarva Shiksha Abhiyan), Manipur.
	Method of calculating reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	To claim first instalment of reimbursement, schools must submit the list of students granted admission in July. To claim the second instalment, the District Education Officer must verify at least 80% attendance each month of every student admitted under EWS and DG category.
	Number of instalments for reimbursement	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	First instalment of 50% will be sent to schools in September and the balance will be reimbursed in January.
	Authority responsible for finance of additional items (uniforms and books)	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No clarity on who would bear the financial burden of additional items like books and uniforms.
Grievance Mechanism and Monitoring	Appointment of local authority	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Local authority means a Municipal Corporation or Municipal Council or Zilla Parishad or Nagar Panchayat or Panchayat, by whatever name called, and includes other authorities or bodies having administrative control over the school.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	State Commission for the Protection of Child Rights constituted in Manipur.

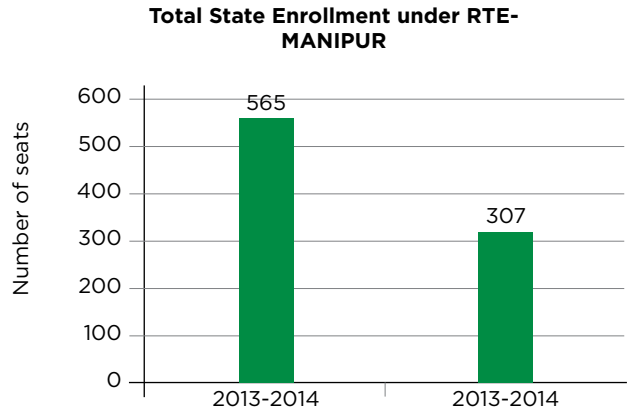
### Seats Available

In 2014-15, total 84014 students were enrolled in Std. I in the state, out of which 29661 enrollments were in private unaided schools, where 7731 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 8880.



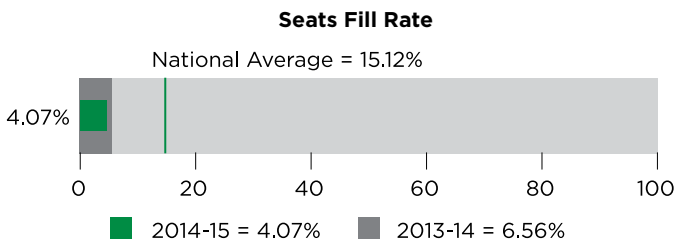
### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 307 as compared to 565 enrollments in 2013-14.



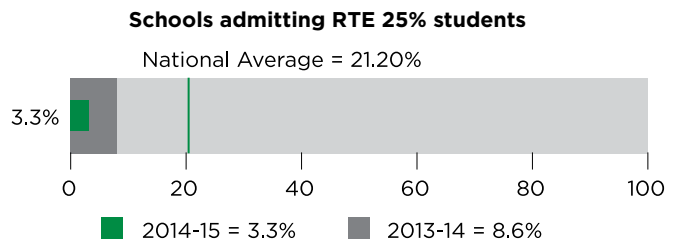
### Seats Fill Rate

Out of a total 7546 seats available under this section, a total of 307 seats were filled in 2014-15 with a seat fill rate of 4.07%. In 2013-14, the seat fill rate was 6.56%.

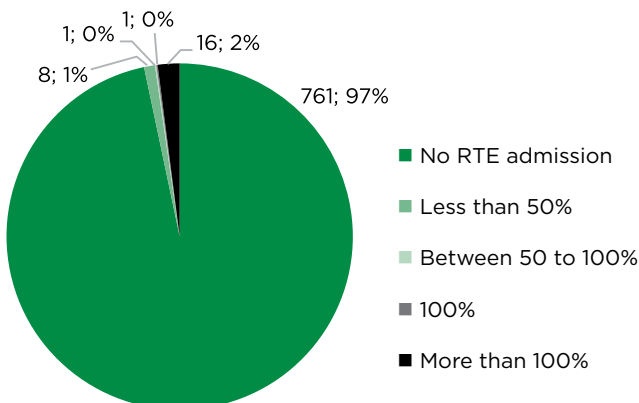


### School Participation Rate

In 2014-15, out of a total of 787 private unaided schools in the state, only 26 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 3.3%. The participation rate was 8.6% in 2013-14.



### Schools by Seats Fill Rate



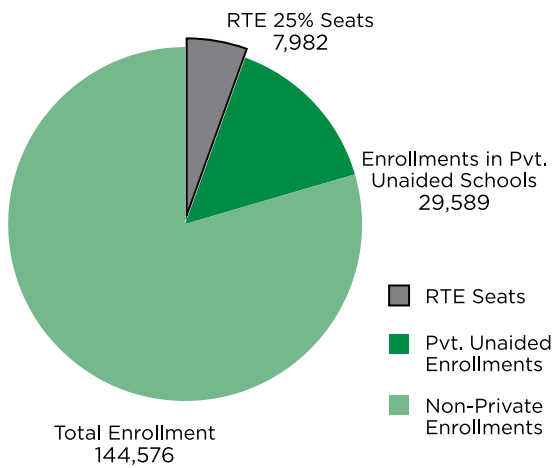
MEGHALAYA			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	There are 11 groups of children recognized under the DG category. SC/ST families must be below poverty line to apply. EWS children means families under BPL.
	List of necessary documents for each category of applicants	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Children applying under the EWS category must produce certificates from the Community and Rural Development Department. Orphan children and street and migrant children must have certificates from the Social Welfare Department. Street and Migrant children can also obtain a certificate from the Labour Department. All other children applying under the Disadvantaged Group category must obtain a certificate Social Welfare Department.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	We could not find any maximum or minimum age limit for any class.
	Entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of whether Section 12 applicable to class I or pre-school.
	Neighbourhood criteria	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	For classes I-V, schools must be within a walking distance of 1km from the neighbourhood. Not mentioned whether this distance criteria was applicable to Section 12 admissions.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Meghalaya did not outline any particular method of information dissemination.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of what information needed to be shared with the public regarding the RTE or Section 12.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No one was held responsible for spreading awareness.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No sample copy of the application form attached and no description of the application within the text of the notifications.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No dates were allotted to any of the process of the admission cycle.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No date for centralized or decentralized lottery were mentioned.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No locations were listed from where interested applicants could collect or submit forms.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority assigned to oversee the lottery process.

MEGHALAYA			
Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No note was made regarding how often the per child expenditure would be assessed.
	Authority to calculate per child expenditure	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No individual or party/committee was assigned the responsibility to assess per child expenditure.
	Method of calculating reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No explanation as to how the per child expenditure would be calculated.
	Criteria for reimbursement (or documents needed) for all instalments	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No documents were listed for schools to submit in order to receive reimbursement.
	Number of instalments for reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No indication as to how many instalments the reimbursement would be made in.
	Authority responsible for finance of additional items (uniforms and books)	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	School held responsible to provide books and uniforms but no one held financially responsible.
Grievance Mechanism and Monitoring	Appointment of local authority	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Local authority named as the concerned Joint Director posted in respective districts.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Meghalaya constituted a Right to Education Protection Authority (REPA) as an interim authority.
Special Mention	Demarcations in 25% Provision		16% of the reserved seats shall be provided to children belonging to Scheduled Tribe, 7.5% shall be provided to children belonging to Scheduled Caste and the remaining 1.5% seats will be provided to the other categories of children belonging to disadvantaged group and weaker section.

### Seats Available

In 2014-15, total 144576 students were enrolled in Std. I in the state, out of which 29589 enrollments were in private unaided schools, where 7982 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 7526.

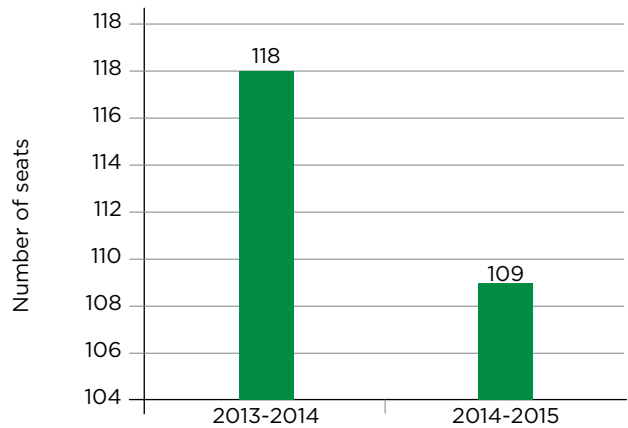
**ENROLLMENTS IN CLASS 1 - MEGHALAYA**



### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 109 as compared to 118 enrollments in 2013-14.

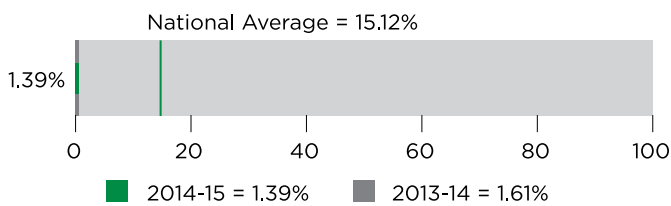
**Total State Enrollment under RTE- MEGHALAYA**



### Seats Fill Rated

Out of a total 7847 seats available under this section, a total of 109 seats were filled in 2014-15 with a seat fill rate of 1.39%. In 2013-14, the seat fill rate was 1.61%.

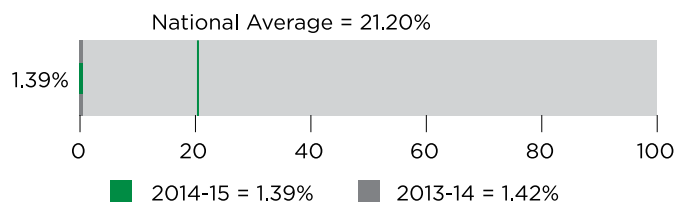
**Seats Fill Rate**



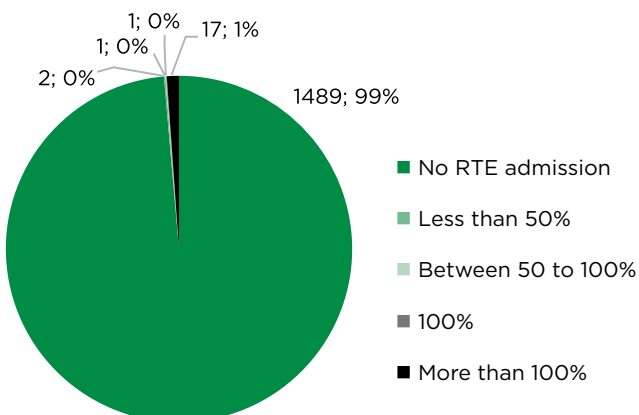
### School Participation Rate

In 2014-15, out of a total of 1510 private unaided schools in the state, only 21 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 1.39%. The participation rate was 1.42% in 2013-14.

**Schools admitting RTE 25% students**



**Schools by Seats Fill Rate**



























## MIZORAM

MIZORAM			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	EWS and DG defined as children belonging to BPL family.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of the required documents.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of a minimum or maximum age limit for any class.
	Entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Not stated if Section 12 applicable only to class I or to pre-primary as well.
	Neighbourhood criteria	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	For classes I-V schools must be within a walking distance of 1km from the neighbourhood. Not mentioned whether this criteria was applicable to Section 12 admissions.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Mizoram did not mention any preferred method of information dissemination.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	There were no details on what information needed to be shared with the public.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No one was mandated to spread awareness or for information dissemination.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Admission form not described in the text and sample copy not attached to any of the notifications.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No dates for any process of admission cycle were mentioned.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No centralized or decentralized dates for lottery.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of locations from where forms could be collected or submitted.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No individual or committee has been assigned the responsibility of overseeing the lottery.



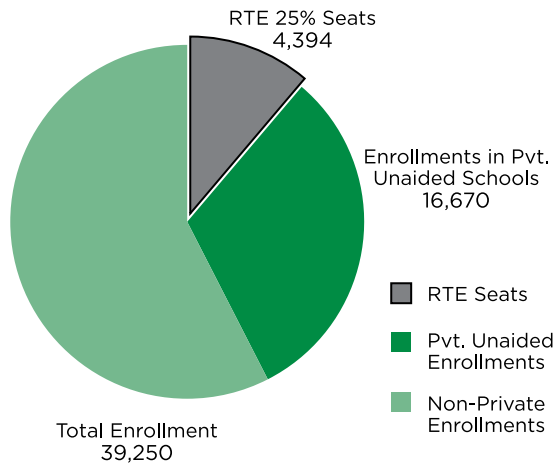
## MIZORAM

Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	  	Frequency of assessing per child expenditure not mentioned.
	Authority to calculate per child expenditure	  	Committee that must assess per child expenditure to be headed by the Director of School Education Department with the following members - Joint Director of School Education i/c Elementary Education and State Project Director (Sarva Shiksha Abhiyan).
	Method of calculating reimbursement	  	Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments	  	Schools must submit a list of students that were admitted to the District Education Officer or the Sub Divisional Education Office in April every year to receive their reimbursement.
	Number of instalments for reimbursement	  	Only one instalment for reimbursement which is sent in November each year.
	Authority responsible for finance of additional items (uniforms and books)	  	Schools responsible for providing books and uniforms to all children but no mention of who is financially responsible.
Grievance Mechanism and Monitoring	Appointment of local authority	  	Local authority means local councils under the Aizwal Municipal Council or Village Councils or Village Committee or District Councils.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	  	Mizoram constituted the Right to Education Protection Authority (REPA).

### Seats Available

In 2014-15, total 39250 students were enrolled in Std. I in the state, out of which 16670 enrollments were in private unaided schools, where 4394 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 2113.

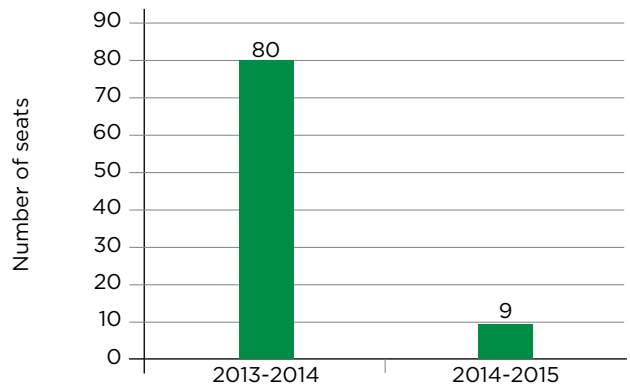
**ENROLLMENTS IN CLASS 1 - MIZORAM**



### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 9 as compared to 80 enrollments in 2013-14.

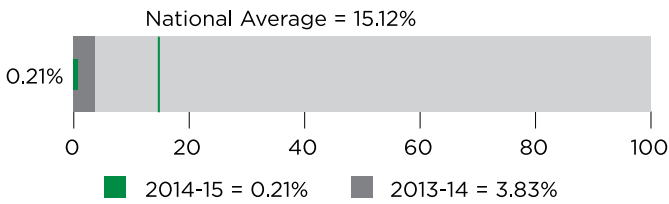
**Total State Enrollment under RTE- MIZORAM**



### Seats Fill Rate

Out of a total 4382 seats available under this section, a total of 9 seats were filled in 2014-15 with a seat fill rate of 0.21%. In 2013-14, the seat fill rate was 3.83%.

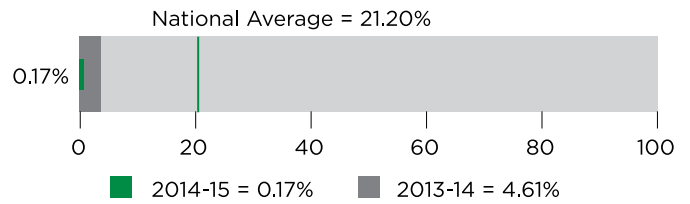
**Seats Fill Rate**



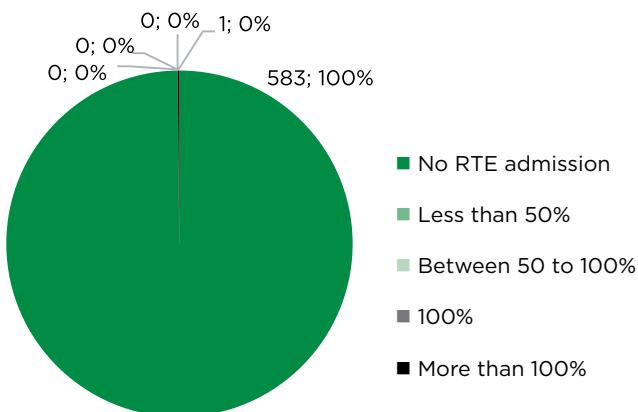
### School Participation Rate

In 2014-15, out of a total of 584 private unaided schools in the state, only 1 school had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 0.17%. The participation rate was 4.61% in 2013-14.

**Schools admitting RTE 25% students**



**Schools by Seats Fill Rate**



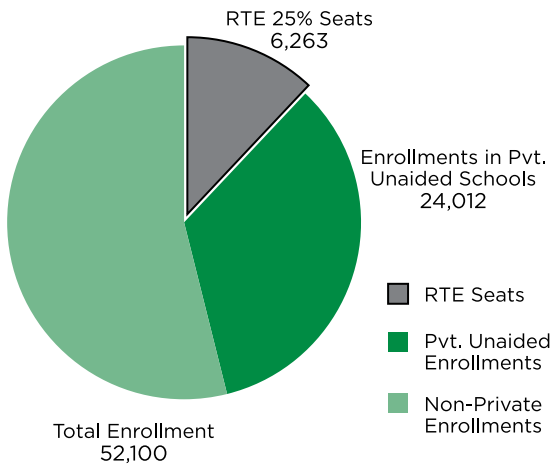
NAGALAND			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	EWS means a child belonging to parents/guardians whose income does not exceed Rs. 40,000/- annually. DG means educationally backward tribes prescribed by the State Government, HIV affected/infected children and orphans.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No documents for any of the above categories was mentioned.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	There was minimum or maximum age limit set for admission to any class.
	Entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Nagaland yet to notify for which class Section 12 is applicable.
	Neighbourhood criteria	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No distance limit given for neighbourhood schools. One note mentioned that primary schools would be established on a need basis taking into consideration the RTE Act. No further details were given.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No preferred methods of information dissemination.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	There was no list of information that needed to be shared.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No one was held responsible for information dissemination efforts.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No sample copy of admission form and no written description within the text of the notification.
	Timeline/dates for admissions cycle	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Overarching timeline of admission given. Admission cycle to run from January to April of each year. No other dates assigned.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No centralized or decentralized date for lottery given.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No locations for collection and submission of forms given.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Responsibility to oversee the lottery process not assigned.

NAGALAND			
Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure		Committee assessing per child expenditure must meet six months after the commencement of the Act and then in December every year.
	Authority to calculate per child expenditure		Committee assessing per child expenditure consists of Secretary (Finance), Government of Nagaland, Secretary, School Education, Government of Nagaland, Secretary (Planning), Government of Nagaland, Director, School Education, Nagaland and State Mission Director (Sarva Shiksha Abhiyan), Nagaland.
	Method of calculating reimbursement		Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments		In July, schools must submit list of students admitted to the District Educational Officer to claim reimbursement. For second instalment, schools must show at least 80% attendance per month per child to claim reimbursement. This will be verified by the DEO.
	Number of instalments for reimbursement		The first instalment of 50% will be reimbursed in the month of September and the second instalment shall be made in the month of January.
	Authority responsible for finance of additional items (uniforms and books)		No authority held financially responsible for books and uniforms.
Grievance Mechanism and Monitoring	Appointment of local authority		Local authority is Municipal Council or Town Council or Village Council.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)		State Commission for Protection of Child Rights constituted in Nagaland.
Special Mention	Demarcations		75% of reserved seats to be given to Economically Weaker children and the remaining 25% to be given to Disadvantaged Group children.

### Seats Available

In 2014-15, total 52100 students were enrolled in Std. I in the state, out of which 24012 enrollments were in private unaided schools, where 6263 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 7030.

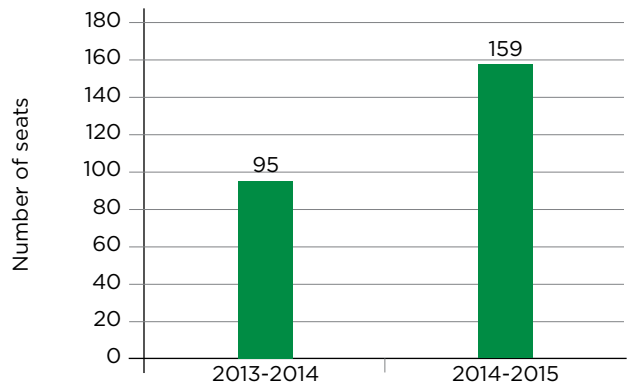
**ENROLLMENTS IN CLASS 1 - NAGALAND**



### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1) (c) during the year 2014-15 was 159 as compared to 95 enrollments in 2013-14.

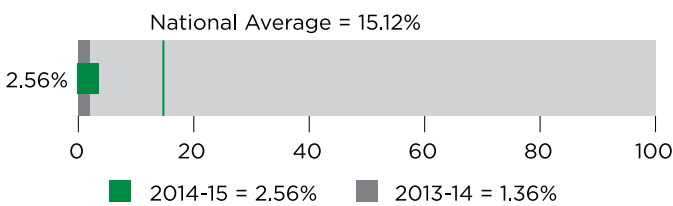
**Total State Enrollment under RTE- NAGALAND**



### Seats Fill Rate

Out of a total 6209 seats available under this section, a total of 159 seats were filled in 2014-15 with a seat fill rate of 2.56%. In 2013-14, the seat fill rate was 1.36%.

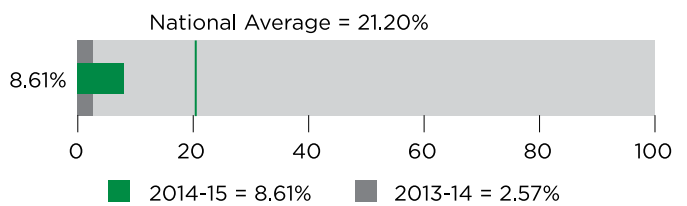
**Seats Fill Rate**



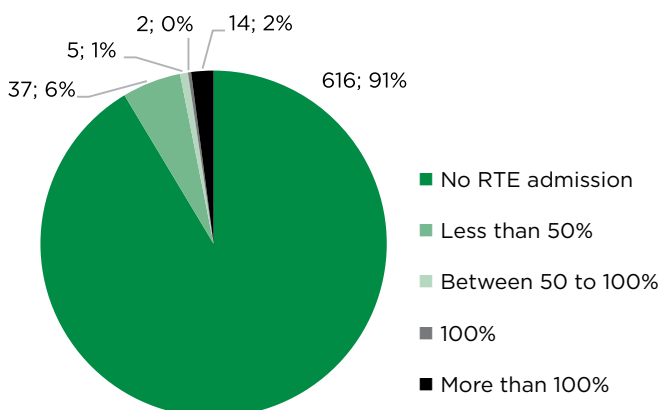
### School Participation Rate

In 2014-15, out of a total of 674 private unaided schools in the state, only 58 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 8.61%. The participation rate was 2.57% in 2013-14.

**Schools admitting RTE 25% students**



**Schools by Seats Fill Rate**



ODISHA			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	BPL card holder eligible under EWS. SC, ST, and socially and educationally backward castes eligible under DG. Socially and educationally backward castes include children found without any home or settled place/abode and without any ostensible means of subsistence, children who are found begging or are street child and children of manual scavenger families..
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	List of documents required for admission not given.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No minimum or maximum age limit given for any class.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Odisha applies Section 12 to both class I as well as pre-primary. Also mentioned that 25% reservation shall only be in entry level class, not each class of elementary stage.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	For classes I-V schools must be within 1km walking distance from neighborhoods. This limit applies to admissions made under Section 12.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	There were no mention of method of information dissemination.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No list of information to be shared given.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority responsible for information dissemination.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No sample copy of admission form attached and no description within the text of the notification.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No timelines or specific dates given for any process of admission cycle.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No centralized or decentralized date for lottery assigned.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of locations to collect and/or submit forms and supporting documents.
	Authority to oversee lottery/ selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority responsible to oversee the lottery process named.

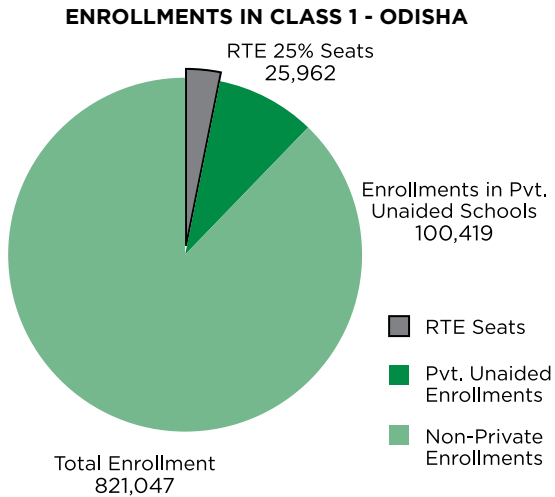
## ODISHA

Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Per child expenditure shall be assessed annually in the month of April.
	Authority to calculate per child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Committee assessing per child expenditure shall consist of (i) SPD, OPEPA: Chairman (ii) Director, Elementary Education: Member, (iii) F.A., S&ME Department: Member (iv) F.A., Directorate of Elementary Education: Member Convenor
	Method of calculating reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools must apply for reimbursement with Form-A, attached to the annexure of notification No.16624/SME II-SME-B-18/2012 dated July 05, 2012. Application to be accompanied by evidence of 25% admissions (copy of admissions register attested by a Gazette officer), evidence showing that admitted children belong to the EWS and DG categories (attested copy of BPL card and income certificate), and expenditure incurred by the school for these children. Audited balance sheets of income and expenditure incurred for the relevant year also required. Teacher salaries and per student expenditure are asked for in great detail.
	Number of instalments for reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Number of instalments for reimbursement not given.
	Authority responsible for finance of additional items (uniforms and books)	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No financial responsibility assigned for additional items.
Grievance Mechanism and Monitoring	Appointment of local authority	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	For rural areas, the Zila Parishad and for urban areas, Urban Local Bodie, will act as local authority.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Odisha has constituted the State Commission for Protection of Child Rights.
Special Mention	25% Reservation		Exact words are "at least 25%" for reservation. It argues, schools could offer to take more than the 25%. Cannot be sure that this pamphlet was notified and printed in the gazette.
	Demarcations		15% of the seats for children belonging to Disadvantaged Group and 10% for children belonging to Economically Weaker Section.
	Additional Literature		Statement above taken from a pamphlet "Renewed Role and Functioning of Private Schools in the Context of RTE Act, 2009". There was uncertainty as to whether the pamphlet had been notified or not.



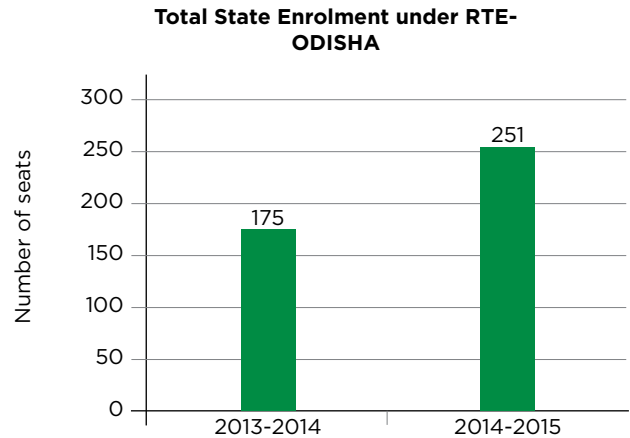
### Seats Available

In 2014-15, total 821047 students were enrolled in Std. I in the state, out of which 100419 enrollments were in private unaided schools, where 25962 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 22049.



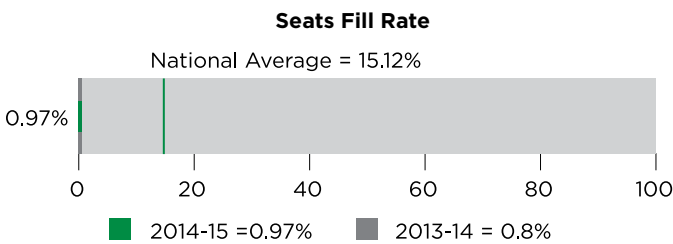
### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 251 as compared to 175 enrollments in 2013-14.



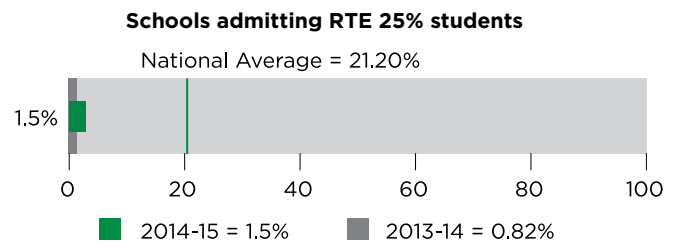
### Seats Fill Rate

Out of a total 25926 seats available under this section, a total of 251 seats were filled in 2014-15 with a seat fill rate of 0.97%. In 2013-14, the seat fill rate was 0.8%.

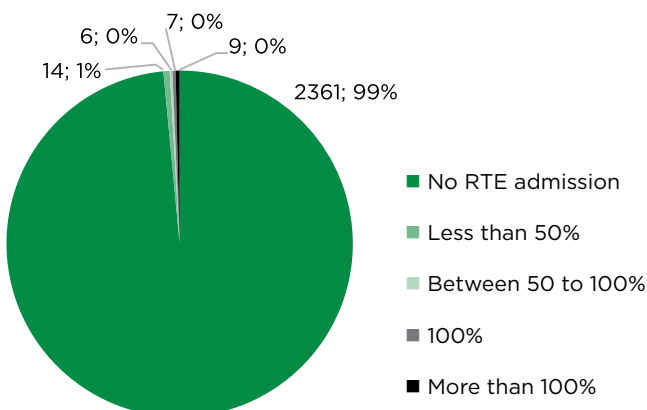


### School Participation Rate

In 2014-15, out of a total of 2397 private unaided schools in the state, only 36 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 1.5%. The participation rate was 0.82% in 2013-14.



### Schools by Seats Fill Rate

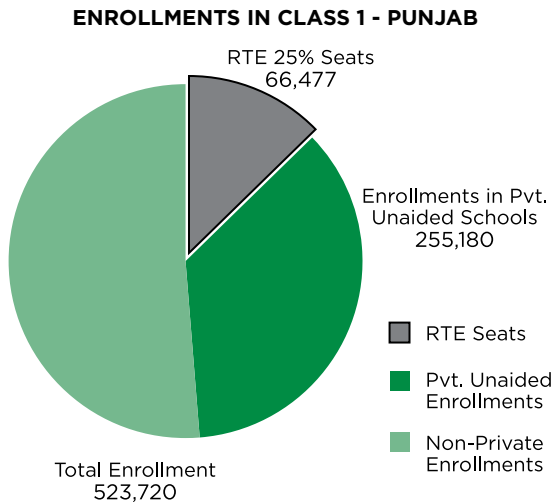


PUNJAB			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	EWS will include SC, ST, OBC. State Government to decide terms of creamy layer for children of OBC but not done as yet. SC children do not have income limit. Income limit for remaining EWS to be given by the Income Tax Department but again not done as yet. Children of widows of army men and handicapped parents to be given two and a half percent seats in their respective classes. No mention of DG.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Documents required for the above categories of children for admission not given.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	There was no minimum or maximum age limit set for any class.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Punjab extends Section 12 to pre-school education.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Primary schools with classes I-V must be within a 1km radius from the place of habitation. This neighbourhood limit is applicable to admissions made under Section 12.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	There is mention of how to spread information.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No list of what information needs to be shared given.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Responsibility for information dissemination not assigned.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Sample copy of admission form not attached and no description of admission form in the text of the notification.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Dates for the admission cycle were not mentioned.
	Date for lottery	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	No central date for the lottery was assigned. Admissions would be done by the schools themselves at their level. Not clear whether this includes a lottery, or on what dates the lottery must be held.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Location to collect and submit forms/documents not mentioned.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No direct statement holding authority responsible for the lottery process. Only reference was "Since it is the responsibility of the District Education Officers to ensure admissions of weak and poor class children under the reservation..."

PUNJAB			
Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Per child expenditure is to be assessed and notified each year by the 30th of June.
	Authority to calculate per child expenditure	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Responsibility to assess per child expenditure not assigned.
	Method of calculating reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Form III is a declaration under various heads for claiming reimbursements. Bank account details need to be specified within this form.
	Number of instalments for reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of the number of instalment for reimbursement.
	Authority responsible for finance of additional items (uniforms and books)	<input checked="" type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools held responsible for providing books and uniforms but no authority held financially responsible for expenditure of these items.
Grievance Mechanism and Monitoring	Appointment of local authority	<input type="radio"/> <input type="radio"/> <input type="radio"/>	Introduced DAMC (District Admissions Monitoring Committee) comprising district education officers, legal assistant and one public representative. This is a change from the previous year where no local authority was identified.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	State Commission for Protection of Child Rights constituted.
Special Mention	Minority Reservation		Minority institutions mandated to reserve 25% seats for EWS/DG children but only those belonging to that particular minority to which the institution pertains.
	Eligibility		Children may apply to private unaided schools in the event that they were unable to gain admission in Government/Government aided schools due to non-availability of seats.
	Demarcation		Demarcation of 25% reservation provision will be as follows: (1) Weaker Section 12.5% (2) SC 5% (3) BC/OBC 5% (4) Children of Widows of Army Men 1.25% (5) Children of Handicapped parents (at least 50% handicapped) 1.25%”

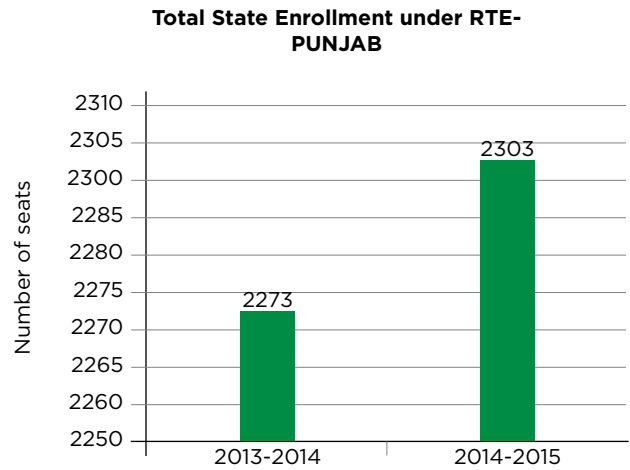
### Seats Available

In 2014-15, total 523720 students were enrolled in Std. I in the state, out of which 255180 enrollments were in private unaided schools, where 66477 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 62460.



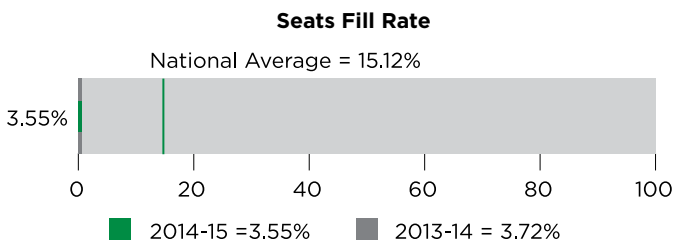
### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 2303 as compared to 2273 enrollments in 2013-14.



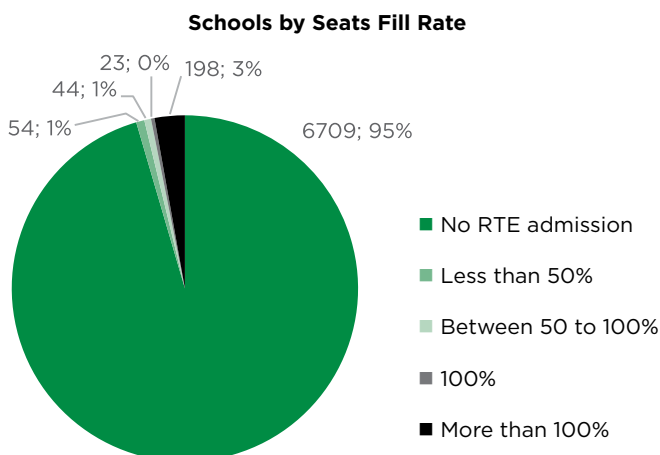
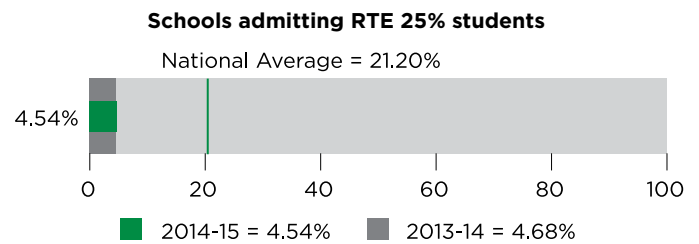
### Seats Fill Rate

Out of a total 64958 seats available under this section, a total of 2303 seats were filled in 2014-15 with a seat fill rate of 3.55%. In 2013-14, the seat fill rate was 3.72%.



### School Participation Rate

In 2014-15, out of a total of 7028 private unaided schools in the state, only 319 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 4.54%. The participation rate was 4.68% in 2013-14.



## RAJASTHAN

RAJASTHAN			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	EWS means a child from BPL family, a child whose parents' annual income does not exceed Rs. two and a half lakhs. DG means ST, SC, OBC and SBC whose parents' annual income does not exceed Rs. two and a half lakhs, a child with disability.
	List of necessary documents for each category of applicants	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Documents for caste, residence, annual income, BPL list, disability required from relevant authority.
	Age criteria for entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	For class I minimum age is six years. For schools with three years of pre-primary, LKG/ Nursery (age should be between three and four), two years of pre-primary, UKG (between four and five), one year of pre-primary, prep (between five and six). Schools affiliated with CBSE or Rajasthan board could follow the age prescribed by the relevant board. Schools must follow a uniform entry age policy for all children.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Section 12 reservations applicable in pre-primary classes.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Neighbourhood limit for Section 12(1)(c) admission shall be geographical limits of concerned Gram Panchayat/Nagar Palika/Nagar Parishad/ Nagar Nigam within which a school is situated.
Process of Information Outreach/ Awareness	Method of information dissemination	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools must advertise in newspapers, websites, notice board, public places through pamphlets.
	Type of information to be shared	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Admission procedure to be on notice board and website of school and school's prospectus.
	Authority responsible for information dissemination	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Responsibility put on schools.
Selection Process	Description of admission form format or sample copy attached to notification	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Admission form and receipt for submitting application attached to the notification.
	Timeline/dates for admissions cycle	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Detailed timeline for advertisement, admission form distribution, submitting forms, review of the forms, online lottery, school admission, and entry of all children (including other 75%) in the portal. Deadlines differentiated for schools with different opening time - April 1 and May 1.
	Date for lottery	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Online lottery to be held on 20th March and 21st April for the different school types.
	Locations to collect and/or submit forms	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Parents can download forms from portal or get them from school. Forms to be deposited in the school. In case there is problem in getting forms from the school or depositing them, parents can apply online. Forms can be deposited by registered post to the school or can submit it to the Deputy Director of Primary Education.
	Authority to oversee lottery/ selection process	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Admission monitoring committee consisting of Deputy Director Primary Education, District Education Officer Secondary Education, head of the school, NIC representative, district education officer to oversee lottery.

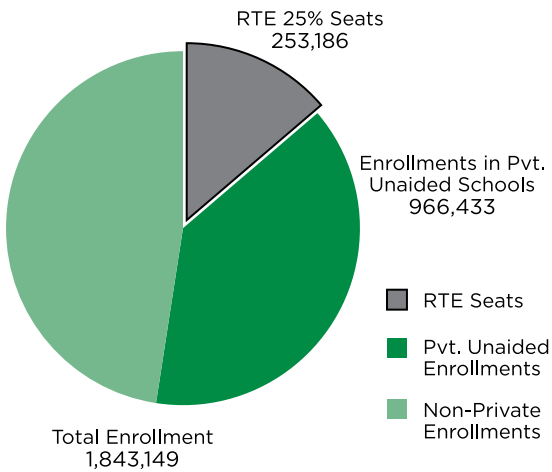
## RAJASTHAN

Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Committee must meet within three months of commencement of RTE rules, and every year in May after that to assess the per child expenditure.
	Authority to calculate per child expenditure	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Committee to assess per child expenditure to consist of Additional Chief Secretary/Principal Secretary, Finance Department of his representative not below the rank of Secretary, one representative of the private unaided educational institutions.
	Method of calculating reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Claim bill generated on the online portal and must be printed and submitted at the BEO office/DEO (secondary).
	Number of instalments for reimbursement	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Two instalments for reimbursement - first instalment to be made in October for expenses incurred between April and August. Second instalment to be made in June.
	Authority responsible for finance of additional items (uniforms and books)	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Textbook cost has been included in the reimbursement amount. Schools must provide textbooks free of cost to children. No mention of uniform.
Grievance Mechanism and Monitoring	Appointment of local authority	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Local authority for schools under administrative control of the Education Department, is the Government and schools under administrative control of Zila Parishad, the Zila Parishad.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Rajasthan constituted the State Commission for Protection of Child Rights.
Special Mention	Eligibility		Parents of EWS children must submit income statements each year. If income rises above limit, child may continue at school but will no longer be eligible for reimbursement.

### Seats Available

In 2014-15, total 1843149 students were enrolled in Std. I in the state, out of which 966433 enrollments were in private unaided schools, where 253186 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 237901.

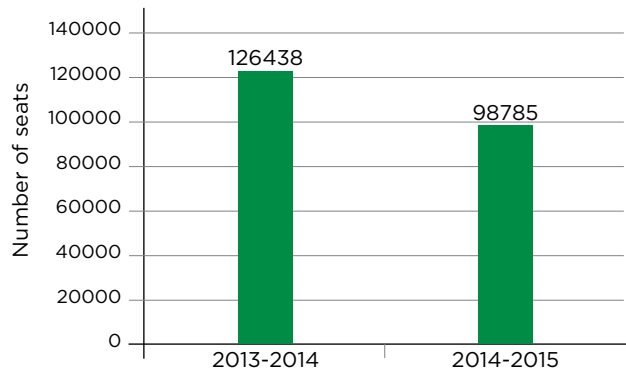
**ENROLLMENTS IN CLASS 1 - RAJASTHAN**



### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 98785 as compared to 126438 enrollments in 2013-14.

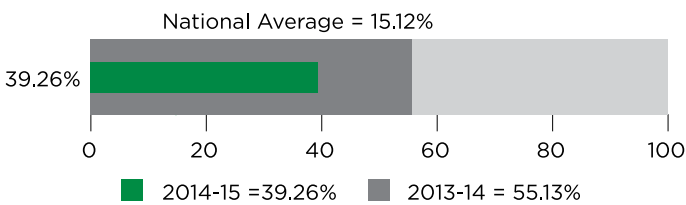
**Total State Enrollment under RTE- RAJASTHAN**



### Seats Fill Rate

Out of a total 251634 seats available under this section, a total of 98785 seats were filled in 2014-15 with a seat fill rate of 39.26%. In 2013-14, the seat fill rate was 55.13%.

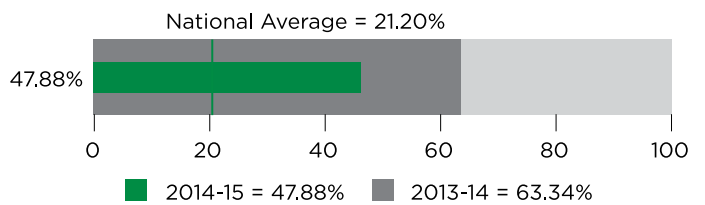
**Seats Fill Rate**



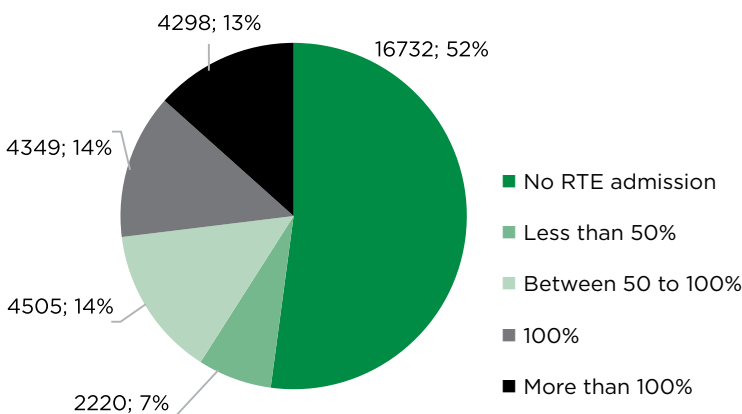
### School Participation Rate

In 2014-15, out of a total of 32104 private unaided schools in the state, only 15372 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 47.88%. The participation rate was 63.34% in 2013-14.

**Schools admitting RTE 25% students**



**Schools by Seats Fill Rate**





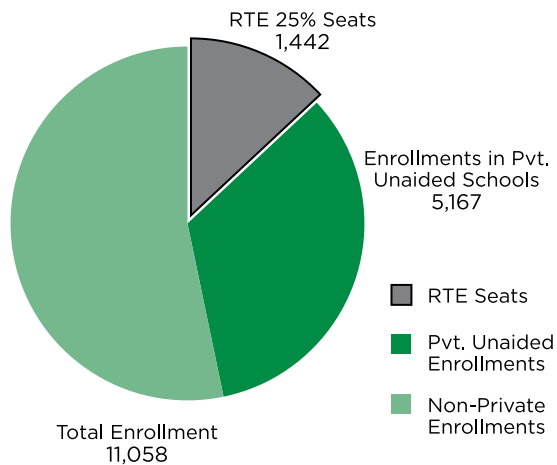
SIKKIM			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Neither EWS nor DG was defined.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of any documents required.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No minimum or maximum age limit given for any class.
	Entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Not specified if Section 12 applicable to class I or pre-primary.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools with classes I-V must be within 1km of a neighbourhood. Neighbourhood limit applies to admission made under Section 12.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Sikkim failed to mention any preferred method of information dissemination.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No list of information that was mandated to be shared with the general public.
	Authority responsible for information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No one was held responsible to make any awareness effort.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No sample copy of the admission form attached and no description within the text of the notification.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No timeline provided for admission cycle processes.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No centralized or decentralized date assigned for lottery.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of locations to collect and/or submit application form and supporting documents.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority responsible to oversee the lottery named.

SIKKIM			
Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of how often the per child expenditure would be assessed.
	Authority to calculate per child expenditure	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority held responsible to assess per child expenditure.
	Method of calculating reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No criteria given for schools to claim reimbursement.
	Number of instalments for reimbursement	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Number of instalments for reimbursement not mentioned.
	Authority responsible for finance of additional items (uniforms and books)	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No financial responsibility for books and uniforms assigned.
Grievance Mechanism and Monitoring	Appointment of local authority	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Mayor or Deputy Mayor or Counselors or Panchayat (Zilla/Ward) or body having administrative control over the school, namely Block Level or District Level Officers of H.R.D. Department, as a local authority in city, town or village.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Sikkim has constituted the State Commission for Protection of Child Rights.

## Seats Available

In 2014-15, total 11058 students were enrolled in Std. I in the state, out of which 5167 enrollments were in private unaided schools, where 1442 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 323.

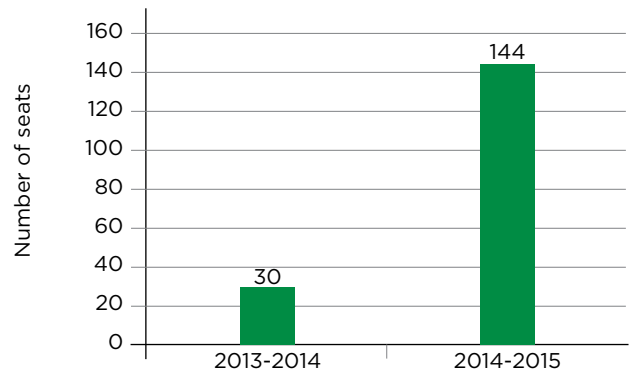
**ENROLLMENTS IN CLASS 1 - SIKKIM**



## Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 144 as compared to 30 enrollments in 2013-14.

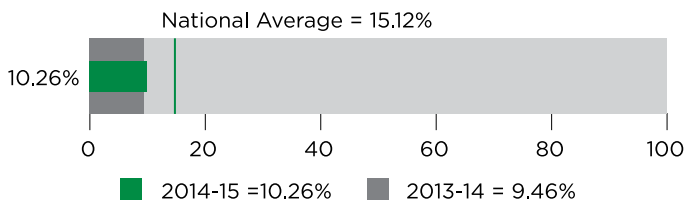
**Total State Enrolment under RTE- SIKKIM**



## Seats Fill Rate

Out of a total 1403 seats available under this section, a total of 144 seats were filled in 2014-15 with a seat fill rate of 10.26%. In 2013-14, the seat fill rate was 9.46%.

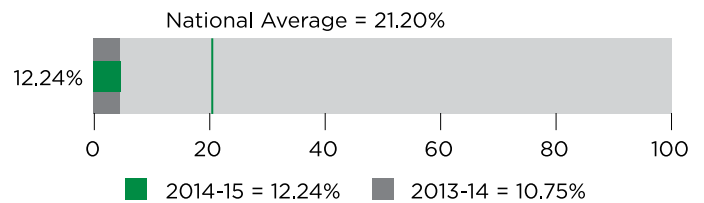
**Seats Fill Rate**



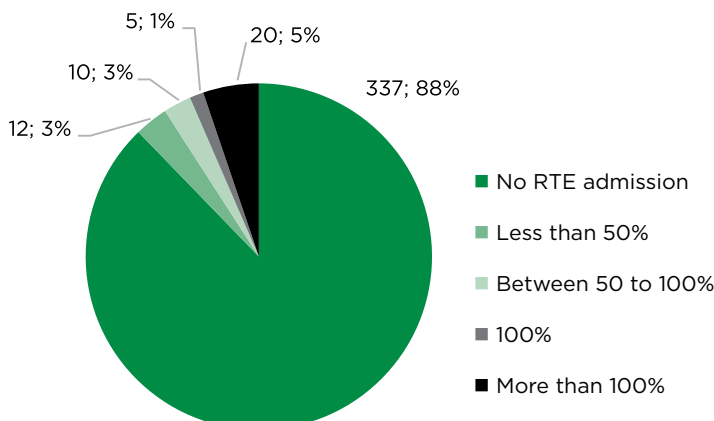
## School Participation Rate

In 2014-15, out of a total of 384 private unaided schools in the state, only 47 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 12.24%. The participation rate was 10.75% in 2013-14.

**Schools admitting RTE 25% students**



























**Schools by Seats Fill Rate**



## TAMIL NADU

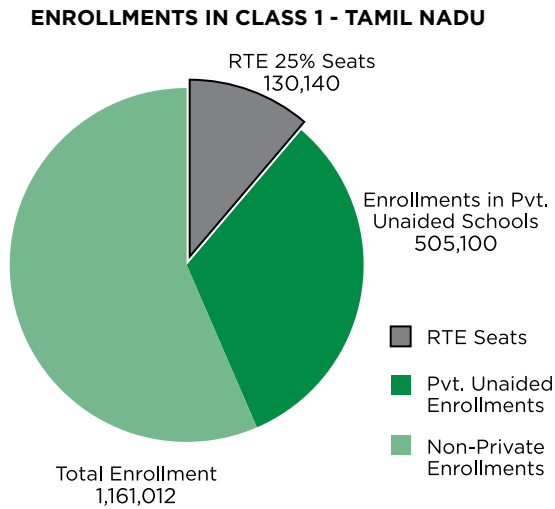
TAMIL NADU			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	DG means orphans, HIV affected, transgender and children of scavenger. EWS means children whose parents or guardians have an annual income of less than two lakh rupees.
	List of necessary documents for each category of applicants	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Last two pages of application form has list of all categories and corresponding documents required. List includes departments from where these documents can be procured.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No minimum or maximum age limit given for any class.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Section 12 not applicable in pre-primary.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	For classes I-V schools must be within a walking distance of 1km from the neighborhood. Distance limit applicable to Section 12(1)(c) admissions.
Process of Information Outreach/Awareness	Method of information dissemination	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Schools must display number of reserved seats on their notice boards.
	Type of information to be shared	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Number of seats reserved in a school. No other information requested.
	Authority responsible for information dissemination	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Only reference to information dissemination holds schools responsible.
Selection Process	Description of admission form format or sample copy attached to notification	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Sample copy of application form attached in annexure of the notification G.O.(Ms) No. 60, School Education Dept dated April 01, 2013 as Form-II.
	Timeline/dates for admissions cycle	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Annexure-I of above notification gives detailed timeline of dates for admission process. For example, number of available seats must be prepared by the 2nd of April each year.
	Date for lottery	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Lottery must be held on the 14th of May at 10:30am each year.
	Locations to collect and/or submit forms	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools must give registration slip (Form III in annexure) to parents filing an application. Shows that parents must collect and submit forms and documents to schools.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority to oversee lottery mentioned.

## TAMIL NADU

Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure	  	Not mentioned how frequently per child expenditure would be calculated.
	Authority to calculate per child expenditure	  	Director of Matriculation and Sarva Shiksha Abhyan.
	Method of calculating reimbursement	  	Reimbursement will be either the costs incurred per child in a government school or the amount fixed under the Tamil Nadu Schools (regulation of fees) Act 2009. This was introduced in 2015.
	Criteria for reimbursement (or documents needed) for all instalments	  	Form IV in the annexure a 'return statement' detailing all the information a school must give the DEEO/DEO/IMS to claim reimbursement.
	Number of instalments for reimbursement	  	First instalment will be made in the month of September and the second in March after verifying the enrolment of the children in schools.
	Authority responsible for finance of additional items (uniforms and books)	  	No authority financially responsible for books and uniforms.
Grievance Mechanism and Monitoring	Appointment of local authority	  	Director of School Education, Directory of Elementary Education and the Director of Matriculation Schools who have the administrative control over the schools as the local authority.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)	  	The State Commission for Protection of Child Rights is constituted in Tamil Nadu.

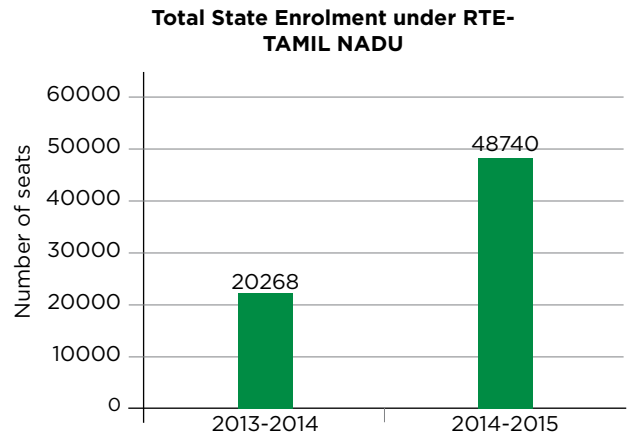
### Seats Available

In 2014-15, total 1161012 students were enrolled in Std. I in the state, out of which 505100 enrollments were in private unaided schools, where 130140 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 147976.



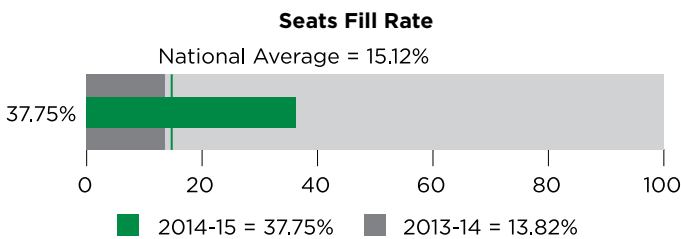
### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 48740 as compared to 20268 enrollments in 2013-14.



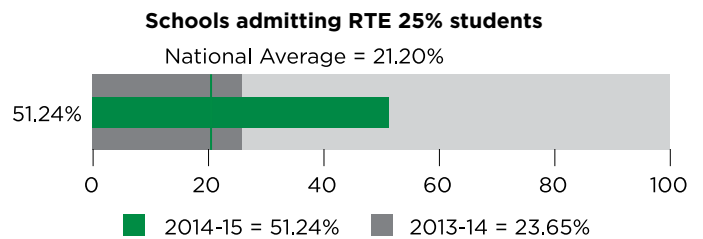
### Seats Fill Rate

Out of a total 129104 seats available under this section, a total of 48740 seats were filled in 2014-15 with a seat fill rate of 37.75%. In 2013-14, the seat fill rate was 13.82%.

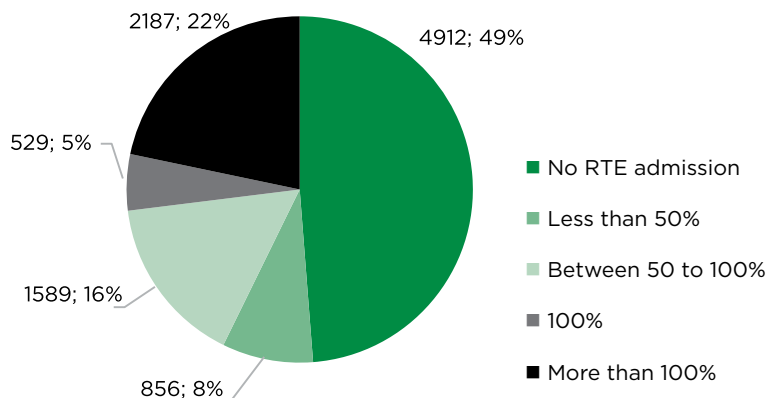


### School Participation Rate

In 2014-15, out of a total of 10073 private unaided schools in the state, only 5161 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 51.24%. The participation rate was 23.65% in 2013-14.

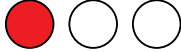
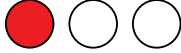

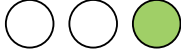
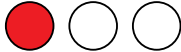


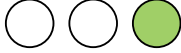


### Schools by Seats Fill Rate



TRIPURA			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Children belonging to the BPL families of SC, ST, OBC and other religious minority communities recognized as DG. Children from families belonging to BPL only recognized as EWS.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No list of documents provided for any category of applicants.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of a minimum or maximum age limit for any class.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Section 12 applicable in pre-schools as well as class I.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Neighbourhood mean a ward for an area under the Agartala Municipal Council or any Nagar Panchayat, Gram Panchayat or village of TTAADC. Definition is subject to the neighbourhood criteria however. Neighborhood criteria mandates primary schools with classes I-V be within a walking distance of 1km from the neighborhood.
Process of Information Outreach/Awareness	Method of information dissemination	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools mandated to have awareness programs about process of admission in the locality. Schools also must conduct household surveys simultaneously.
	Type of information to be shared	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	The specific information to be shared in the above efforts not given.
	Authority responsible for information dissemination	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools held responsible for information dissemination.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No sample copy of admissions form attached and no written description in the text of the notification.
	Timeline/dates for admissions cycle	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Academic session to begin on 1st January every year. One month allotted for admission cycle. Government can extend the admission cycle by up to 6 months if non enrolled children, dropouts, hard to reach children etc are still not admitted in schools.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No centralized or decentralized date for lottery assigned.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No location mentioned to collect and/or submit documents.
	Authority to oversee lottery/ selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Responsibility to oversee lottery not assigned.

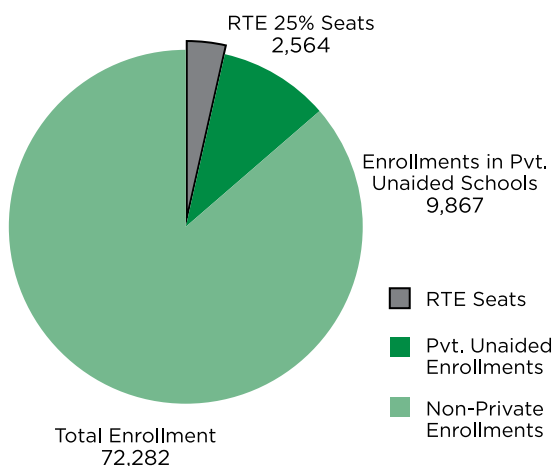


TRIPURA			
Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure		Frequency of assessing per child expenditure was stated.
	Authority to calculate per child expenditure		Authority to assess per child expenditure not named.
	Method of calculating reimbursement		Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments		Schools must submit a list of students against whom the school is entitled to receive reimbursement. Schools must do this at the beginning of the academic year and again once the admission process is complete. Reimbursement done by the District Education Officer on the basis of monthly statements that must be submitted by the schools.
	Number of instalments for reimbursement		No mention of how many instalments for reimbursement there are.
	Authority responsible for finance of additional items (uniforms and books)		Financial responsibility for books and uniforms not assigned to anyone.
Grievance Mechanism and Monitoring	Appointment of local authority		The Agartala Municipal Council, all Nagar Panchayets, all Gram Panchayets and Village Committees of TTAADC are the local authorities.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)		Tripura constituted the State Commission for Protected of Child Rights.
Special Mention	Secure Benefits		Admission once granted cannot be revoked for EWS and DG students, even if family income changes and rises above the BPL limit. The child has the right to the benefits till completion of elementary school.
	Neighborhood Criteria		Child cannot be denied admission on the basis of neighborhood. If a child from outside the neighborhood applies at a school where vacancies exist after the completion of the locality's admission process, the school must consider the application.

### Seats Available

In 2014-15, total 72282 students were enrolled in Std. I in the state, out of which 9867 enrollments were in private unaided schools, where 2564 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 2464

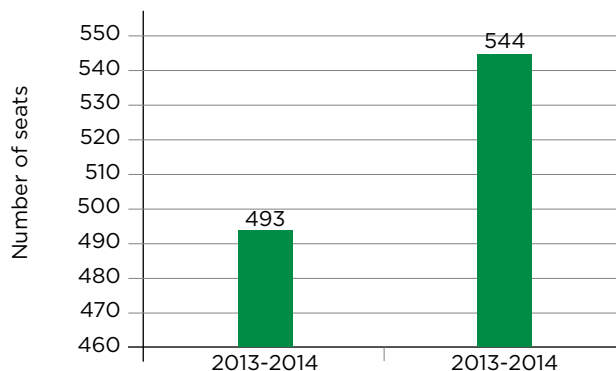
**ENROLLMENTS IN CLASS 1 - TRIPURA**



### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 544 as compared to 493 enrollments in 2013-14.

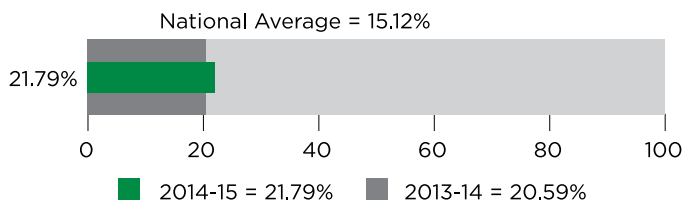
**Total State Enrolment under RTE- TRIPURA**



### Seats Fill Rate

Out of a total 2497 seats available under this section, a total of 544 seats were filled in 2014-15 with a seat fill rate of 21.79%. In 2013-14, the seat fill rate was 20.59%.

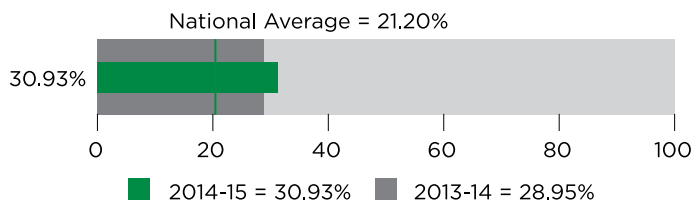
**Seats Fill Rate**



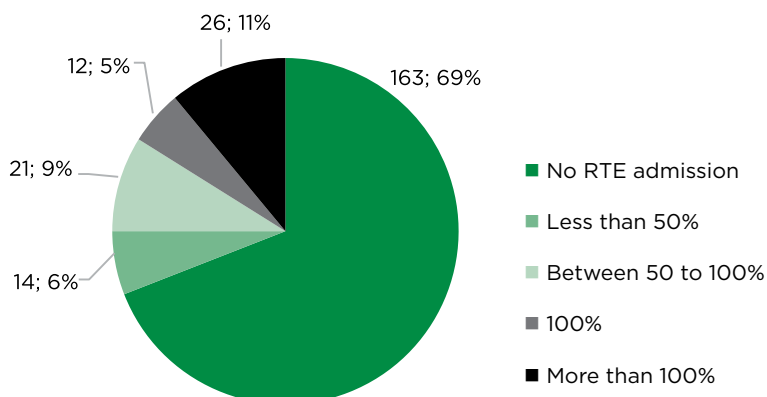
### School Participation Rate

In 2014-15, out of a total of 236 private unaided schools in the state, only 73 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 30.93%. The participation rate was 28.95% in 2013-14.

**Schools admitting RTE 25% students**



**Schools by Seats Fill Rate**



## UTTAR PRADESH

UTTAR PRADESH			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group		DG means SC, ST, socially and educationally backward section, disabled children, destitute homeless children, and children of HIV or cancer affected parents/guardians. EWS means children whose parents/guardians have a BPL certificate, children whose parents/guardians are recipients of disability/old age/widow pension and children whose parents/guardians have an annual income of up to Rs. one lakh. Those children whose parents/guardians have an annual income up to Rs. 35,000/- will be given priority in admissions.
	List of necessary documents for each category of applicants		EWS applicants must enclose an annual income certificate. DG applicants must include a caste certificate. A medical certificate is needed for HIV or cancer affected parents or the disabled, Destitute and homeless children can get a certificate from the Tehsildar. All applicants must have proof of residence.
	Age criteria for entry level		There was no minimum or maximum age limit given for any class.
	Entry level		Section 12 is applicable to class I as well as pre-primary.
	Neighbourhood criteria		Schools neighborhood defined as ward. Only the children of a ward within which the school is situated are eligible for benefits at that school.
Process of Information Outreach/Awareness	Method of information dissemination		Change from last year. The notification dated 17th March 2015 describes certain measures to be taken for information dissemination. The role of website and timely update of information has been highlighted
	Type of information to be shared		No list of information given to be shared with the general public.
	Authority responsible for information dissemination		No mention of responsible party for information dissemination.
Selection Process	Description of admission form format or sample copy attached to notification		Admission form was attached to three different notifications.
	Timeline/dates for admissions cycle		February 1-28 designated to create awareness in selected wards and solicit application forms. Date can be extended till 30th March.
	Date for lottery		Examination of forms and schools allotment to be completed by 15th March. For new applications, date is 15th April.
	Locations to collect and/or submit forms		Locations to collect and submit forms for interested applicants not given.
	Authority to oversee lottery/selection process		No authority assigned to oversee the lottery process.

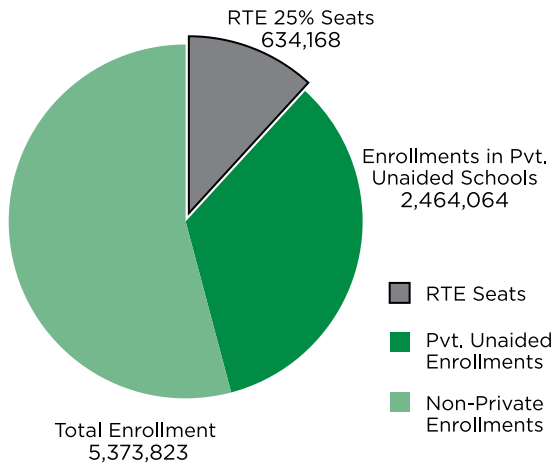
## UTTAR PRADESH

Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure		Frequency of calculating per child expenditure not given.
	Authority to calculate per child expenditure		No authority assigned to assess per child expenditure.
	Method of calculating reimbursement		Statement copied from MHRD's model rules. Declared Rs. 450.00 as the reimbursement amount per child.
	Criteria for reimbursement (or documents needed) for all instalments		Claim form attached to notification number No. -538/79-6-2013 dated June 20, 2013. After completing admission cycle, schools must submit claim for reimbursement using claim form (Form III in the annexure) by June 30 and submitting it to the District Basic Education Officer/District School Inspector. Schools must submit statement of item wise expenses incurred, in the format prescribed by the Director of Education (basic) with proof of all necessary details including list of children with unique identity number by 31st of October each year. To receive the second instalment schools must follow the same procedure and submit by the 15th December.
	Number of instalments for reimbursement		Form-3 submitted to District Basic Education Officer/District School Inspector by July 30. The District Basic Education Officer to submit forms to Controller to Finance by 30th September. Funds to be available to the schools by 15th October. Same procedure to be followed for second instalment and it will be made available to schools by the 15th of February.
	Authority responsible for finance of additional items (uniforms and books)		Financial responsibility for the expenditure on books and uniforms not assigned to anyone.
Grievance Mechanism and Monitoring	Appointment of local authority		Local authorities are notified as Gram Panchayat/ Nagar Nigam/Nagar Palika/Nagar Panchayat.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)		Uttar Pradesh has constituted the Right to Education Protection Authority (REPA).
Special Mention	Eligibility		District Basic Education Office will only grant permission to children to apply to private unaided school on condition that no vacancies at neighboring government/aided schools exist. District Magistrate must receive a proposal from the DBEO for approval before child can apply to private schools.
			Government/Government aided schools will be considered full if there are 40 children in pre-primary/class I. Children then eligible to take admissions in private unaided schools.

### Seats Available

In 2014-15, total 5373823 students were enrolled in Std. I in the state, out of which 2464064 enrollments were in private unaided schools, where 634168 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 594938.

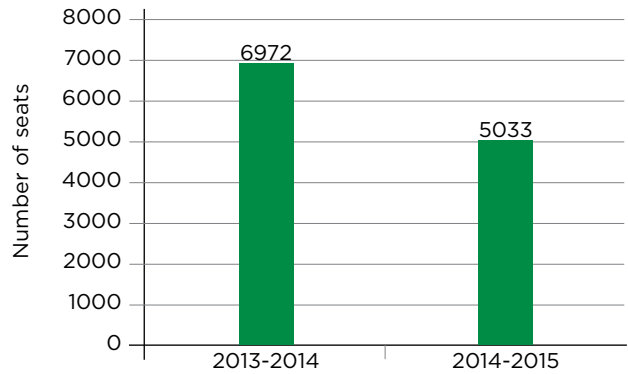
**ENROLLMENTS IN CLASS 1 - UTTAR PRADESH**



### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 5033 as compared to 6972 enrollments in 2013-14.

**Total State Enrollment under RTE-UTTAR PRADESH**

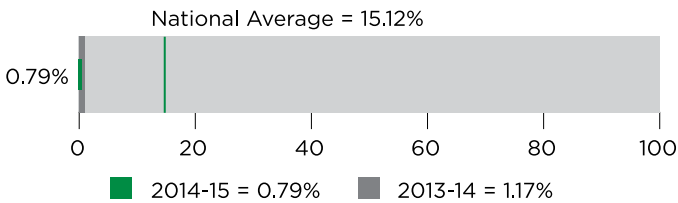


### Seats Fill Rate

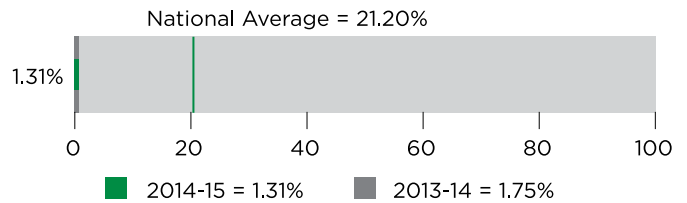
Out of a total 633262 seats available under this section, a total of 5033 seats were filled in 2014-15 with a seat fill rate of 0.79%. In 2013-14, the seat fill rate was 1.17%.

### School Participation Rate

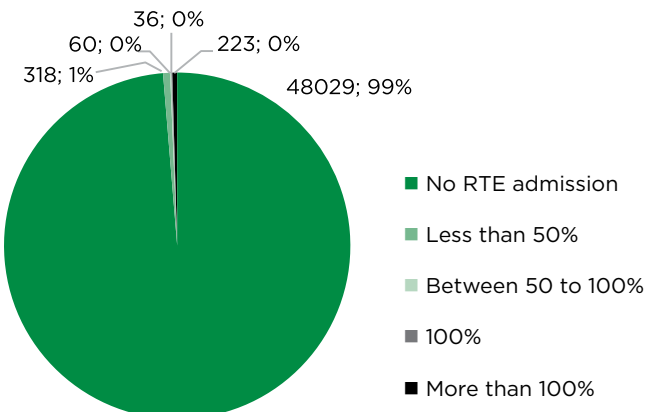
In 2014-15, out of a total of 48666 private unaided schools in the state, only 637 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 1.31%. The participation rate was 1.75% in 2013-14.



**Schools admitting RTE 25% students**



**Schools by Seats Fill Rate**



# UTTARAKHAND

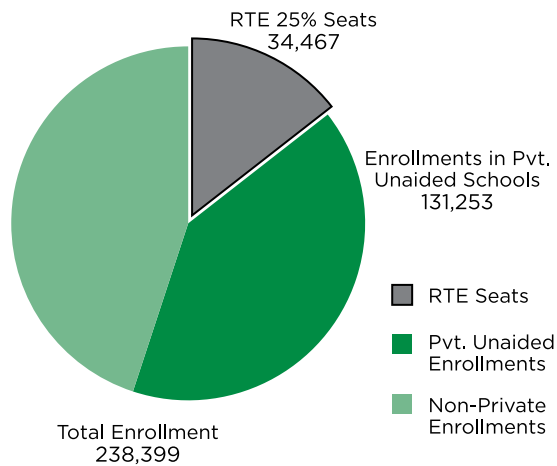
UTTARAKHAND			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	EWS means a child whose parents or guardians have an annual income equal to or less than Rs. 55,000/-. 10 categories of children recognized under DG.
	List of necessary documents for each category of applicants	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Admission to be granted on the basis of having correct documents signed by competent authority. No mention of which documents are required for any of the categories. No mention of who is appropriate authority.
	Age criteria for entry level	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	There was no minimum or maximum age limit given for students wishing to take admission.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Section 12 applicable in class I and earlier classes.
	Neighbourhood criteria	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Neighborhood limits mandate primary schools with classes I-V to be within a walking distance of 1km from the served neighborhood. This is applicable to admissions made under Section 12. Different notification describes neighborhood as 'ward'. Wards to be treated as a unit, meaning children are only eligible for benefits in the ward in which the school is located. Somewhat contradictory since wards are often larger than 1km.
Process of Information Outreach/Awareness	Method of information dissemination	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of awareness and information dissemination.
	Type of information to be shared	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Schools to self declare in the first fortnight of April regarding the total number of seats in class I or the pre-primary classes.
	Authority responsible for information dissemination	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	School Management Committees and Government Functionaries along with Schools and Every District Officer are responsible for sharing information regarding the provisions of Section 12.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No sample copy of the admission form attached and no written description in the text of the notification.
	Timeline/dates for admissions cycle	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	District Education Officer given the responsibility to notify a "Calender of Admission" for Section12 admissions. No dates allotted.
	Date for lottery	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Schools mandated to hold a lottery by the last week of May after incorporating all the application forms.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of where to collect or submit forms and documents for admission.
	Authority to oversee lottery/ selection process	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Parents of children who applied must be present for the lottery. Block Education Officer must also be present.

UTTARAKHAND			
Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure		No mention of how frequently the per child expenditure to be assessed.
	Authority to calculate per child expenditure		Responsibility to assess the per child expenditure was not assigned.
	Method of calculating reimbursement		Statement copied from MHRD's model rules. The maximum monthly per child expenditure is estimated at Rs. 1383.00.
	Criteria for reimbursement (or documents needed) for all instalments		Only criteria for Midday meal reimbursement given. Reimbursement for the midday meal subject to child's attendance in school with a maximum of 230 working days in a year.
	Number of instalments for reimbursement		The first instalment will be paid in the month of September and the second in February.
	Authority responsible for finance of additional items (uniforms and books)		Cost of books and uniforms not calculated in the government annual recurring expenditure and are reimbursed separately. Government will reimburse the amount of Rs. 150/per child/per year for text books. For uniforms the reimbursement amount per child/per year is Rs. 400. For midday meal, per attendance/per day expenditure will be Rs. 5.06 per child with a total limit of Rs. 1165 (annual expenditure).
Grievance Mechanism and Monitoring	Appointment of local authority		Local authority means Municipal Corporation or Municipal Council or Zila Panchayat or Nagar Panchayat or Gram Panchayat, the School Management Committee and also Deputy Block Education Officer, Block Education Officer, Additional District Education Officer (basic), District Education Officer.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)		Uttarakhand has constituted the State Commission for Protection of Child Rights.
Special Mention	Attendance		Schools to strive towards a 100% attendance of children every day. Schools must devise system of interacting with parents of children with low attendance on a weekly basis to secure cooperation. Various other methods mentioned to ensure that drop outs are returning to schools.
	Additional Literature		"Information about admission in private unaided schools" is a pamphlet that extends the current definitions of EWS/DG as well as mentions locations from where applicants can collect and submit documents. However it was uncertain whether this had been officially notified and printed in the Gazette and was therefore not included in the analysis of State Rules and Notifications.

### Seats Available

In 2014-15, total 238399 students were enrolled in Std. I in the state, out of which 131253 enrollments were in private unaided schools, where 34467 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 33326.

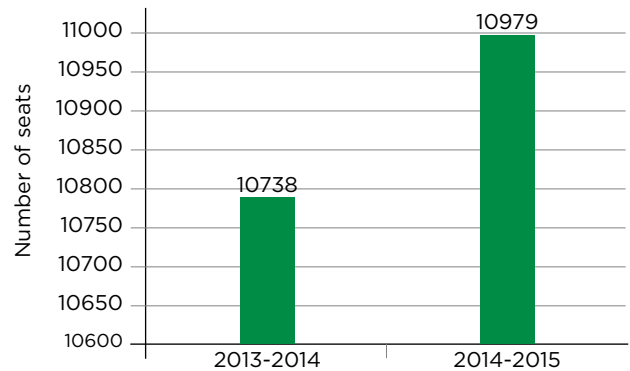
**ENROLLMENTS IN CLASS 1 - UTTARAKHAND**



### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 10979 as compared to 10738 enrollments in 2013-14.

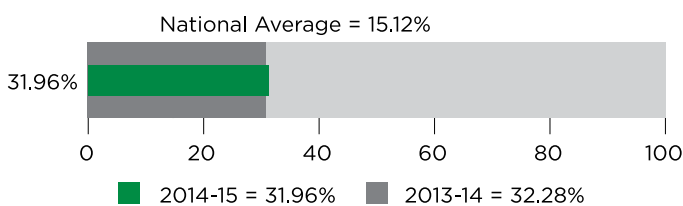
**Total State Enrollment under RTE- UTTARAKHAND**



### Seats Fill Rate

Out of a total 34353 seats available under this section, a total of 10979 seats were filled in 2014-15 with a seat fill rate of 31.96%. In 2013-14, the seat fill rate was 32.28%.

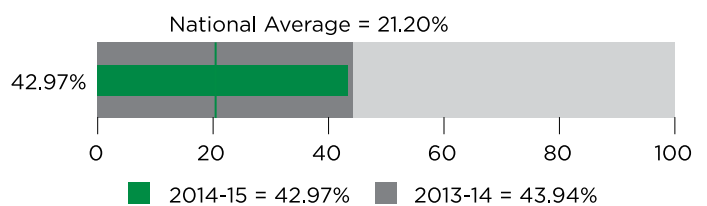
**Seats Fill Rate**



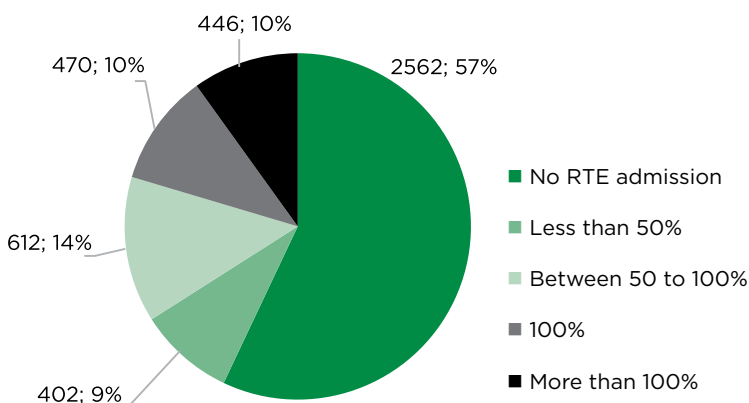
### School Participation Rate

In 2014-15, out of a total of 4492 private unaided schools in the state, only 1930 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 42.97%. The participation rate was 43.94% in 2013-14.

**Schools admitting RTE 25% students**



**Schools by Seats Fill Rate**





## WEST BENGAL

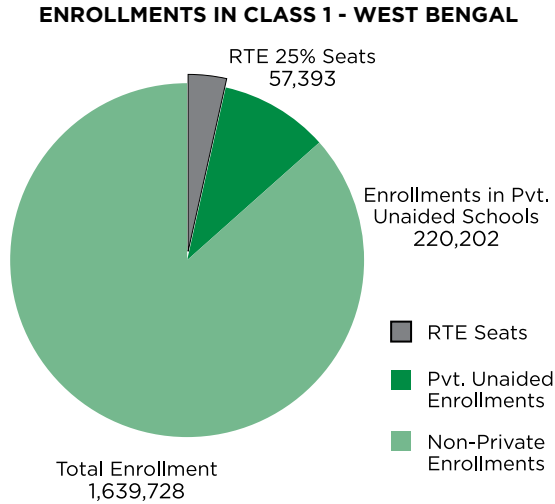
WEST BENGAL			
Category	Criteria	Criteria Status	Comments
Clarity in Defining Eligibility and Documentation Required	Definition of Economically Weaker Section and Disadvantaged Group	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	EWS means children of families on the BPL list. DG means SC, ST or OBC groups.
	List of necessary documents for each category of applicants	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	In the notification numbered 190-SE(Law)/S/1A-01/09 dated Feb 14th 2011, list given detailing authority, office and document required to apply under each of the above categories.
	Age criteria for entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Appropriate age for class I is six years and above but less than seven years of age. No age criteria for pre-primary is necessary.
	Entry level	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Section 12 only applicable to admission in class I and not to pre-primary classes.
	Neighbourhood criteria	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Neighbourhood means a borough for an area under a Municipal Corporation or a ward for an area under a Municipality or any other urban authority. This definition is subject to the neighborhood limits specified below:
Process of Information Outreach/Awareness	Method of information dissemination	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Schools to provide information about Section 12 on admission notice each year. Government to provide information online.
	Type of information to be shared	<input type="radio"/> <input checked="" type="radio"/> <input type="radio"/>	Schools must notify the number of seats reserved for weaker sections and disadvantaged groups in their admission notice. The government must provide easy to understand maps showing neighborhood schools. There is a lot of other important information that needs to be shared with the public but has not been mentioned.
	Authority responsible for information dissemination	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>	Schools and the Government each have their own responsibility.
Selection Process	Description of admission form format or sample copy attached to notification	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No sample copy of the admission form attached and no written description within the text of the notification.
	Timeline/dates for admissions cycle	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No timeline provided for admission cycle.
	Date for lottery	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No centralized or decentralized date was assigned for the lottery.
	Locations to collect and/or submit forms	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No mention of any location to collect or submit the required forms.
	Authority to oversee lottery/selection process	<input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	No authority assigned the responsibility of overseeing the lottery.

## WEST BENGAL

Category	Criteria	Criteria Status	Comments
Transparency in reimbursement provision and reimbursement process	Frequency of calculation of per-child expenditure		It was not stated how often the per child expenditure would be assessed.
	Authority to calculate per child expenditure		No authority was named to assess per child expenditure.
	Method of calculating reimbursement		Statement copied from MHRD's model rules.
	Criteria for reimbursement (or documents needed) for all instalments		Schools must provide a list of students against whom the school shall claim reimbursement. No specific date is mentioned, only that this list must be provided at the beginning of each academic year and then again at the completion of their admissions process with the names of any new admits.
	Number of instalments for reimbursement		No mention of the number of instalments in which reimbursement would be given.
	Authority responsible for finance of additional items (uniforms and books)		Schools to bear the cost of uniforms and books for each child admitted under the 25% provision initially. These expenses will later be reimbursed to the school by the State Government.
Grievance Mechanism and Monitoring	Appointment of local authority		The local authority means the Paschim Banga Sarva Siksha Mission or any other authorised in this behalf; (i) in case of the rural areas, the Panchayat Samiti and (ii) in case of the urban areas, the Municipality or Borough in respect of Municipal Coporations or any other urban authority duly notified.
	Formations of State Commission for Protection of Child Rights (SCPCR)/ RTE Protection Authority (REPA)		West Bengal has constituted the State Commission for Protection of Child Rights.

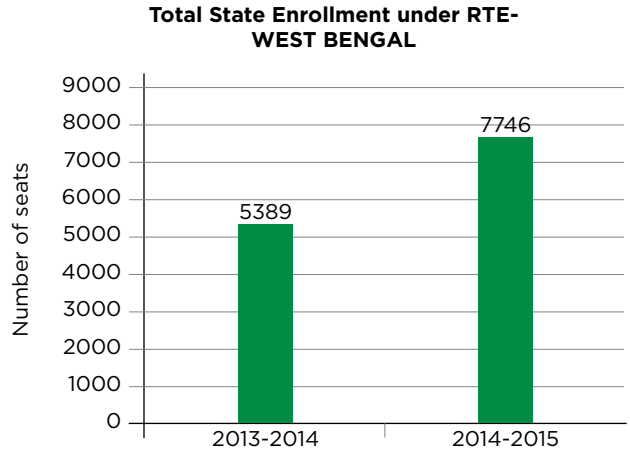
### Seats Available

In 2014-15, total 1639728 students were enrolled in Std. I in the state, out of which 220202 enrollments were in private unaided schools, where 57393 seats were available for admission through Sec 12(1)(c). In 2013-14, this number was 56571.



### Enrollment through RTE

Number of fresh enrollments through RTE Sec. 12(1)(c) during the year 2014-15 was 7746 as compared to 5389 enrollments in 2013-14.

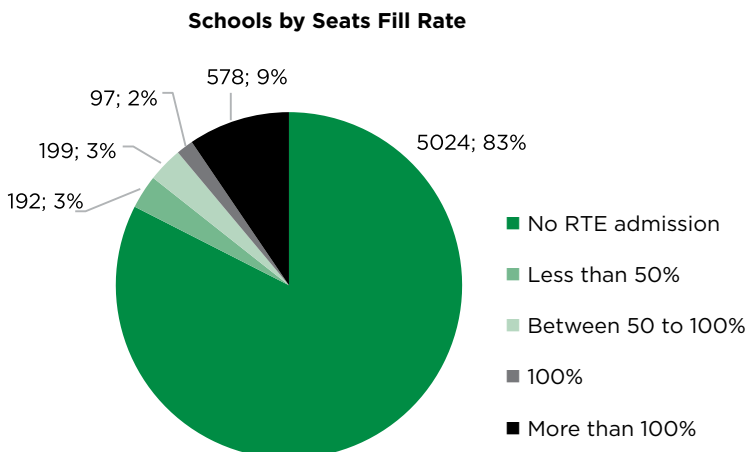
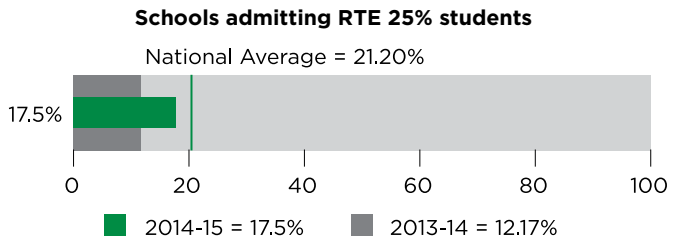
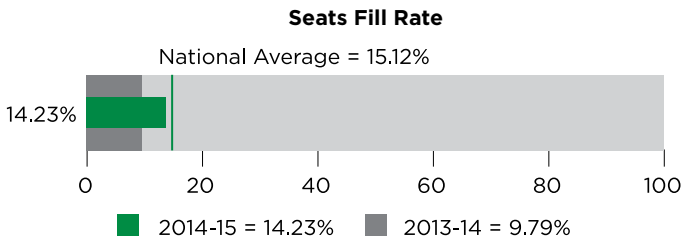


### Seats Fill Rate

Out of a total 54431 seats available under this section, a total of 7746 seats were filled in 2014-15 with a seat fill rate of 14.23%. In 2013-14, the seat fill rate was 9.79%.

### School Participation Rate

In 2014-15, out of a total of 6090 private unaided schools in the state, only 1066 schools had taken at least one admission through RTE Sec 12(1)(c) with a participation rate of 17.5%. The participation rate was 12.17% in 2013-14.









## NOTE 1:

# MAKING SECTION 12(1) (C) WORK: SOME RECOMMENDATIONS FROM EXPLORATORY WORK IN BENGALURU AND DELHI <sup>30</sup>

By: Archana Mehendale, Rahul Mukhopadhyay and Annie Namala

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The Right of Children to Free and Compulsory Education Act, 2009 (RTE Act) requires all private unaided schools (except minority and residential schools) to admit students from economically weaker sections and disadvantaged categories. The percentage of such seats should be minimum 25 percent of the total admissions at Class 1 or pre-school level (whichever is earlier). The provision is expected to foster social inclusion.

Our exploratory study on the implementation of this provision in the two cities of Bengaluru and Delhi during the academic year 2012-13 highlighted the initial gaps in institutional mechanisms and the challenges at the school level. Notwithstanding the fact that the recent years have seen a better streamlining of these institutional mechanisms and processes due to the engagement of a section of civil society organisations, this note focuses only on some of the persisting challenges to 'inclusion' that we think need attention as we implement Section 12(1)(c) of the RTE Act.

1. Need to provide clear and accessible rules and guidelines on the provisions, in both regional languages and English, on the Education Department websites and the lower-level offices (generally Block Education Officer) which act as nodal points for the implementation of the provisions at the school level. The block-level offices and civil society actors need to take on a proactive role in terms of dissemination of information on the provisions

and generate more awareness among stakeholders, especially eligible constituencies in the neighbourhood.

2. The requirements of documents and certificates should be streamlined and monitored to ensure that, in reality, only clearly identified eligible students access the provision and not those who may or may not be covered under the provision but are able to access the same by resorting to manipulation, forgery, and unofficial processes.
3. Clear circulars are required from the Education Department on 'additional costs' (such as food, books, school bag, and extracurricular activities) that should be met by the private schools but are currently being incurred and borne by the students admitted under this provision. The periodical levy of additional fees by schools that burden the students admitted under RTE Act needs to be checked.
4. Optimal usage of the provision should be attained in terms of implementation by ensuring that: (a) schools covered under the provision are unambiguously defined and the names made publicly available giving the areas that are considered as constituting 'neighbourhood' of the schools; (b) 'neighbourhood' norms are broad enough to ensure that schools not having immediate disadvantaged groups fulfilling the criteria under the provision are also held accountable to the provision by extension of the 'neighbourhood' norms; and (c) vacant seats from dropouts/withdrawals after selection under the provision are re-filled through new selections.
5. Processes need to be put in place for transparent and timely reimbursement to schools. Norms for reimbursing pre-school admissions need to be formulated based on

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[30] Based on Sarangapani, P. M., Mehendale, A., Mukhopadhyay, R., & Namala, A. (2014). Inclusion of Marginalized Children in Private Unaided Schools: The RTE Act, 2009. New Delhi: OXFAM India. Available at [https://www.oxfamindia.org/sites/default/files/wp-inclusion-of-marginalised-children-in-private-unaided-schools-190314-en\\_0.pdf](https://www.oxfamindia.org/sites/default/files/wp-inclusion-of-marginalised-children-in-private-unaided-schools-190314-en_0.pdf)

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existing fee structures and government expenditures on early childhood care and education.

6. Grievance redressal mechanisms need to be clearly identified, publicly notified, and activated with clear guidelines for the functioning of these structures and mechanisms.
7. Inclusion at the school level has to be fostered and strengthened as a continuing activity through continuing dialogue and programmes between Education Department and schools, between schools, and civil society actors and schools. Case studies could be developed of schools undertaking exemplary work in this area.

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# CHAPTER 3:

## LEGAL DEVELOPMENTS ON SECTION 12(1)(C)

Section 12(1)(c) of the Right to Education Act has been the subject of numerous litigations ever since its enactment in 2010. In consonance with the constitutional objective of universalising elementary education<sup>31</sup>, the provision mandates all unaided private schools and specified category schools<sup>32</sup> to admit children belonging to the economically weaker sections (EWS)<sup>33</sup> and disadvantaged groups<sup>34</sup> to at least 25 percent in the entry-level classes, i.e. class I or pre-school class.<sup>35</sup> Section 12(2) entitles such unaided private and specified category schools admitting students under claim reimbursement from the government.<sup>36</sup> The method of calculation and disbursement of the expenditure incurred by such schools has been provided in the Model Rules of the RTE.<sup>37</sup>

The first edition of State of the Nation: RTE Section 12(1)(c), launched in March 2014, discussed the rationale of Section 12(1)(c) and outlined possible interpretive gaps that could affect its implementation. The important

concerns highlighted were: income limits for determining economically weaker sections, grievance redressal, admissions process and exemption of minority schools. This chapter takes a comprehensive overview of disputes on this provision across all the High Courts and the Supreme Court. In the interest of clarity, the chapter divides these issues under four broad heads, namely (1) Scope and Applicability, (2) Defining 25 percent reservation (3) Admission Procedure and (4) Reimbursement.

The Act, particularly the 25 percent clause, intersects with the autonomy of both private schools and those established and administered by the minorities under Article 30 of the Constitution of India.<sup>38</sup> The constitutional validity of the Act was challenged before the apex Court in the case of *Society for Unaided Private Schools of Rajasthan v. Union of India*.<sup>39</sup> The validity of the legislation was upheld and it was made applicable to unaided private schools. Unaided minority schools, however, were exempted from Section 12(1)(c). Subsequently, the Court in *Pramati Educational and Cultural Trust v. Union of India*<sup>40</sup> went a step further and excluded all minority schools (aided and unaided) from all the provisions of the Act.

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[31] ‘The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine’, Article 21A, Constitution of India; The Right of Children to Free and Compulsory Education Act, 2009 [hereinafter “Act”] was a legislation to give effect to this mandate of universal elementary education.

[32] ‘Specified category’, in relation to a school, means a school known as Kendriya Vidyalaya, Navodaya Vidyalaya, Sainik School or any other school having a distinct character which may be specified, by notification, by the appropriate Government;

[33] ‘Child belonging to weaker section’ means a child belonging to such parent or guardian whose annual income is lower than the minimum limit specified by the appropriate Government, by notification.

[34] ‘Child belonging to disadvantaged group’ means a child with disability or a child belonging to the Scheduled Caste, the Scheduled Tribe, the socially and educationally backwards class or such other group having disadvantage owing to social, cultural, economical, geographical, linguistic, gender or such other factor, as may be specified by the appropriate Government, by notification.

[35] It must be clarified that the provision is applicable only for admissions to the entry-level classes and not the whole school, On Section 12(1)(c), Clarification on Provisions, The Right of Children to Free and Compulsory Education Act, 2009.

[36] Section 12(2), RTE Act  
‘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 for reimbursement to the extent of such obligation.’

[37] Rule 12, The Right of Children to Free and Compulsory Education Rules, 2010. [hereinafter “RTE Rules”].

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[38] Article 30 - Right of minorities to establish and administer educational institutions - (1) All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice,  
(1A) In making any law providing for the compulsory acquisition of any property of an educational institution established and administered by a minority, referred to in clause (1), the State shall ensure that the amount fixed by or determined under such law for the acquisition of such property is such as would not restrict or abrogate the right guaranteed under that clause,  
(2) The state shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language.

[39] *Society for Unaided Private Schools of Rajasthan v. Union of India*, (2012) 6 SCC 102 [hereinafter ‘Society’].

[40] *Pramati Educational and Cultural Trust v. Union of India*, (2014) 8 SCC 1.



## APPLICABILITY OF SECTION 12(1)(C)

In the context of private unaided schools and specified category schools, the right to free education is not an absolute right and it is limited to admissions exclusively made under the 25 percent clause.<sup>41</sup>

**Applicability to Residential Schools:** The applicability of Section 12(1)(c) to these schools was analysed by the Supreme Court in *Society*, where it directed the Government to frame appropriate guidelines for the applicability of the Act to residential/boarding schools.<sup>42</sup> Accordingly, the Ministry of Human Resources and Development (MHRD) issued a directive that excluded all boarding and residential schools from Section 12(1)(c).<sup>43</sup> Nonetheless, the exemption did not apply with respect to the day scholars as they would be covered by the 'neighbourhood criterion.' Further, the directive said that this provision would not apply to any residential school admitting students for classes higher than Class I. This is because this reservation only applies at the entry level under the Act.<sup>44</sup>

**Applicability in schools with pre-existing reservations:** Prior to the Act, there were instances where the state granted land to private schools on concessional rates with the condition that a certain percentage of students from the economically weaker sections/disadvantaged groups would be admitted. In the wake of the RTE Act, the status

of some of these conditions has been a subject of legal scrutiny. For instance, in a case before the Delhi High Court,<sup>45</sup> the question was whether the school was obliged to follow terms of the land allotment deed (which required the school to provide 25 percent admissions to children belonging to weaker sections of the society). The Court answered this question in the affirmative and observed that even if some schools are outside the purview of the RTE, they are not absolved of their obligations under the lease terms. In another case, a Rule 134-A of the Haryana School Education Rules, 2003<sup>46</sup> was challenged before the Punjab and Haryana High Court. It was argued that the Rule was inconsistent with Section 12(1)(c) of the Act. The Rule required all unaided private schools of Haryana to reserve 10 percent seats<sup>47</sup> in all classes for meritorious students belonging to the economically weaker sections and BPL (Below Poverty Line) category. The Court read the two provisions harmoniously. It observed that while there was a significant overlap in admission to Class I, yet unlike the Act, there was no mechanism for reimbursement in these rules. It directed the unaided private schools to conduct admissions to Class I as per Section 12(1)(c) of the Act and for the admissions taking place under Rule 134-A, the unaided private schools would be eligible for reimbursement as provided in Section 12(2) of the RTE.<sup>48</sup>

**Applicability to pre-school admissions:** As per the proviso to Section 12(1)(c), schools providing pre-school education are a part of the obligation. For instance, in one case before the Bombay High Court, circular of government mandating compulsory admission under Section 12(1)(c) in Class I and/or pre-school simultaneously at both entry levels for

[41] Khired Ku. Patra and Ors. v. Kendriya Vidyalaya Sangathan and Ors., Decided On: 16.04.2015, available at <http://indiankanoon.org/doc/197221609/>; *Social Jurist, A Civil Rights Group v. Kendriya Vidyalaya Sangathan & Anr.* 205 (2013) DLT 659 held that a Kendriya Vidyalaya Sangathan School (Special Category) could charge a fee from students admitted outside the 25 percent quota.

[42] The MHRD clarification was issued under the powers given to Central/State Governments and Local Authorities. Section 35 states '(1) The Central Government may issue such guidelines to the appropriate Government or, as the case may be, the local authority, as it deems fit for the purposes of implementation of the provisions of this Act. (2) The appropriate Government may issue guidelines and give such directions, as it deems fit, to the local authority or the School Management Committee regarding implementation of the provisions of this Act. (3) The local authority may issue guidelines and give such directions, as it deems fit, to the School Management Committee regarding implementation of the provisions of the Act.'

[43] Guidelines under Section 35(1) of RTE Act in respect of Residential Schools, dated 13th July, 2012; This position was relied on by the Punjab and Haryana High Court in *Union of India and Anr. v. Ashish (Minor) and Another* [AIR 2013 P&H 211], holding that Section 12(1)(c) would not be applicable to a boarding schools as the purpose of the Act is 'to provide elementary education in neighbourhood and would not extend to boarding schools which are located in different regions of State'.

44] *Supra* n. 4.

[45] *Ashok Kumar Thakur v. Bal Bharti Public School*, W.P.(c) No.3715/2011; Also relied on in *Justice for All v. Govt. of NCT of Delhi*, 2015 IIAD (Delhi) 778. A similar order was issued by the Delhi High Court in *Social Jurist v. GNCTD*, 109 (2003) DLT 489.

[46] Rule 134-A as amended in 2013, 'Reservation for meritorious students belonging to the Economically Weaker Section. Section 24(2) and Section 15 recognized private schools, shall reserve 10 percent seats for meritorious students belong to economically weaker section and BPL (Below Poverty Line) category. The school shall charge fee from these students at the same rate as charged in Government schools.'

[47] The Rule was amended in 2013 from 25 percent to 10 percent as per the Haryana School Education (Amendment) Rules, 2013 (134-A) (Dated: 19.06.2013)

[48] Para 74, *Haryana Progressive Schools Conference (Regd.) and Ors. v. Union of India and Ors.* (2015) 179 PLR 9; See also *Satbir Singh Hooda v. State of Haryana*, 2014 (4) SCT 44

the children, was held valid under the Act.<sup>49</sup> Similarly, in Madhya Pradesh, a government order mandating an unaided private school (with pre-school classes) to admit students under Section 12(1)(c) was held to be legal and in consonance with the Act.<sup>50</sup>

## DEFINING 25 PERCENT

**Calculation of 25 percent:** Under the Act, schools are required to admit students belonging to ‘weaker sections’ and ‘disadvantaged groups’, to atleast of ‘twenty five per cent of the strength of that class’. In a case before the Delhi High Court, a school had calculated the 25 percent from the students actually admitted and not from the total class strength. The Court allowed such calculation. It was clarified that this method of calculation would be acceptable only in cases where the school could justify that despite best efforts, the total strength of that class could not be filled.<sup>51</sup> In another Delhi High Court case, it was highlighted that there cannot be quota within a quota. Therefore, a school’s policy to reserve 22.5 percent seats out of 25 percent seats for Scheduled Castes and Scheduled Tribes was held to be invalid.<sup>52</sup>

**Differently-abled children:** In a case before Delhi High Court, the petitioner, suffering from physical disability was denied admission by an unaided private school. The school had processed the admission application in the general category, where in fact, the application had been made for the ‘disadvantaged’ category. The Government of Delhi had earlier passed an executive order stating that ‘children with disabilities’ should be considered as a disadvantaged group.<sup>53</sup> The Court, in view of this circular directed the school to

admit the child in Class I.<sup>54</sup> However, admitting students is only a part of their right to education. The authorities need to ensure that schools remain barrier-free spaces of learning. Therefore, the Court, in another instance, directed the Government to formulate an admission mechanism to enable admission of children with special needs in schools with requisite facilities, keeping in mind the neighbourhood criteria and their specific needs.<sup>55</sup> It also directed the schools to ensure barrier-free access and employ special educators for disabled children.<sup>56</sup>

**Additional criteria for eligibility:** As per the Act, a ‘child belonging to weaker section’ means a child belonging to such parent or guardian whose annual income is lower than the minimum limit specified by the State.<sup>57</sup> According to clause 2(c) of the aforementioned Delhi Government order, a ‘child belonging to weaker section’ means a child whose parents have total annual income of less than Rupees one lakh from all sources and who have been staying in Delhi for the last three years. The additional criterion of minimum period of residence was challenged.<sup>58</sup> It was argued that the Government could not create two sub-classes within the definition of economically weaker section and restrict its scope from that provided in the Act. The Court quashed this criterion stating that this was an additional restriction and the only condition under the Act was that of specified income limits of parents/guardians.<sup>59</sup> In another case, where the petitioner was denied admission forms by a private school, the Rajasthan High Court directed the school to provide the forms and ensure admissions were carried out in accordance with the Act.<sup>60</sup> The school had denied admission forms to the petitioners on an incorrect interpretation of ‘children belonging to weaker section’ as

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[49] Dr.VikhePatil Foundation’s VikhePatil Memorial School Pune and Ors. v. Union of India and Ors., [2015 (6) ABR 53]

[50] The Daly College v. State of Madhya Pradesh, 2015 (2) JLJ 26.

[51] The Sovereign School v. Directorate of Education, Govt. of NCT of Delhi, 206 (2014) DLT 29; A similar position was earlier taken in Birla VidyaNiketan School and Anr. v. Government of NCT and Anr., W.P.(c) 5172/2013 & CM 11625-26/2013 Decided On: 19.08.2013.

[52] Jatin Singh v. KendriyaVidyalayaSangathan, 2012 XAD (Delhi) 296.

[53] Clause (d) “Child belonging to disadvantage group” means a child belonging to the Scheduled castes, the Scheduled tribes, the Other Backward classes not falling in the creamy layer, child with social needs and suffering from disability as defined in the Persons with Disabilities (Equal Opportunities, Protection and Full Participation), Act, 1996”, Delhi School Education (Free seats for Students belonging to Economically Weaker Sections and Disadvantage Group) Order, 2011 (dated 07.01.2011)

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[54] AraavPorwal v. The Mother’s International School and Ors., W.P.(c) 9024/2011 Decided On: 30.04.2012; Prior to 2012, Children with disabilities were solely covered by the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation), Act, 1995. In 2012, via an amendment to the RTE, they were included in the disadvantaged category as defined in section 2(d) of the Act. [Inserted by Act 30 of 2012, sec 3(b) (w.e.f. 1-9-2012, video S.O. 1686(E), dated 25th July, 2012)]

[55] Pramod Arora v. Hon’ble Lt. Governor of Delhi and Ors., W.P. (c) 1225/2014 Decided On: 03.04.2014.

[56] Social Jurist, A Civil Rights Group v. Govt. of NCT of Delhi, (2012) ILR 6Delhi 308.

[57] Section 2(e), RTE Act.

[58] Himangi v. GNCTD of Delhi, 204 (2013) DLT 147.

[59] Ibid at Para 8.

notified by the Rajasthan Government.<sup>61</sup> It contended that being a Below Poverty Line (BPL) card holder as well as having an income less than Rupees 2.5 lakh per annum were two simultaneous conditions mentioned in the notification. The Court clarified that the two were mutually exclusive and as the petitioner belonged to the latter category, he was entitled to the admission forms.

## PROCEDURE OF ADMISSION

**School Choice:** The Act entrusts the government and local authorities to establish schools in every neighbourhood to provide free and compulsory education under the Act. In this case, a natural question arises, whether a child's right to be educated in a neighbourhood school entitles parents to choose any unaided private school? The Himachal Pradesh High Court answered this question in the negative and held that for admissions outside Section 12(1)(c), the Right to Free and Compulsory Education in a neighbourhood school did not give parents the right to insist on an unaided private school of choice.<sup>62</sup> This is because unaided private schools under Article 19(1)(g) of the Constitution have autonomy with respect to the day to day administration including the right to admit students, within the scope of the Act.<sup>63</sup> It has also been held by the Madras High Court that the right to education of a child cannot be extended to mean right to be admitted to a specific school if the school demonstrates that it has complied with the 25 percent clause and does not have capacity for further admissions.<sup>64</sup> In another case before the

Allahabad High Court, a challenge was brought to an order of government<sup>65</sup> mandating children to seek admissions in private schools only if there was no vacancy in government/ aided schools. This order was duly quashed by the Court as it was based on an incorrect interpretation of the Act and it was not the intention of the legislature to take away the child/parent/guardian's option of having more than one school in the neighbourhood.

**Defining and Extending neighbourhood:** As per the RTE Rules, the neighbourhood criterion is applicable to admissions made under Section 12(1)(c).<sup>66</sup> The Act does not define 'neighbourhood'. It obligates state governments to do so and enjoins the state governments and local authority to then provide for schools accordingly.<sup>67</sup> In Delhi, an executive order extending the limits of 'neighbourhood' for children belonging to weaker sections and disadvantaged groups was upheld.<sup>68</sup> The Court reasoned that the extension would benefit those students who suffer due to unavailability of 25 percent seats in their neighbourhood. It would also ensure that all seats in the 25 percent category were filled by schools and the excuse of non-availability of required students of EWS and disadvantaged group would not be maintainable.<sup>69</sup> Definitional quandaries notwithstanding, one needs to be realistic in defining neighbourhood. It should be, as the Court said, 'as the road travels' and not 'as a crow flies'.<sup>70</sup> This observation was made in a case where an Uttar Pradesh government order extending the limits of a neighbourhood to include 'wards' was held to be inconsistent with the Rules which specify neighbourhood limits in kilometres.

[60] *Imran Malkani v. State of Rajasthan*, 2015(1) CDR 38 (Raj).

[61] Notification dated 29.3.11, 'child belonging to weaker section': (a) A child whose parents are included in the list of Below Poverty Line families (both Central and State lists) prepared by the Rural Development Department/Urban Development Department of the State Government, and (b) A child whose parents' annual income does not exceed Rs. 2.50 lacs."

[62] *NishaKanwar and Ors. v. State of Himachal Pradesh and Ors.*, CWP Nos. 1853 and 2659 of 2015 held that "The schools responsibility for free and compulsory education is governed by Section 12 of the Act and sub-section 1(c) thereof provides the extent to which provisions have to be made in favour of the weaker section, disadvantaged group etc., but right to free and compulsory education in a neighbourhood school does not include the right to insist on any school of choice under the Act"; In *Aiswariya v. KendriyaVidyalayaSangathan*, 2015 (1) KHC 407 it was held that although the Act provides that 'every child of the age group of 6 to 14 years shall have a right to free and compulsory education in a neighbourhood school till completion of elementary school, this, in no manner, gives a right to the child or parent to pick and choose a particular school which falls under S. 12 of the Act except to the extent provisions are made in that provision'.

[63] *Supra n. 7*, This position has been consistently upheld by the Supreme Court in cases such as *T.M.A. Pai Foundation v. State of Karnataka*, (2002) 8 SCC 481 and *P.A. Inamdar v. State of Maharashtra*, (2005) 6 SCC 537.

[64] *M. Abhimanyou v. Government of India*, (2012) 5 MLJ 383.

[65] Paragraph 6 (ka) and (kha) of the Government Order dated 3.12.2012, *City Montessori School v. State of U.P. and Ors.*, 2015 (7) ADJ 132.

[66] Rule 11, RTE Rules.

[67] Section 6, RTE Act.

[68] Earlier, an executive order dated 16.12.2011 passed by the Director of Education was stayed via the decision in *W.P.(c) 40/2012*. The impugned order directed that "All schools shall ensure that no child under economically weaker sections and disadvantaged group is denied admission on neighbourhood / distance basis so long as the locality of the child's residence falls within the distance criteria devised by the schools for the general category children." Subsequently, via a circular NO.15(110)/DE/Act/2011/7563-74 dated 13/02/2012, guidelines for streamlining Section 12(1)(c) admissions based on the neighbourhood limits were issued. These guidelines were framed by the High Court in the instant case.

[69] *Federation of Public Schools v. Government of NCT of Delhi*, 187 (2012) DLT 184. Also relied on the principle of allocation of seats according to neighbourhood criteria as laid down in *Social Jurist v. Govt. of NCT of Delhi*, W.P. (c) No. 3156/2002.

[70] *Supra n. 35*.

**Awareness and ease of admissions:** Generating awareness is an essential component for the realisation of any right. Upon finding the widespread inconsistencies in the enforcement of the Act in Gujarat, the Court directed the State Government, State Commission for Protection of Child Rights and local authorities to sensitise the citizens of their right to free and compulsory education as well as their right under Section 12(1)(c) through print media, electronic media, etc.<sup>71</sup>

Several instances of fake EWS certificates were reported in Delhi in 2015.<sup>72</sup> In a case of admission through fake EWS certificates, the Delhi High Court directed the students so admitted to be expelled. Thereafter, they made a plea to be admitted in the general category in the same class. This claim was, however, rejected as the school could not expand its class strength to accommodate these students.<sup>73</sup>

## REIMBURSEMENT

As per Section 12(2) of the Act, the government is mandated to reimburse the private unaided schools admitting students under the 25 percent clause to the extent of per-child expenditure incurred by the State, or the actual amount charged from the child, whichever is less. In this regard, the Bombay High Court held that as per the scheme of the legislation, the state government was liable to reimburse expenditure incurred by unaided school as per the reimbursement provision of the Act.<sup>74</sup>

**Reimbursement for pre-primary admissions:** The proviso to Section 12(1) of the Act clearly states that the 25 percent reservations would also apply to those unaided private/specified category schools which impart pre-school

education.<sup>75</sup> An issue which has often cropped up is that of reimbursement for pre-school admissions under the Act. Schools which admit students from Class I or pre-school onwards are eligible to claim compensation from the state as per Section 12(2) of the Act. The Bombay High Court echoed this position by directing the state government to provide reimbursement for pre-school admissions.<sup>76</sup>

Importantly, the definitional aspects of the provision and its modalities are still quite vague. For instance, it is not clear whether the state reimbursement would cover free textbooks and uniforms that may be provided to students in the EWS category.<sup>77</sup>

## CONCLUSION

From the wide gamut of litigation witnessed in the years since the enactment of the Act, it could be observed that the Courts have interpreted this section keeping in mind the social welfare objective of the law. Several aspects such as the extent of autonomy of unaided private schools in 12(1)(c) admissions and their right to reimbursement by the state have been conclusively upheld by the Courts. However, a common grievance of several private schools in some states has been that whether the reimbursement is delayed, or worse, not paid at all.<sup>78</sup> The definitional aspect of 25 percent has also been interpreted by the Courts to ensure inclusion of deserving classes of the society and to ensure that the procedure of admissions is efficient and fair.

However, despite the numerous Court orders in Public Interest Litigations and disputes involving individual violations, Section 12(1)(c) remains far from being effectively and uniformly implemented across the nation. General apathy among some state governments (witnessed from several reimbursement disputes), lack of political will, pro-activeness of private schools and general lack of awareness among parents of beneficiaries are some of

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[71] Prakash Kapadia v. State of Gujarat, Writ Petition (PIL) Nos. 193 of 2014 and 51 of 2015

[72] <http://indianexpress.com/article/explained/caught-in-a-trap-the-poor-little-rich-kids-of-delhi/>, <http://timesofindia.indiatimes.com/city/delhi/FIR-on-fake-EWS-admission-racket-in-top-Delhi-schools/articleshow/47303225.cms>,

[73] AtharvDadhich and Ors. v. Govt. of NCT of Delhi and Ors., W.P. (c) Nos. 6925, 7666 and 7827/2015  
Decided On: 14.10.2015

[74] NareshGangaramGosavi and others v. Chembur English School and others And Shree Narayana MandiraSamiti's Shri Narayana Guru Primary and Secondary School, Mumbai v. State of Maharashtra and others, PIL No. 26 of 2011 and Writ Petition No. 1724 of 2010 Decided On: 03.04.2013; Similarly, the Rajasthan High Court in Imran Malkani v. State of Rajasthan has held that 'the State cannot shirk from its responsibility to reimburse the expenditure to be incurred by the respondent-school to the extent permissible in terms of provisions of Section 12(2).'

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[75] '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.'

[76] Uran Education Society and Ors. v. The State of Maharashtra and Ors. [2015 (4) ALL MR 820],

[77] <http://www.dnaindia.com/india/report-can-government-give-free-booksuniform-to-poor-students-in-private-schools-delhi-high-court-2164206>, <http://indianexpress.com/article/cities/delhi/denied-books-uniform-poor-children-cant-return-to-school/>

[78] <http://www.deccanherald.com/content/506699/going-gets-tough-schools-govt.html> (Karnataka).

the reasons behind the limited success of this provision.<sup>79</sup> For instance, due to excessive delay in implementation of the 12(1)(c) provision, the Government of Telangana was directed to notify all unaided private non-minority schools to implement the Act in its entirety and initiate the process to admit children belonging to economically weaker sections and disadvantaged groups.

**TABLE 3.1: SUMMARY OF IMPORTANT JUDGMENTS**

Theme	Case Title Year	Court/ Jurisdiction	Issue	Disposition
Scope and Applicability	Pramati Educational and Cultural Trust v. Union of India 2014	Supreme Court of India	Whether Section 12(1)(c) is applicable to aided and unaided minority schools	No, all minority schools exempted from the purview of the Act, including Section 12(1)(c)
Defining 25 percent	Jatina Singh v. 2012 Kendriya Vidyalaya Sangathan	Delhi High Court	Whether specific reservation for SC/ST can be made within the 25 percent clause	No, as there cannot be a quota within a quota
Procedure of Admission	City Montessori School v. State of U.P. and Ors. 2015	Allahabad High Court	Whether a Government order mandating children to seek admissions in private schools only if there was no vacancy in government/aided schools is valid under the RTE?	No, Order held to be invalid and not in consonance with the RTE.
Reimbursement	Uran Education Society and Ors. v. The State of Maharashtra and Ors. 2015	Bombay High Court	Whether schools admitting students from Class I or pre-school onwards are eligible to claim reimbursement from the state as per Section 12(2) of the Act	Yes, such schools are eligible for reimbursement

[79] <http://timesofindia.indiatimes.com/india/Tamil-Nadu-CM-writes-to-Modi-seeks-reimbursement-of-Rs-97-04-crore-under-RTE-Act/articleshow/47159687.cms> (Tamil Nadu), [http://articles.economictimes.indiatimes.com/2016-01-15/news/69793947\\_1\\_karnataka-textbook-society-education-department-rte-act\(Karnataka\)](http://articles.economictimes.indiatimes.com/2016-01-15/news/69793947_1_karnataka-textbook-society-education-department-rte-act(Karnataka)), <http://www.dnaindia.com/mumbai/report-bombay-high-court-tells-maharashtra-government-to-formulate-mechanism-to-ensure-complaints-under-rte-are-redressed-2102938> (Maharashtra)



# CHAPTER 4:

## REIMBURSEMENTS TO PRIVATE SCHOOLS: RULES VS. PRACTICE

The landmark Right to Education (RTE) act will soon celebrate its sixth anniversary. Of its many important provisions, Section 12(1)(c) has probably attracted the most limelight. The provision states that at least 25 percent seats in entry level classes in non-minority private unaided schools should be reserved for children belonging to economically and socially weaker sections, and disadvantaged groups, to be defined by respective state governments. According to the law, the state governments are required to reimburse these schools, and reimbursement amount per admitted student is mandated to be the **lower of actual amount charged from the child by the school, or per child expenditure incurred by the state** (Chapter IV, Section 12(2) of the RTE)<sup>80</sup>. Subsequent rules have clarified that **per child expenditure** implies “total annual recurring expenditure incurred by the appropriate government from its own funds, and funds provided by the Central government and by any other authority on elementary education in respect of all schools established, owned or controlled by it”<sup>81</sup>.

### DETAILS ABOUT THE REIMBURSEMENT RULES

#### Composition of Reimbursement Committee

We examined the act, rules and notifications issued by 28 states to understand provisions around reimbursements. Last year, 12 states stated an intent to set up a committee to assess per child expenditure.<sup>82</sup> The count has gone up to only 13 as of February 2016. The secretaries of Finance

and Education departments, and the State Project Director (SPD) of SarvaShikshaAbhiyan of the state are the most common members of this committee.<sup>83</sup> Andhra Pradesh and Rajasthan have also provided for a representative of private unaided schools to be a member of this committee. Even within these 13, rules of only eight states have indicated the timing of when these committees are supposed to meet to assess per student expenditure for the next academic year. With the exception of Odisha and Rajasthan, the committees of the rest of the six states are supposed to meet in December or September. The committee in Odisha is supposed to meet in April, while the committee in Rajasthan is supposed to meet in May every year.

#### Timing of reimbursement

15 out of 28 states have specified the number of installments in which the amount would be reimbursed, and timing of these installments. Of these, almost all states specify that the reimbursements would happen in two installments. The exact months differ from state to state but the broad timing for the first installment is between September and December, and for the second, it is between January to March. Maharashtra rules mention that the second installment would be provided by the end of May, while Rajasthan specifies that the second installment would reach by the end of June.

#### Conditionalities for receiving reimbursements

As per the rules, schools have to submit basic information about the school, as well as students newly admitted and continuing under Section 12(1)(c) to the education department in order to receive reimbursements. Some states have also imposed an additional condition concerning attendance of such students. For example, in case of Madhya Pradesh, attendance of children should be at least 75 percent by December 31st to be counted toward

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[80] Published in the Gazette of India on August 29, 2009

[81] Part V, Section 12(2); Published in the Gazette of India on August 29, 2009. This also suggests two things - (a) actual expenditure incurred would be the basis of calculations; and (b) expenditure incurred by the government toward aided schools is not to be included in per child calculations. An exception to this is Himachal Pradesh, where the rules state that the per child expenditure would be arrived at by dividing average salary expenditure made by the State government on primary school teachers for the past five financial years by the average number of students in government primary schools in the state for past five years.

[82] Section 38(2)(d) gives the power to the respective state governments to decide the manner and extent of reimbursements.

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[83] In some instances, Secretary (Planning), Secretary (Local Self Government), Director (Elementary Education), Finance & Accounts Officer(s), Director (SCERT) are also included in this committee, depending on the state.

reimbursement. In case of some other states, attendance requirement is 80 percent by the end of December or January (Haryana, Kerala) or in some instances, every month (Andhra Pradesh, Goa). Rules of states like Andhra Pradesh, Haryana, Kerala and Himachal Pradesh also mention learning outcomes or pupil cumulative records to be submitted.

## STATUS OF IMPLEMENTATION

Though the act and rules of majority of the states mention relevant provisions corresponding to implementation of Section 12(1)(c), the status of implementation varies dramatically across states. We analyse the status of implementation by focusing on (a) fund flow from the centre to the states, and (b) reimbursements from the states to schools.

### Fund flow from the centre to the states

It is important to note that providing funds to the states for reimbursements under Section 12(1)(c) was not part of the SarvaShikshaAbhiyan (SSA) framework up to the end of financial year 2014-15. It was only in March 2014 that the Ministry of Human Resource Development informed the states that expenditure incurred for reimbursing private schools for admissions under Section 12(1)(c) would be supported under SSA subject to a maximum ceiling of 20 percent of the total annual work plan and budget (AWP&B) approved for a state/ Union Territory (UT) under SSA. What this means is that Section 12(1)(c) would not only be discussed during the annual meetings of the Project Approval Board (PAB), but there would be a budget head in the costing sheet as well, indicating fund flows to the States under section 12(1)(c)<sup>84</sup>.

Analysis of documents pertaining to the 2015-16 PAB (conducted in February-March 2015) shows that out of 36 states and union Territories, only 14 states requested support for implementing Section 12(1)(c) in their respective jurisdictions. This indicates that rest of the 22 states/ UTs hadn't implemented this provision<sup>85</sup>. These 14 states requested for Rupees 1,46,652 lakh, while amount

approved by the PAB was Rupees 25,060.31 lakh i.e. 17.1 percent of the proposed amount.

Of these 14 states, only 6 states were successful in receiving support from the SSA as shown in Table 4.1.<sup>86</sup> The requests of rest of the 8 states were declined because they either did not notify per child reimbursement cost for 2014-15 as in the case of Delhi and Maharashtra, or they did not reimburse private unaided schools as in the case of Bihar and Madhya Pradesh. Of the 6 states that were approved allocations, Karnataka was recommended the highest allocation, while Odisha was recommended the least. But when compared to amount requested, Uttarakhand and Chhattisgarh performed better.

**TABLE 4.1: SECTION 12(1)(C) IN THE 2015-16 PAB**

State	Amount Proposed by the state (Rs Lakh)	Amount Recommended by the PAB (Rs Lakh)	Ratio
Chhattisgarh	6,363.27	3,064.69	0.48
Gujarat	6,454.95	1,303.3	0.20
Karnataka	33,188.38	12,355.16	0.37
Odisha	953.95	15.11	0.016
Rajasthan	18,925.44	4,171.21	0.22
Uttarakhand	4,204.68	4,150.84	0.99

## FUND FLOW FROM THE STATES TO SCHOOLS

### Verification of declared reimbursement cost

Rules or notifications of none of the states specify the methodology for determining per child recurring costs, and what cost elements or budget heads would be considered as constituting 'recurring expenditure' (RE). This creates doubts about veracity of per child reimbursement cost declared by the states.

Verifying per child costs declared by the state requires sifting through all types of expenditure incurred on elementary education in a state by carefully analysing budget documents and SSA work plans and budgets, classifying it as recurring and non-recurring, and then

[84] Minutes of the PAB meeting and costing sheets are available at [http://ssa.nic.in/page\\_portletlinks?foldername=planning](http://ssa.nic.in/page_portletlinks?foldername=planning)

[85] In other words, no child is admitted through section 12(1)(c) in these states, also confirmed by figures sourced from response by MHRD to an RTI query.

[86] Arunachal Pradesh, Assam, Bihar, Delhi, Jharkhand, Madhya Pradesh, Maharashtra and Tamil Nadu are the remaining eight States.



summing up the recurring expenditure. This is a fairly complicated process. Hence, we focus only on expenditure on teacher salaries. Teacher salaries constitute the largest share of overall expenditure on elementary education. In Rajasthan, this share is as high as 90 percent.<sup>87</sup>

We ask a simple question: Are the declared per student costs at least equal to per student expenditure on salaries? Table 4.2 below shows that the answer is negative in the case of Rajasthan. This indicates that the amount declared by a state may be lower than the ‘true’ actual recurring cost incurred by the state.

**TABLE 4.2: COMPARISON BETWEEN THE RECURRING COSTS DECLARED BY THE STATES AND PER STUDENT SALARY EXPENDITURE IN RAJASTHAN AND MADHYA PRADESH**

State	Year	Per Student Recurring Cost as announced by the State (Rs.)	Per Student teacher salary expenditure (Rs.)
Rajasthan	2013-14	11,704	15,577
Rajasthan	2014-15 RE)	14,034	18,453
Madhya Pradesh	2014-15 (RE)	3,826	5,148.8

### Actual reimbursement per student

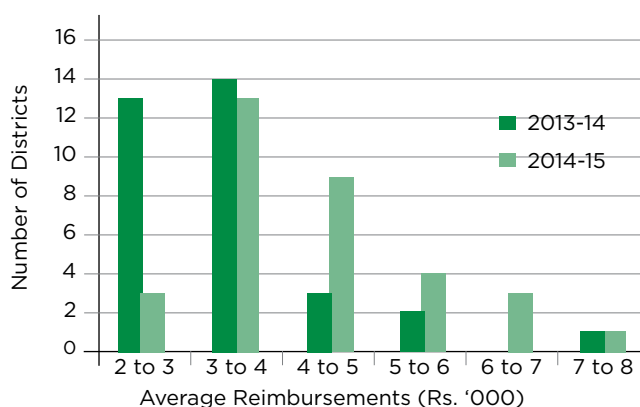
There is tremendous diversity among private unaided schools as far as fees charged is concerned. Some schools charge fees below the amount declared by the state, while some might charge a much higher amount. The former will be reimbursed the fees they charge, while the later will be reimbursed only the amount declared by the state. Thus, the actual reimbursed amount per student gives an idea of fees charged by the schools in which children are being admitted through Section 12(1)(c).

**TABLE 4.3: ACTUAL REIMBURSEMENT (IN RS.) PER STUDENT ENROLLED THROUGH SECTION 12(1)(C) IN RAJASTHAN<sup>88</sup>**

State	Year
2013-14	3,617
2014-15	4,641

Table 4.3 shows that average reimbursement is less than one-third of the declared reimbursement cost in both years in Rajasthan. Further, there is variation across districts as indicated in Figure 1. Out of 3,327 districts reported average reimbursements less than Rs. 4,000 in 2013-14, while 24 districts reported average reimbursements less than Rs. 5,000.<sup>89</sup>

This raises an important question about school choice which merits further investigation: is the availability of Section 12(1)(c) enabling parents to choose those schools which they otherwise wouldn't have applied to or are they choosing schools which are relatively ‘closer’ in terms of socio-economic distance? And what does this mean for quality of education they receive?



### DELAYS IN REIMBURSEMENTS

Delay in fund flows is a ubiquitous feature of government initiatives in India, and Section 12(1)(c) is not an exception to this.<sup>90</sup>

[87] The methodology adopted to carry out these calculations is explained in the annexure. These calculations were performed by Accountability Initiative, Centre for Policy Research, New Delhi. Choice of States was mainly governed by availability of declared per child cost numbers, availability of budget documents, and importantly, ease with which these documents could be analysed.

[88] Actual reimbursement per student is the total expenditure on reimbursements divided by number of students receiving reimbursement. Data for Rajasthan was accessed (on February 18, 2016) from the website of Directorate of Elementary Education, Rajasthan. The link is <http://rte.raj.nic.in/home/RptBenefitedStudentAndSchools.aspx>

[89] Data from Uttarakhand shows similar patterns.

[90] For empirical evidence on delays in fund flow in SSA and Mid Day Meal (MDM), see the reports published by Accountability Initiative, Centre for Policy Research, available at <http://www.accountabilityindia.in/paisa-planning-allocations-and-expenditures-institutions-studies-accountability>

In the context of Section 12(1)(c), typically, funds are transferred from the state to districts, and then to schools. The exact procedure varies from one state to the other. Below, we discuss the example of Madhya Pradesh, for which data on fund flows is readily available.

In Madhya Pradesh, schools are supposed to upload their fee reimbursement claims in an online portal specifically created for this purpose. The first step involves submitting information about the school, bank details, class-wise number of RTE seats and fees, information of every Section 12(1)(c) student including his/her photograph and attendance details. Once the proposal is submitted, a nodal officer inspects this claim.<sup>91</sup> The officer is supposed to ensure that the children mentioned in the proposal (continuing from previous years, and newly admitted) are actually admitted in the school. The officer is also supposed to verify eligibility documents of children admitted through Section 12(1)(c). Once the nodal officer verifies the information, a certificate declaring that the information submitted by the school has been verified and correct, and jointly signed by the school and the nodal officer, is uploaded in the portal. The 'proposal' is then submitted to the district. The district processes these claims, and accordingly places a request to the state, who then transfers fund to the district, and then the district transfers it to the schools. Given multiple steps involved, delays can arise at many points.

Delays can arise at the state level due to delayed start of the reimbursement process, which can partly be explained by delays in previous years. For example, as on January 19, 2015, out of the total fund disbursed, only 60.5 percent were reimbursed to the schools for the year 2013-14. This meant that the reimbursement process for 2014-15 could start only after February 2015. Sometimes, late transfer of funds by the state to districts delays the entire process. The table below shows the dates and amounts released by the state to Bhopal district.

**TABLE 4.4: TIMING OF FUND TRANSFER FROM THE STATE TO BHOPAL DISTRICT**

Year	Date
2011-12	March 31, 2012
2012-13	March 31, 2013
2013-14	November 1, 2013
	March 28, 2014
	March 29, 2014
2014-15	March 16, 2015
	March 31, 2015

Delays at the district level can arise due to inability of officials to process claims on time. Given the rapid expansion in enrolments through Section 12(1)(c), and number of schools to be reimbursed imply that the administrative staff is entrusted with more responsibilities, in addition to their existing duties and responsibilities. Delays can arise at school level. For example, data suggests that, as on January 2, 2016, for Madhya Pradesh as a whole, only 92 percent schools had uploaded their proposal for 2014-15, the previous year. The proportion was lowest for Sagar, where only 72 percent schools had uploaded their proposals. And of the schools that had uploaded their proposals 53 percent were pending at the district level.

All this translates into delays in reimbursements to schools. We illustrate this point by analysing timing of reimbursements to more than 750 private unaided schools in Bhopal district of Madhya Pradesh.<sup>92</sup>

**TABLE 4.5: DATES OF RELEASE OF THE FIRST AND THE LAST TRANCHE OF FUNDS FROM THE DISTRICT TO PRIVATE SCHOOLS IN BHOPAL, MADHYA PRADESH**

Year	Date of release of first tranche	Date of release of last tranche
2012-13	August 27, 2013	April 10, 2014
2013-14	December 12, 2014	October 7, 2015
2014-15	November 23, 2015	January 28, 2016

[91] A nodal officer (either a block or cluster resource centre coordinator, DIET faculty, headmaster of a middle schools) is supposed to be appointed to coordinate with private schools, and oversee admission and reimbursement process.

[92] Choice of Bhopal was governed by the availability of data on reimbursements and by the assumption that reimbursement timings in Bhopal are likely to better compared to rest of the districts.

Table 4.5 reveals that in all three years, first tranche was released after the end of the corresponding financial year/academic year. Overall, reimbursements are provided in five to ten tranches. Each tranche consists of reimbursements to a few schools and typically, schools get their reimbursements in one tranche. This means that extent of delay varies from school to school. Some schools might receive their dues in the first or second tranche, while some schools might have to wait even more.

## SECTION 12(1)(C) AND PUBLIC PROVISION OF EDUCATION

Concerns have been expressed that Section 12(1)(c) might have adverse consequences for government schools. Though commenting on that is beyond the scope of this paper, it might be worthwhile to look at the situation in Rajasthan and Madhya Pradesh, the states with the highest enrolment through section 12(1)(c).

**TABLE 4.6: ENROLMENT THROUGH SECTION 12(1)(C) IN RAJASTHAN AND MADHYA PRADESH IN 2014-15<sup>93</sup>**

	Enrolment under section 12(1)(c)	Enrolment in government schools	(Section 12(1)(c) enrolment / Enrolment in government schools)
Madhya Pradesh	5,05,596	8,715,731	5.8 percent
Rajasthan	3,84,843	5,940,518	6.48 percent
2014-15	November 23, 2015	January 28, 2016	

[93] Source for enrollment in government schools is DISE State Report Cards, 2014-15. Source for enrollment under section 12(1)(c) in Rajasthan has been mentioned in footnote 9. Here, we have used number of verified students. Data on enrollment under section 12(1)(c) in Madhya Pradesh is available on the following link [http://www.educationportal.mp.gov.in/RTESR/Public/New\\_District\\_wise\\_students\\_count.aspx](http://www.educationportal.mp.gov.in/RTESR/Public/New_District_wise_students_count.aspx) (accessed on February 23, 2016).

**TABLE 4.7: EXPENDITURE INCURRED ON SECTION 12(1)(C) IN RAJASTHAN AND MADHYA PRADESH IN 2014-15 (RS. CRORE)<sup>94</sup>**

	Expenditure on Section 12(1)(c)	Revenue expenditure on Elementary Education (RE)	Share of expenditure on 12(1)(c)
Madhya Pradesh	232.47	11,305.53	2.06 percent
Rajasthan	172.39	11,749.56	1.47 percent
2014-15	November 23, 2015	January 28, 2016	

The share of expenditure on 12(1)(c) in overall expenditure on elementary education is low at present, as revealed by Table 7. But this number is likely to go up substantially in the future, as awareness increases, and processes streamline. Secondly, per student recurring expenditure incurred by the government is likely to go up given the declining enrolments in government schools and unchanged recurring expenditure liabilities, which are mostly in the form of teacher salaries. Thirdly, fees charged by private unaided schools are also increasing.<sup>95</sup> This will imply increasing (actual) reimbursement amount per student, and hence increasing expenditure on 12(1)(c) in absolute and relative terms.<sup>96</sup>

This raises an important question: is this the 'optimal' way of utilising these resources? This question of course can't be answered without taking into account 'outcomes' of these students.

## SUGGESTIONS

### Get the methodology right, and in public domain

A better approach to decide the methodology for computing and updating per child recurring expenditure numbers

[94] Revenue expenditures (2202.01) have been collated from the budget documents of the respective States. Source for expenditure on section 12(1)(c) by Rajasthan is mentioned in footnote 9. Source for expenditure on section 12(1)(c) by Madhya Pradesh is (accessed on March 1, 2016) [http://www.educationportal.mp.gov.in/FAMS/Public/RPT\\_Amount\\_Released\\_By\\_State\\_To\\_Districts.aspx](http://www.educationportal.mp.gov.in/FAMS/Public/RPT_Amount_Released_By_State_To_Districts.aspx)

[95] Interestingly, there is no data available in the public domain on fees charged by the private unaided schools. The statement is based on conversation with parents, education officials and private school officials.

[96] To take example of Rajasthan, per child (actual) reimbursement increased by of 28percent between 2013-14 and 2014-15 (table 3).

is for each state government to appoint a committee of experts in public finance and education administration. As mentioned, some states have already taken this step. The first task of the committee should be to develop a robust methodology for cost calculation and its regular updation. It should be put in public domain and comments be invited. It should be finalised after responding, in writing, to the comments received.

### **Ensuring reliable and timely reimbursements**

Lack of timely reimbursements has been an important issue affecting the willingness of the unaided schools to implement this section. Hence, the government needs to streamline the processes, transfer funds on time at districts, review manpower needs, and coordinate with bank officials to ensure that schools are reimbursed on time.

### **Reimbursement for pre-primary admissions**

The discussion on legal issues in the previous version of this report suggested that even from a legal point of view, pre-primary reimbursements should be provided. How to come up with a formula for pre-primary reimbursements remains an important question, though.

### **Inclusion of children admitted through Section 12(1)(c) in state-led assessments**

As of now, we don't know much about quality of education received by the children enrolled through Section 12(1)(c). A good starting point would be to include these children in State Learning Achievement Surveys (SLAS) which are being carried out in all the states/ UTs.

## **CONCLUSION**

Correct calculation of per child recurring cost and adequate, timely reimbursement to private unaided schools are essential to implement section 12(1)(c) successfully.

This should not let readers believe that these are the only issues of paramount importance. Objective of ensuring that the students admitted through Section 12(1)(c) receive quality education without discrimination will necessitate government playing the role of a regulator, monitor, pedagogy expert and facilitator, the discussion on which is beyond the limited scope of this chapter but which will need much more deliberation and experimentation than what is being witnessed currently.

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## NOTE 2:

# Q&A WITH ANNIE NAMALA ON RECOMMENDATIONS FOR STRENGTHENING IMPLEMENTATION OF RTE SECTION 12(1)(C)

Ms. Annie Namala is the executive director of Centre for Social Equity and Inclusion (CSEI). She has over 25 years of experience working with Dalit communities. As member of the National Advisory Council (NAC) for the Right to Free and Compulsory Education Act, Ms. Namala chaired the sub-group on equity and inclusion.

We sent her questions based on recommendations mentioned in Note 1. Here's what she had to say.

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### **Q: How do you place your work with respect to Section 12(1)(c)?**

**A:** I see Section 12(1)(c) as a mechanism to promote inclusion to-in-through schooling. It is unfortunate that we as a nation have not been able to provide a Common School environment to our children as was envisaged at various points in time. In the current scenario where the private schools are here to stay and state promotes privatisation in the excuse of not being able to provide public services, privatisation is here to stay and grow. In this context, it is important that the Public Responsibility of the private institutions are recognised and brought within the framework. Schools and education in this context is very important.

As we all know, we make our friends through our families or through our schools/colleges. The current system where children are segregated along the school lines there are no opportunities for the diverse groups of children in our country to grow together – learn about each other – learn from each other – appreciate or build this nation together. I think creating this opportunity, even in a small way —through the 25percent provision—in my opinion is important and a beginning. Hopefully schools can truly find their vocation in educating our children to build this nation together.

CSEI has its focus on children and young people from the socially excluded Dalit, Tribal and Muslim minority communities. We recognise the need to actively design and promote equity and inclusion measures to address the historical and current disadvantages that children and young people from these communities face in their development and participation. Education is an important space and instrument for promoting equality and inclusion. Hence the Section 12(1)(c) is important step in this direction.

### **Q: What is your view on the potential objectives and outcomes of the Section 12(1)(c)?**

**A:** The objective as I see is to create 'inclusion' to-in-through schools and education. While private schooling is a reality, I think it is important to equally emphasise upon the commitments of the private schools to – i) non-profitteering, ii) children's worth and dignity, iii) children's learning, iv) citizenship building, v) nation building etc which are embedded in the process of education. Private schools have to be regulated within an overarching frame of what the state and nation create for education as a public good.

Over the years, the 25 percent provision will bring more children from diverse backgrounds into our private schools. This will create an environment where diversity can be

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turned into a boon for learning or a bane. We should make all efforts to make this a boon which will benefit all concerned people including the private schools. Over the past few days we have had about 5 suicides across schools and colleges – Rohith Vemula in Hyderabad Central University, 3 girls in SVS medical college in Tamil Nadu and Saira from DPS in Delhi (Saira was a budding swimming champion who had done 16 hours of non-stop swimming and was aiming for the Olympics. She committed suicide because she could not pay the school bus fees – a whopping Rs.45000/ for two years). Prof Thorat's article in Hindu (26th Jan 2016) cites that 23 of the 25 suicides in the Higher education over the past decade were of SC students. So it is imperative that we create an inclusive environment in the school system itself.

I hope the government and the private schools in a given area (district/sub-district) can collaborate and work together taking responsibility for all the children in the area. I hope the private and government schools can share their methodology and equipment and information to benefit all children in the area. I hope the teachers and children from both private and government schools will create spaces for interface and interaction. I saw some possibility of this while talking to a few teachers from private schools. I hope we as concerned citizens can use the schools to promote inclusion in our society and make this an active agenda for the next ten years, by which time there will be a large mix of children across the private schools.

**Q: What are some of the challenges embedded in promotion of inclusive education in the political-socio-cultural-system of our country?**

**A:** The socio-cultural system in my opinion is at the root of the challenges. We see this spilling into our political, administrative and even judicial system. I think it is like this – as it is so natural for a male person to follow the patriarchal system even when they do not want to be patriarchal. The system is so structured in every aspect of life that unless one is extra cautious and alert – a male person will act in a patriarchal manner. In the same way caste and other divisive forces are so rooted in our system – all of us – dominant and excluded act within its framework. Both need to be extra alert to not fall into the given cultural framework and move towards a Constitution based and human rights based framework.

Hence today both the traditional socio-cultural system overlaps and plays upon the current competitive education system and the effort is to create more and more so called 'islands of excellence' through competition. This also can happen only when we push the large majority out of the competition and currently the political system is ensuring that the potential of the large majority is never realised and they will not compete through continuing poor quality in government schools and not demanding public accountability of private schools.

**Q: What are the challenges that are faced because of the legal and implementation framework of RTE Section 12(1)(c)?**

**A:** I am concerned that 'the non-performance of the government schools' will be given as an excuse to take away the 25 percent reservation under Section 12(1)(c). The private schools will be happy as this has been their demand. The beneficiary parents of the 25 percent do not have the political and social standing to influence the state to continue the provision. Education activists are divided on this provision and may not make a strong demand in this regard. Even though the effort for full and effective implementation has not been made, the provision will be made the scapegoat to take it away. This is the big fear.

The other challenges are similar to what Archana and Rahul have also put down (referring to Note 1).

We also need to specifically ensure that provisions for children from the disadvantaged category (DG) are ensured in the 25 percent. As we know the RTE Act makes distinction between the Disadvantaged Groups (DG) and the Economically Weaker Sections (EWS) categories. The DG are those communities that have social disabilities which are deeply rooted in our beliefs, religious and cultural practices. These are in addition to the economic disadvantages. These factors negatively influence our attitudes and behaviour to children from these communities which is detrimental to the learning and participation of children from these communities. The various reports and articles coming after the death of Rohith Vemula in Hyderabad Central University highlights these persistent issues. In promoting inclusion through education and an inclusive environment in the school system, we need to recognise these deep rooted disadvantages and address



them. This is important in the 25 percent provision in the private schools too as 'social inclusion' is the prime objective of this provision. Hence, we need to ensure a certain percentage of children from the DG category is admitted under the 25 percent. Some states as we know have made a sub-categorisation of the 25 percent and this will be a practical way to go ahead.

**Q: Is the current direction of your work on Section 12(1)(c) approximating towards the overarching vision of inclusive education?**

**A:** Our work on one hand has been to encourage Community Led Organisations (Civil society organisations led by members of Dalit, Tribal and Muslim minority communities) to promote Section 12(1)(c) in their communities. These organisations are community based and the leaders are constantly available to the community to consistently support the parents in the admission process. They also understand many of the exclusion and discriminatory practices schools and the system takes to keep these children out. Hence are able to support the parents better.

We are in particular highlighting the need to ensure diversity under Section 12(1)(c) and admit children from Disadvantaged Groups too.

We need to work with schools to create 'inclusive environment' and teacher capacities to work with diverse groups of children in their schools.

**Q: What are some of the solutions that can better allow us to reach the said objectives?**

**A:** On Dec 9, 2015 we held a public hearing in Delhi where parents shared their problems before a jury. We documented 28 cases across Delhi for the public hearing and 17 parents/relatives/activists deposed the cases before the jury. A number of issues have come up that need to be addressed.

In addition to jury's recommendations on individual cases brought before them, they shared their overall insights and recommendations at the close of the public hearing. They were categorical that the provision of 25percent reservation for Disadvantaged (DG) and Economically Weaker Sections (EWS) in private schools needs to be fully implemented and ensured. This in their opinion was important to facilitate children from diverse backgrounds to grow up together in the framework of the Constitution towards nation building.

Education experiences world over proves that diversity in the classroom where children from different backgrounds, culture and knowledge systems learn together is imperative for promoting quality education. It was clear that families were keen to have their children admitted in private schools in the hope of quality education and a better future. However they still needed specific information at the right time and further support to apply and access the provision. The private schools were still way high above them in the power hierarchy and they did not feel confident to approach them or seek clarification. The CSOs/CLOs have great role to play here. The jury also felt that it was important to start conversations and dialogue with the private schools, some of who are supportive of the provision and see its relevance in furthering quality education. Beginning with them conversation can start on identifying the constraints and barriers both for the schools and the parents and children and seek ways to address them. The state needs to be in the conversation to create the systems and guidelines for effective implementation. Currently there are also private schools forums which can also anchor some of these discussions. Parents from DG and EWS have over and over emphasized two issues today – the crippling cost of private education and the way schools treated them and their children. Families are spending additionally between Rs. 7000/- to Rs.15000/- per year for a child. This is a huge sum for a family that may be earning about Rs.10,000-Rs.12000/- month in the city. The jury recommended that as per the rights under the RTE Act, these children should also be provided free and compulsory education.

There needs more in-depth discussion between the state and the schools in this regard and practical solutions be drawn out. Like parents, some schools may also have genuine problems in subsidizing the children. An important responsibility on the part of schools is to provide a friendly and supportive environment to children and parents that is based on mutual respect and dignity. Parents reported their feelings of being disrespected, not heard, over-looked and condemned in their interaction with the schools. In addition, parents also wished to be more informed and engaged in their children's schooling. Schools have an important role to ensure non-discrimination and encouragement to all these children be they in learning or co-curricular activities.

School management should ensure teacher orientation and support in this regard. CSO/CLOs having insights



into the community can play an important role to support such a process in the schools. The very nascent Grievance Redressal mechanism needs strengthening, beginning with the schools, department and the Delhi Commission for Protection of Child Rights (DCPCR). It was encouraging to see some efforts in this direction from the CSOs/CLOs and the community. The same may be pursued to build a robust system with the state. An overarching concern was about the learning in the private schools. Jury discussed that private schools also provide a wide variety in terms of their costs, functioning and systems.

There needs to be systematic research on private schools to understand their functioning and contribution to promoting quality education. Privatisation of education has not created equal opportunities for the poor and disadvantaged. Hence even as we promote the right to equity and inclusion in education, the state responsibility to promote quality education need to be emphasized. At this time, it is also important to locate the public role of private education within the overall education system of the state.

**Q: What are some of the grievance redressal mechanisms needed to address the rights of beneficiaries?**

**A:** Our experience in working with schools in Delhi is that parents are more and more becoming aware of the provisions of the 25 percent. They are applying in large numbers. We were surprised to find in Delhi during 2015-16 admissions that 1,64,576 applications were received by the 1,186 schools for a total of 22,616 seats under Sec 12 (1) (c). The number of applications is surprisingly high when compared to 2,53,675 applications received for 81,198 seats in the open category. This indicates the aspirations and concerns of parents from disadvantaged groups and economically weaker sections to access 'quality private schooling' for their children.<sup>97</sup>

The parents are applying in large numbers as you can see. They are also aware of the provisions, but fear to approach the school for these provisions. The government and the schools do not make the provisions clear resulting in considerable ambiguity. Hence the need for a good grievance redress mechanism to be set up with clear responsibility and accountability defined.

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[97] (Data from <http://www.edudel.nic.in/mis/Payroll/firmReportewsdgentrydistwise.aspx>, as on 25th August 2015).

# CHAPTER 5:

## PARTNERS IN IMPLEMENTATION- CONTRIBUTIONS OF CIVIL SOCIETY ORGANISATIONS IN IMPLEMENTATION OF RTE SECTION 12(1)(C)

In our analysis of the state report cards and the narrative on the ground via media reports and interviews with the civil society organisations, we discovered gaps such as lack of active engagement between the government and the private schools, little awareness about the provision among the intended beneficiaries, difficulties in obtaining supporting documentation, ambiguity in the amount and delay in the reimbursement provided to the schools by the government. We also noted a lack of government effort in monitoring and conducting follow up operations with the students post admission and ensuring mechanisms for effective classroom diversity management.

Civil society has historically played a crucial role in issues concerning equal opportunity in the education sector. In the four years following the availability of admission under Section 12, many states have expanded the mandate to include the pre-primary classes along with Class I as the entry level. In January 2015, Maharashtra government took similar steps, only to later cancel the pre-primary admissions in April 2015. This decision was contested through a writ petition filed in the Bombay High Court by a group of civil society organisations and individuals. This group strengthened their advocacy by supporting it with their on-ground experience and expertise, leading to the withdrawal of the government order. Civil society organisations, hence, operate as partners in implementation.

Therefore, it becomes important to identify individuals and organisations that work across the breadth of issues concerning implementation of RTE Section 12(1)(c). To this effect, we identified such organisations and interviewed them in order to understand their perspective regarding the implementation of this mandate in their respective states, which is presented in the following chapter.

### DELHI

In the four years since the introduction of Section 12(1)(c) in Delhi, the implementation process of this clause has gone through several transformations. In the initial years, the implementation design followed a decentralised system, where each school was individually responsible for inviting applications, conducting lottery, and granting admissions for the seats reserved through this clause. According to Ms. Chandrakanta from Center For Equity Studies (CES), under this kind of a decentralised model, the marginalised communities experienced problems in seeking their right from the powerful lobby of private schools. Some of the common problems faced by the applicants included children being denied admission into the school, schools demanding extra fees for certain activities from the parents, and parents applying through this section being treated poorly by the administration. Ms. Chandrakanta added that many schools considered providing admission through this clause as “an act of charity.” To offset this balance in power and provide support to the disadvantaged communities, CES worked with several local NGOs to spread awareness about the grievance redressal procedure. CES organised and documented a public session, where parents were asked to voice their grievances to a body of academicians, social workers and functionaries from the government. This effort elevated the voice of the community and provided a platform of advocacy to them. They are now attempting to document the effort to further raise the voice of the community among the media, academia, and the policymakers.

From the year 2015-16, Delhi shifted towards the online system of admission and reimbursements, which seeks to address and reduce the grievances experienced by the applicants in the decentralised system. One of the key

organisation involved in advocating for this change in the system was Indus Action founded by Mr. Tarun Cherukuri. The organisation launched a programme, Project Eklavya, to create awareness and help the intended beneficiaries of the policy throughout the application process, through an extensive volunteer network. They also launched a helpline service for any queries or problems faced by the applicants during the process. According to Mr. Anurag Kundu, Indus Action was instrumental in reforming the documentation process for admissions in the year 2014-15, by allowing people to submit the required document proofs at the time of admissions rather than application.

## KARNATAKA

As per Mr. Nagasimha Rao, convener of the RTE Task Force—a network of NGOs and individuals across several districts in Karnataka -the implementation of Section 12(1)(c) in Karnataka faced several problems in the year 2014-2015, with respect to delay in the admission cycle, problems with the definition of entry level and lack of transparency in reimbursements, which emerged due to a synchronous relationship between the state government and the private schools. To address some of these issues in the system, RTE task force collaborated with the local people and the state government. One of the significant involvements of the RTE Task Force has been in advocating for the appeal to reverse the government order that cancelled reimbursement to admissions for pre-primary admissions in December 2015. The task force has been instrumental in generating awareness among communities and their neighbourhoods about the various provisions of the act and help the applicants in school enrolment.

## TAMIL NADU

Bhumi is a prominent civil society organisations working on the implementation of this mandate in Tamil Nadu. Although the seat fill rate for Tamil Nadu as per the DISE data of 2014-15 is around 38 percent, Mr. Narayan of Bhumi feels that the readers should be wary of accepting these numbers as reported. He said that one would most likely find a discrepancy in the actual and the reported number if onewas to randomly visit a few private schools in Chennai. Bhumi has created an online portal system in an effort to mobilise the community resources through volunteer programmes. One of the benefits of this community based approach is the emergence of various citizen groups that take up the responsibility of ensuring implementation. One such organisation working in Chennai is Karma Corps run

by Ms. Catherine Capoozi. This network demonstrated and bridged the gaps in the usage of online application system by the EWS due to lack of access.

## UTTAR PRADESH

Bharat Abhyudaya Foundation (BAF) helped in spreading awareness about the process in Uttar Pradesh (UP) through a network of local NGOs and the support of anganwadis. They also operated a toll free helpline to assist applicants in the application and grievance redressal process. According to Ms. Samina Bano, founder of BAF, the political affiliations of many private schools enabled them to resist the implementation of this clause.

They were instrumental in filing a Public Interest Litigation in the High court against a popular lucknow based school which had denied admission to children through this provision. Their organisation has received considerable support from the state government and bureaucracy. Presently, they are working with the state government to develop an online management information system for this policy.

## MAHARASHTRA

The role of civil society organisations in Mumbai and Pune gained crucial importance with the shift in the application process from paper-based form to the online system since 2014-15.

Ms. Vaishali from Swadhar informed us that their NGO held frequent meetings with the parents, conducted plays and put up exhibitions and posters to raise awareness about this provision. In 2014, they distributed around 2000 copies of eight page coloured newsletters in Marathi to inform the parents about various sections of the RTE Act. Swadhar has a team of 20 people, of which 6 people took a 15 day training on street plays from Devdatt Pathak Theatre Workshop, which now conducts street plays to raise awareness about RTE.

Kagad Kach Patra Kashtakari Panchayat (KKPKP), a trade union of waste pickers of Pune and Pimpri Chinchwad, have been working since 2012 to secure admissions for children of their organisation members through this mandate and have helped more than 100 children till date. Apart from spreading awareness and helping in filling the forms, KKPKP was actively involved in raising the grievances of aggrieved parents. Over the last two years, they have

submitted more than 60 complaints to the Maharashtra State Commission for Protection of Child Rights. They also followed up with the officials from education department on the rejection of applications and cases of discrimination in the classroom. This year, they contested and subsequently won a PIL in the Bombay High Court to allow dual entry level in Std. I as well as pre-primary classes.

Khidmat Welfare Centre, a Mumbai based NGO setup an informal help centre in Andheri West with six computers well equipped with printers, scanners and internet, which helped nearly 600 applicants fill the online form, free of cost. Apart from spreading the awareness and filling the application form, the organisation was also instrumental in helping the parents in procuring income proof certificates from the Tehsildar office.

Anudanit Shiksha Bachao Samiti (ASBS), is one of the most prominent NGOs working on implementation of RTE in Maharashtra. Mr. K Narayanan, the secretary of the organisation told us that the NGO was founded by the members of Communist Party of India (Marxist) as a front to contest cases in the court regarding non-compliance of RTE. They operated an informal help centre to assist in form filling, helping more than 1000 families during 2014-15. Additionally, they also helped the parents in getting their income certificate from the Tehsildar. The NGO charged an amount of 100 rupees for each form submission and 250 rupees for preparation of income certificate to meet their operational expenses, and collect money for the protests and court cases.

Desh Seva Samiti, an NGO founded by social activist Dr. Avisha Kulkarni in Goregaon Mumbai, had organised an RTE Rath Yatra from Colaba to Dahisar to spread awareness about RTE in 2012. In 2015, they helped more than 70 parents through their awareness efforts by putting up banners and distributing pamphlets. Dr. Avisha Kulkarni was instrumental in advocating for a second round of admissions under 25 percent quota of RTE in Mumbai. She has also filed a litigation in the Bombay High court regarding the resistance of private school towards this clause.

## RAJASTHAN

Abhyutthanam Society is a group of students in Jaipur, working actively on the implementation of RTE Act in Rajasthan. They have helped nearly 80 children from

various slums of Jaipur to secure an admission through this provision. They also organised a two day consultation workshop on “Implementational aspects of Section 12 (1) (c) of Right to Education Act” in association with the Sarva Shiksha Abhiyan, Rajasthan. The workshop was attended by senior bureaucrats associated with the implementation of this policy along with academicians, researchers, NGOs and representatives from private schools.

## GUJARAT

RTE Resource Centre was launched at the Indian Institute of Management (IIM), Ahmedabad in late 2013 as a response to low enrolment rate through the Sec 12(1)(c) of the RTE Act. The centre served as a platform for student volunteers from IIM and other colleges such as MICA, GNLU, NID, Nirma among others, to collaborate with civil society organisations such as Manav Sadhna, Sewa, Saveria, Aarzoo, Prabhat Educational Trust, ICDS and Shwas to create awareness among communities, and help the parents in the form filling process.

## CONCLUSION

We noted that certain individuals and civil society organisations played a remarkable role in mediating between the intended beneficiaries and the state. From our observation they played a key role in the following areas:

1. Disseminating information and creating awareness about this policy amongst the stakeholders and beneficiaries
2. Exchanging ideas, generating knowledge and sharing resources among other similar organisations through hubs and networks
3. Supporting the intended beneficiaries in the grievance redressal process
4. Advocating for changes in the policy through collaboration with the state bureaucracy, and public interest litigations

As highlighted in the previous chapters of this report, the implementation of this policy still faces a number of challenges. The civil society organisations, as observed in this chapter, have played an enormous role in not just highlighting these challenges, but also mitigating them by working in tandem with the state bureaucracy and the intended beneficiaries.

# CHAPTER 6:

## IMPLEMENTATION EXPERIENCES FROM THE STATES

### INTRODUCTION

In this chapter, we examine various stages and associated processes involved in the implementation of this provision across a few select cities and states in India using primary data collected through field visits as well as reports published among popular English newspapers in the past one year.

Through an exploratory study in Bagar and Jhunjhunu (Rajasthan) as well as Pune and Mumbai (Maharashtra), spanning over six weeks, we have first attempted to understand and evaluate the existing process of implementation of RTE Section 12(1)(c). This was done by interacting with and accumulating experiences of all key stakeholders including parents, school authorities, local government officials and civil society organisations. We conducted in-depth discussions and observations, across a series of interdependent stages— state RTE rules, awareness, application process, allotment, admission process, reimbursement to the schools and the grievance redressal.

We then also analysed experiences of implementation across a select few states in India based on media coverage and reports on Section 12(1)(c) of the Right to Education (RTE) Act, published among well-known English newspapers in the past one year. Through these, we have attempted to examine and put forth how policy differs in text and in practice, highlighting key issues faced by each stakeholder in the existing set-up.

Having described the processes across stages involved in the on-ground execution of this clause as well as the challenges emerging through those, the chapter concludes by recommending some immediate pathways to tackle some of the identified bottlenecks in the implementation process.

### KEY OBJECTIVES

- Understand all the processes involved in implementation of RTE Section 12(1)(c) from awareness to application to school admission across states using primary data from field visits.
- Examining the coverage on Section 12(1)(c) of the RTE Act through media reports published among mainstream English newspapers across states in the past one year, consolidate learnings and experiences of implementation around this clause through secondary sources.
- By investigating the capacity, approach and perception of all key stakeholders involved around this provision, understand where the policy provides discretionary powers to certain stakeholders and how they use it.
- Identify the bottlenecks and suggest improvements in the current implementation process being followed by various governments across these states chosen for the study.

### CITY/STATE SELECTION

In line with the key objectives outlined above as well as to study unique implementation models, we chose to carry out the detailed study for this year in Pune and Mumbai in Maharashtra, and Jhunjhunu and Bagar in Rajasthan. This helped us build on our previous work during the last edition of this report where we had selected Pune (Maharashtra) and Jaipur (Rajasthan) to study the implementation.

Mumbai and Pune appeared to be the most rational choices for the study within Maharashtra for a host of different reasons. As per DISE data for 2014-15, Maharashtra had nearly 16,000 private unaided schools, out of which Mumbai with 1,392 and Pune with 1,423 participating schools ranked as the top two cities. Even in terms of the number of participating private unaided schools—those reporting at least one admission under Section 12(1)(c)— these two cities accounted for the highest proportion amongst other adjoining cities. An additional reason for conducting our





7-15



8.30

9.00



7:05





study in these two major cities was the higher presence and participation of civil society organisations and senior government functionaries from the education department and also because these two cities contributed to the majority of admissions through RTE Section 12(1)(c) in Maharashtra.

Rajasthan was chosen for the study owing to its unique Management Information System for the admission and child tracking process, and its relatively higher private school enrolment and seat fill rates under the mandate. More specifically, the city of Jhunjhunu and the town of Bagar, located in the Shekhawati region of Rajasthan were selected since we wanted to study the penetration of this clause in Tier-II cities and small towns.

## PART A: ACROSS STATES USING PRIMARY DATA FROM FIELD VISITS

### I. Bagar and Jhunjhunu, Rajasthan

#### Background

Rajasthan was one of the first states in India to start implementation of RTE Section 12(1)(c), beginning as early as 2012-13. In July 2013, Rajasthan became the first state in India to launch an online MIS Portal for online application for admissions under this clause. Ever since, Rajasthan has had a relatively higher rate of private sector involvement and participation, as is indicated by the number of participating private unaided schools and their enrolment figures in the state for the academic year 2014-15 (see Table 6.1). As compared to the national average of 31.6 percent, which itself has shown a consistent upward trend, Rajasthan has had a 43.2 percent private enrolment rate in the age group of 6-14 years (DISE, 2014-15).

It must also be highlighted here that in our own evaluation of the various rules and notifications issued by several state governments employing a rubric that rated these states on several criteria using a three-level scale (described in detail in the last edition of this report), Rajasthan received the maximum number of 'Green' ratings, reflecting clear and well-laid out set of rules and notifications as well as indicating complete provision of information regarding these important guidelines.

This increasing private sector participation, coupled with a rising trend towards private school enrolment,

**TABLE 6.1: PRIVATE SECTOR PARTICIPATION IN RAJASTHAN (2014-15)**

Total number of schools	Rural	Urban	Overall
	89,204 (83.5 percent)	17,588 (16.5 percent)	1,06,792
	Pvt. unaided	Govt., Pvt. aided & others	
	34,066 (31.9 percent)	72,726 (68.1 percent)	1,06,792
Total number of private unaided schools	Rural	Urban	Overall
	21,289 (62.5 percent)	12,777 (37.5 percent)	34,066
Enrolment (Class I)	Rural	Urban	Overall
	9,66,433 (52.4 percent)	8,76,716 (47.5 percent)	18,43,149

*\*Values are number (percentages) unless stated otherwise.*

makes Section 12(1)(c) critical for delivering educational services and achieving educational outcomes in the state of Rajasthan.

#### Sampling

Located in the Shekhawati region of the state of Rajasthan, the city of Jhunjhunu (also referred to as the Jhunjhunu district) plays home to a number of major townships. Of these, the town of Bagar, with an average literacy rate (69.6 percent) close to the city (74 percent) and national average (59.6 percent), is strategically placed between the Jhunjhunu district and Chirawa city, a bordering district on the north-east of Jhunjhunu.

Through a random selection process, we identified and visited 10 private schools in our proximity and interacted with the principals or school officials within those schools. During this selection process we ensured a mix of schools which had admitted students through the mandate as well as those that had not admitted any child under the said clause. We also visited low-budget private schools whose annual fee was lower than the maximum reimbursement being provided by the government as well as a few schools charging relatively high fees.

Furthermore, we used convenience sampling to meet the parents and NGOs. We interviewed 15 parents, one Education Officer overseeing the mandates' implementation in the district and several other senior government officials

from the state. We also used the data available on the official RTE Portal maintained by the govt. of Rajasthan for our analysis.

## RTE SECTION 12 (1)(C) IMPLEMENTATION (2015-16)

### 1. Assessment of State Rules

#### 1.1. Definition of EWS/Disadvantaged Sections

In the state of Rajasthan for 2015-16, the following category of people were eligible to apply for admission through RTE Section 12 (1)(c):

- Children belonging to Scheduled Caste (SC)/Scheduled Tribe(ST);
- Children with disability greater than 40 percent;
- Children whose parents' annual income was less than 2.5 lakh rupees;
- Orphan children

There was no ceiling on the parents' income limit of children with disability or those from SC/ST backgrounds. In addition, the government had also made a provision that if an orphan child did not receive admission through the standard lottery process, then he/she would still be allotted admission on priority in the applied school.

#### 1.2. Definition of Entry Class

Rajasthan followed a dual entry class system, where admissions were given in pre-primary as well as Class I according to the following rules:

- If number of seats in pre-primary section of the school were same as the number of seats in Class I, admissions were to be given only in pre-primary.
- If number of seats in pre-primary in a school were less than the number of seats in Class I, then admissions were to be given in pre-primary as well as Class I (for instance, if there were 20 vacancies in pre-primary and 60 in Class I, then five seats were reserved in pre-primary, and an additional 10 in Class I).

#### 1.3. Age Criteria

For determining the age criteria, the state of Rajasthan provided two choices to each school, with the cut-off date to calculate the age criteria set as April 1 for schools starting session in April, and May 1 for those beginning in May.

The schools could either follow the government stipulated age criteria (see Table 6.2) or set their own age criteria for each entry class, with the minimum and maximum age limit for entry as 3 & 7 years respectively, provided the age window between minimum and maximum age for any entry class was not more than 2 years.

**TABLE 6.2: GOVT. STIPULATED AGE CRITERIA FOR EACH ENTRY CLASS**

Sr. No.	Entry Class	Age Criteria
1	Nursery	3 to 4 Years
2	Lower KG	4 to 5 Years
3	Upper KG	5 to 6 Years
4	Std. I	6 to 7 Years

#### Checkpoint #1

##### No validation on the website

Although the rules mention that the maximum age limit is 7 years, however, there are schools on the portal which may not be adhering to guidelines. For instance, the school in the figure below had mentioned the permissible age limit for Std. I from 6 years to 7 years 5 months on the portal.

S. No.	Entry Class	Age From	Age To
1	PP-2+	3 Years	5 Years
2	First	6 Years	7 Years 5 Months

#### 1.4. Neighbourhood criteria

Rajasthan followed a two-tier neighbourhood criteria, wherein first preference for admission was given to the children belonging to the same ward as that of the school (same village, in case of rural area), and if the seats still remained vacant, the applicants from other wards of the Nagar Palika were considered for the lottery (other villages of the Gram Panchayat, in case of rural area). Applicants were not eligible to apply to schools outside their Nagar Palika or Gram Panchayat.

### 1.5. Items covered under 'Free'

Apart from the school fee, the government reimbursed money to the private schools to provide free textbooks to the children enrolled through this section.

## 2. Awareness

### 2.1. Notification about the Process

The notification regarding the application process was announced on February 18<sup>th</sup>, 2015 by the government through local newspapers. As per the initial notification<sup>98</sup>, the application process was to be conducted in two phases, with different timelines for schools starting their academic sessions in April & May. However, as nearly 14,000 schools did not receive a single application in the first two rounds, a third round was announced for applying to only these schools in the month of June.

### 2.2. Modes of Awareness

All district level officers were instructed by the government to advertise about the official timelines through articles published in leading local newspapers. In order to reach out to common public, schools were additionally advised to spread awareness through newspaper ads and respective school websites as well as to locally promote through notice boards, public hoardings and pamphlets.

## 3. Application Process

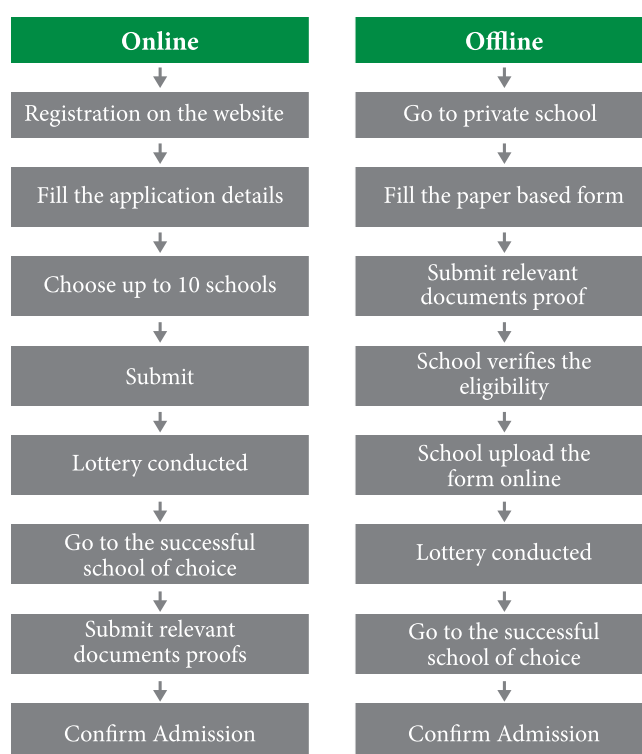
Within the state of Rajasthan, the application process was carried out using a combination of online and offline mediums (see Figure 1).

Under the online set-up, parents were required to register on the official website (<http://rte.raj.nic.in/>) and choose a maximum of 10 schools from the list of participating schools within their Nagar Palika/ Gram Panchayat.

Under this medium, they were not required to furnish the document proofs at the application stage, but were rather advised to do so at the admission stage (discussed in detail in a subsequent section on the admission process). On an average, the application process was designed to be completed in about twenty minutes.

Under the offline medium, parents could go to the nearby private school of their choice, along with the required documents, to fill the pen-and-paper based form, free of cost. The hard copy of the form could also be downloaded from the government RTE Portal. Schools were then required to upload the received offline forms on the online MIS portal and verify these document proofs to ensure appropriate eligibility of applicants. If the applicant was found to be ineligible during verification, schools were held responsible for bearing the fees of such children till Class VIII. Notably, under this mode, parents had to submit a separate form for and at each school.

**Figure 6.1: Details of the application process under online and offline mediums**



### 3.1. Timeline of the Admission Process

Applicants were provided nearly a month long window for filling application forms in schools beginning their academic session from April 1 and nearly two months' time for schools starting after May 1. Uniform timelines were followed throughout the state, and the lottery results were declared within one week of conclusion of the application process, post which parents were given a week to report to the school of their choice for admission.

[98] (Data from <http://www.edudel.nic.in/mis/Payroll/frmReportewsdgentrydistwise.aspx>, as on 25th August 2015).

#### 4. Documentation Required

Applicants were required to produce eligibility and identity document proofs along with the application form. These documents included their residence proof, birth certificate, caste certificate (for SC/ST applicants only), disability certificate (for children with disability only) and income certificate (for EWS applicants only).

##### 4.1. Residence Proof

Apart from Ration Card, Aadhar Card, Voter Id Card, Driving License, Electricity Bill or Phone Bill, the Rajasthan government also accepted 'MoolNivasPramanPatra,' issued by the Gram Panchayat or Nagar Palika, as valid residence proof.

#### Checkpoint #2

##### Confusion between 'Nivas Sthan Sambandhi Praman Patra' and 'Mool Nivas Praman Patra'

The portal section providing the list of documents, required for making an application, listed the requirement for residence proof as 'Nivas Sthan Sambandhi Praman Patra,' without mentioning the list of documents, which were mentioned in a document titled 'RTE Disha Nirdesh 2015-16' available in the documents tab of the website. Due to the close resemblance of wordings, the government officials in Jhunjhunu district interpreted it as 'Mool Nivas Praman Patra,' and therefore, during the verification process, rejected the claims of many students who had submitted any other document as a residence proof last year. This had serious implications on the applications, as 'Mool Nivas Praman Patra' is only granted to those citizens who have been living at that residence for more than 10 years.

##### 4.2. Income Proof

For people who were below poverty line, BPL Card served as a valid income proof in Rajasthan. For those whose annual income was less than 2.5 Lakh Rupees, an income certificate, indicating the same, was required at the time of final submission of documents.

#### 5. Admission Process

A priority order list was prepared automatically through the computerized MIS system for each school with first preference being given to children belonging to the same ward as that of the school (same village, in case of rural

area), all of which was also made available on the website. Under this lottery system, it was possible for a child to get selection offers from more than one school. Parents could see the results of the lottery after logging in to the website on the pre-declared date, or could alternatively ask the school where they previously submitted the form. After the draw of lottery, parents were given a time period of one week to report for admission in one of the schools allocated to them.

The number of allocations during each of the three phases of the application process for the year 2015-16, as per the news reports,<sup>99</sup> is given in the Table 6.3.

**TABLE 6.3: DETAILS OF RTE 25 PERCENT ADMISSIONS IN RAJASTHAN DURING 2015-16**

Phase	Number of Allocations	Number of Schools
1	56,654	1,990
2	1,90,987	18,060
3	46,177	6,767
<b>Total</b>	<b>2,93,818</b>	<b>26,817</b>

Note: Since it was possible for one child to be allocated a seat in more than one school under the given system, we believe that these figures do not represent the actual number of unique admissions through RTE Section 12(1)(c).

#### 6. Verification Process

The District Education Officers and Block Primary Education Officers were required to form a Physical Verification Committee ("Satyapan Dal"), which was expected to complete the verification process within a period of one month from the point of its inception.

Special attention was paid to reduce chances of corruption in and along the process of verification, as during the formation of the committee, it was ensured that the officers did not visit the same school for verification every year, and additionally the committee, on average, was allocated only 5 to 8 schools. A special verification team was also appointed, to verify a sample of 1 percent schools or 20 schools, whichever was more, in each district, to ensure accountability.

It was the responsibility of each school to ensure proper documentation at the time of application or admission. If

[99] <http://timesofindia.indiatimes.com/city/jaipur/RTE-admissions-Over-46k-EWS-students-admitted-in-percent20-pvt-schools/articleshow/48026049.cms>

any application was rejected by the verification team for reimbursement, then the respective school was required to bear the fees of those defaulters till Class VIII.

### 7. Reimbursement

For the state of Rajasthan, the process of reimbursement usually got initiated by the government after the schools generated their fee claim bill on the portal and submitted a copy of the same by post (see Figure 3). The amount was then reimbursed to the school in two instalments, directly into the bank account as per details entered by the school on the portal.

In our interactions with the senior government officials, we were informed about the process followed by the Rajasthan government to calculate the maximum amount for per child reimbursement. To calculate this amount, the annual expenditure on salary of teachers was divided by the number of children enrolled in government schools. The per unit cost, thus came to Rs. 14,034 for the year 2014-15 as compared to Rs. 11,704 for 2013-14 and 9,748 for 2012-13. Additionally, the government reimbursed an amount of Rs. 107 for the expenditure on textbooks for the year 2014-15.

### 8. Grievance Redressal

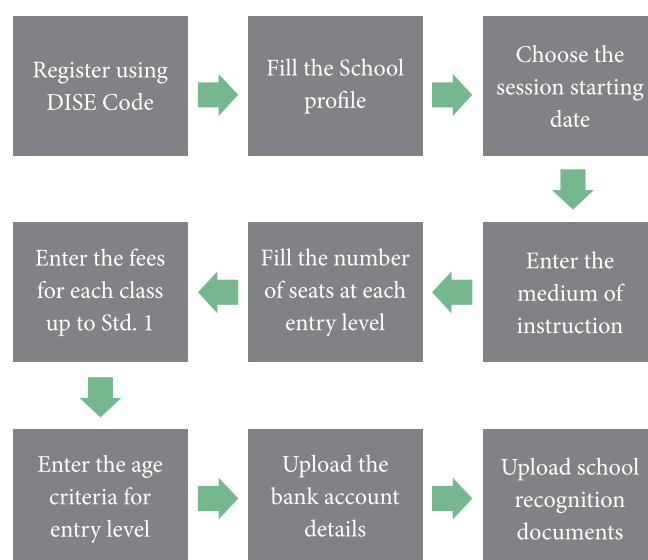
In Rajasthan, the District Education Officer (Elementary/ Secondary) had been given the charge of grievance redressal authority, while the Deputy Director (Elementary/ Secondary) was the appellate authority.

Although the 20 page detailed RTE Guidelines issued by the state government did not mention anything about the grievance redressal mechanism, the website had listed the contact details of the Bikaner Office – Elementary Education under the tab of help centre.

### Salient Features of the Rajasthan MIS portal

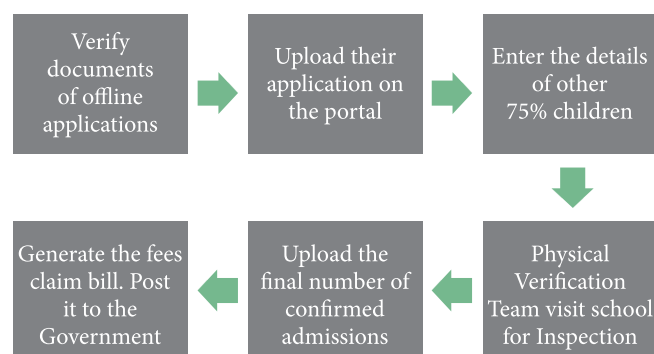
- Rajasthan was the first state in India to launch an online MIS Portal for online applications for admissions to private schools under RTE Section 12(1)(c) in July 2013.
- The portal served an end-to-end purpose for the school, from application uploading to verification and reimbursement. (Process for online registration of schools on the MIS portal has been described in Figure 2, while the process for admissions and reimbursement on the online portal has been described in Figure 3)
- For the applicants who wished to apply through the offline mode, a copy of the application form was also available on the website for the parents to download, fill and submit in the nearby school of their choice.
- In Rajasthan, the schools were also required to enter the details of other 75 percent admissions on the portal.
- In cases where the number of applications exceeded the permissible number under this clause, i.e. 25 percent seats in Class I in a given school, a priority list of all the applicants was generated through the lottery. In case the selected student(s) did not turn-up for admission by the last date, the wait-listed candidates were admitted. This eliminated the need for conducting a second round of allotment, and ensured a better seat-fill rate.

**Figure 6.2: Process for online registration of schools on the MIS portal in Rajasthan**





**Figure 6.3: Process for admission and reimbursement on the online portal in Rajasthan**



## II. MUMBAI AND PUNE, MAHARASHTRA

### Background

The Maharashtra state government prepared a draft of the state rules for RTE Act, Section 12(1)(c) in 2010, and issued subsequent rules regarding the provision through gazette notifications issued on October 11th, 2011, May 25th, 2012, March 15th, 2013 and May 15th, 2014. The process for admissions in the state through Section 12(1)(c) began from the academic year 2012-13. Ever since, Maharashtra has had a relatively high rate of private sector involvement and participation, as is indicated by the number of participating private unaided schools and their enrolment figures in the state for the academic year 2014-15 (see Table 6.4). Over the years, the enrolment level in private schools, according to the Annual Status of the Education Reports, has grown from 18.2 percent in 2005 to 36.9 percent in the year 2014.

Total number of schools	Rural	Urban	Overall
	83,042 (77.9 percent)	23,453 (22 percent)	1,06,495
Total number of private unaided schools	Pvt. unaided	Govt., Pvt. aided & others	Overall
	16,012 (15 percent)	90,483 (85 percent)	1,06,495
Enrolment (Class I)	Rural	Urban	Overall
	7,702 (48 percent)	8,310 (52 percent)	16,012
Enrolment (Class I)	Pvt. unaided	Govt., Pvt. aided & others	Overall
	6,13,773 (29.8 percent)	14,43,750 (70.1 percent)	20,57,523

*\*Values are number (percentages) unless stated otherwise.*

Though the admission process was offline in its initial years, the state adopted an online admission process system for the academic year 2014-15 on a pilot basis for a select few cities, which was extended to 13 cities for the year 2015-16, including areas in both Mumbai (Mumbai West, North, South and Panvel) and Pune (Pune Municipal Corporation, PimpriChinchwad Municipal Corporation and Haveli ZilaParishad).

### Sampling

In Pune and Mumbai, the online admission system was implemented using a network of government run and privately managed help centres respectively. The entire administrative regions of Pune and Mumbai played home to 26 and 31 such centres respectively. Out of these, using random sampling, we identified and visited six help centres in our proximity in Mumbai and Pune to interact with the local government officials operating them, as well as the parents present at these help centres. We met and interacted with senior government officials from the Directorate of Education, Maharashtra and the Education Department of Pune Municipal Corporation. We also interviewed representatives from three prominent NGOs each from Mumbai and Pune who were found to be playing a critical role in the entire implementation process as well as nearly 20 parents. We used data available on the official RTE Portal maintained by the gov. of Maharashtra ([www.rte25admission.maharashtra.gov.in/](http://www.rte25admission.maharashtra.gov.in/)) for our analysis.

## RTE SECTION 12 (1)(C) IMPLEMENTATION (2015-16)

### 1. Assessment of State Rules

#### 1.1. Definition of EWS/Disadvantaged Sections

In the state of Maharashtra for 2015-16, the following category of people were eligible to apply for admission through RTE Section 12(1)(c):

- Children belonging to Scheduled Caste (SC)/Scheduled Tribe(ST);
- Children with disability greater than 40 percent;
- Children whose parents' annual income was less than 1 lakh rupees

There was no ceiling on the parents' income limit of children with disability or those from SC/ST backgrounds.

## 1.2. Definition of Entry Class

Due to a difference in number of seats being offered at many schools in pre-primary class as compared to Class I, the state government passed an order<sup>100</sup> on January 21st, 2015, ordering the schools to admit children in the entry class, according to the following rules:

- If the number of seats in pre-primary section of the school were same as the number of seats in Class I, admissions were to be given only in pre-primary
- If the number of seats in pre-primary section of the school were greater than the number of seats in Class I, admissions were to be given according to the number of seats in Class I
- If the number of seats in pre-primary in a school were less than the number of seats in Class I, then admissions were to be given in pre-primary as well as Class I. (For instance, if there were 20 vacancies in pre-primary and 60 in Class I, then 5 seats were to be reserved in pre-primary, and an additional 10 in Class I)
- If some seats remained vacant after admission in pre-primary then those were to be filled in Class I

After the allocations and admissions were made using these rules, the state government passed another resolution<sup>101</sup> on April 30th which cancelled the January 21st government resolution (GR). The new resolution regarded Class I as the only entry point from the year 2015-16 onwards. As per the resolution, children who had been allocated a seat in pre-primary class in the year 2015-16 were to be provided admission in the same school when they reach the age appropriate level for Class I.

As a result of the revised GR, many schools started demanding fees from children who were allocated seats in pre-primary classes, leading to a PIL in High Court to challenge it. The High Court finally ruled that admissions should be given in both pre-primary and Class I as per the January 21st GR.

## 1.3. Age Criteria

During the admission process for the year 2015-16, the Maharashtra government gave the autonomy of deciding the minimum and maximum age requirement of the child for admission to the schools. Each school was required to enter the date of birth window for admission to their school during their registration on the portal. However, our observations revealed that the government did not instruct the schools to keep a minimum window between maximum and minimum age. Also, no bar was set for minimum or maximum age for entry to each class.

As a result, we observed three kinds of discrepancies in the age criteria entered by many schools.

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[100] आरटीई-२०१४/प्र.क्र.१७४/एस.डी.१, दि. २१/०१/२०१५ (Order No - RTE -2014 / Sr. 174 / SD - 1, Dated 21/01/2015) Retrieved from [https://rte25admission.maharashtra.gov.in/adm\\_portal/app/webroot/uploads/GR\\_percent2021 JAN2015-RTE.25.ENTRY\\_percent20LEVEL.pdf](https://rte25admission.maharashtra.gov.in/adm_portal/app/webroot/uploads/GR_percent2021 JAN2015-RTE.25.ENTRY_percent20LEVEL.pdf)

[101] आरटीई-२०१४/प्र.क्र.१७४/एस.डी.१, दि. ३०/०४/२०१५ (Order No - RTE -2014 / Sr. 174 / SD - 1, Dated 30/04/2015) Retrieved from [http://www.inmyschool.in/notice/20150430\\_percent20rte\\_percent2025admission\\_percent20entry.pdf](http://www.inmyschool.in/notice/20150430_percent20rte_percent2025admission_percent20entry.pdf)



Schools were found to be accepting children between 3 years 6 months to 4 years 7 months in Class I, which is generally the admission age for KG (see image pasted below).

**Search School**

State: Maharashtra  
 District: Pune  
 Search:  By Block  By Name  
 Block/Taluka: Pimpri  
 RTE Quota:  All  RTE

**List of Schools Under Selected Block**

1. M.S. SCHOOL FOR KIDS NAVI SANGAVI
2. PODAR INTERNATIONAL SCHOOL CHINCHWAD
3. PRADNYA VIDYA MANDIR
4. INDIRA GANDHI PRI. SCHOOL PIMPRI
5. SHARDA ENG PRI SCH. KALEWADI
6. LITTLE ANJILS PRI. SCH. PIMPLE
7. RANJIBAI NAGU BARNE THER
8. R.N.B. ENG. PRI. SCH. TERGAON
9. P.K.INTERNATIONAL SCH. PIMPLE
10. BABY'S ENG. PRI.SCH. KALEWADI
11. KASHI VISHWESHWAR ENG MED SCH. P. GURAV
12. SAVITRIBAI BARANE PRI VIDYA
13. PARVATI ENG. SCH. JYOTIBANAGAR KALEWADI

**School Details**

Established Year : 2010  
 School Category : Primary  
 Standard : From 1 To 2th  
 School Type : Co-Education  
 Management Type : Permanent Unaided  
 State : Maharashtra  
 District : PUNE  
 Taluka : PIMPRI  
 Cluster : PIMPLE GURAV  
 Village : NAVI SANGAVI  
 Pin Code : 411027  
 School E-mail Address : msischoolsangvi@gmail.com  
 School Medium : English  
 Board : CBSE

[Check Address Location](#)

School Entry Level	Minimum Age	Maximum Age	Total Strength	RTE 25% Seats	Vacancy
1st Standard	Years 3 Months 6 Days 0	Years 4 Months 7 Days 0	100	25	15

Snapshot of a school with age window of 3 year 6 months to 4 year 7 months for Class I

Schools were found to be accepting children from 3 to 4 years in pre-KG (3 years before Class I) but the age criteria for Class I was 5 to 6 years, which should have been 6 to 7 years according to the age criteria set by the same school (see image pasted below).

**Search School**

State: Maharashtra  
 District: Pune  
 Search:  By Block  By Name  
 Block/Taluka: Yaverda  
 RTE Quota:  All  RTE

**List of Schools Under Selected Block**

164. PMC SCH NO 6 B
165. PMC 18 G
166. P. M. C. 156 B
167. PARVATI NIKAM HIGHSCHOOL
168. DUBEY SAINIK SCHOOL
169. SAINT JOSEF CONVENT HIGHSCHOOL
170. IMMANUEL ENG. MID
171. P. M. C. 109 B
172. ANJUMAN E ISLAM PRI
173. P. M. C. 119 B
174. SHIV SAI SECONDARY ENG
175. MADAR TERESA ENG SCHOOL
176. ST ARNOLD CENTRAL SCH

**School Details**

School Type : Co-Education  
 Management Type : Permanent Unaided  
 State : Maharashtra  
 District : PUNE  
 Taluka : Yaverda  
 Cluster : Yaverda CBC No. 11  
 Village : DHANORI  
 Pin Code : 411015  
 School E-mail Address : anuppear@gmail.com  
 School Medium : English  
 Board : State Board

[Check Address Location](#)

School Entry Level	Minimum Age	Maximum Age	Total Strength	RTE 25% Seats	Vacancy
1st Standard	Years 5 Months 0 Days 0	Years 6 Months 0 Days 0	100	25	23
Pre-KG (3 Year Before 1st Std)	Years 3 Months 0 Days 0	Years 4 Months 0 Days 0	86	22	22

Snapshot of a school keeping a different age criteria for entry classes

Many schools entered the age criteria window of as low as 1 day (8 schools in Mumbai & Pune), which meant that only a child born on a particular date was eligible for admission to that school. For rest of the children, the school featured in the list of ineligible schools with the reason as “Child Birth Date Not Matches” (see image pasted below).

17	L N ENGLISH HIGH SCH	State Board	English	Junior KG (2 Year Before 1st Std)	31-07-2012	01-01-2012	13	13	Standard Selected Not Matching. Child Birth Date Not Matches.
18	L N ENGLISH HIGH SCH	State Board	English	1st Standard	31-07-2010	01-01-2010	13	13	Child Birth Date Not Matches.
19	LAKSHMI PANDURANG SAMARTH PRI	State Board	Marathi	1st Standard	31-07-2010	31-07-2009	10	10	Child Birth Date Not Matches.
20	IT CAMPUS SCHOOL	State Board	English	1st Standard	31-07-2010	31-07-2009	14	14	Child Birth Date Not Matches.
21	MOUNT MARY ENG HIGH SCHOOL	State Board	English	Pre KG (3 Year Before 1st Std)	31-07-2012	01-02-2012	25	25	Standard Selected Not Matching. Child Birth Date Not Matches.
22	MOUNT MARY ENG HIGH SCHOOL	State Board	English	1st Standard	31-07-2010	01-01-2010	25	25	Child Birth Date Not Matches.
23	IDEAL ENG	State Board	English	1st Standard	25-02-2010	24-02-2010	16	16	Child Birth Date Not Matches.
24	ABHINAV ENGLISH SCHOOL	State Board	English	1st Standard	31-07-2010	01-08-2009	8	8	Child Birth Date Not Matches.
25	VAIBHAV VIDYALAYA VIKHROLI	State Board	Marathi	1st Standard	31-07-2010	31-07-2009	10	10	Child Birth Date Not Matches.
26	D. A. V. INTERNATIONAL SCHOOL, MULUND (W)	CBSE	English	Pre KG (3 Year Before 1st Std)	01-02-2013	01-06-2012	10	10	Standard Selected Not Matching. Child Birth Date Not Matches.
27	D. A. V. INTERNATIONAL SCHOOL, MULUND (W)	CBSE	English	1st Standard	01-02-2010	01-06-2009	10	10	Child Birth Date Not Matches.

\*Note: The window here is defined as the gap between maximum permissible age and minimum age limit for admission to a school. For e.g. Symbiosis International School, where the maximum age limit is 6 year 2 months and the minimum age is 6 years, the age window is 2 months.

An analysis of all the 457 schools in Pune and 321 schools in Mumbai who offered admissions under RTE Section 12(1)(c) during 2015-16, gave the results as mentioned in the table below:

TABLE 6.5: BREAKUP OF SCHOOLS BY THE AGE WINDOW ON THE RTE PORTAL						
City	Total RTE Schools	More than 1 Year	7 to 11 Months	1 to 6 Months	Less than 1 Month	No Information
Mumbai	321	190	33	79	11	8
Pune	457	283	51	93	14	16

The analysis showed that nearly 40 percent of the schools had chosen an admission window of less than a year, with nearly 25 percent of the schools choosing a window of less than 6 months. A possible reason for this could be that limiting the date of birth period, eligible for making an application, to a small window, restricts the number of students who can apply to that school, which would result in the school receiving less applications and more probability of having their RTE seats vacant after the lottery process.

It is also important to note that the date of birth windows entered by the schools on the online portal were approved by the cluster/URC heads who if needed, had complete administrative control to change the details or reject their verification.

#### 1.4. Neighbourhood criteria

Maharashtra followed a two-tier distance limit for neighbourhood criteria, wherein first preference for admission was given to the children residing within 1 km of the school, and if the seats still remained vacant, the applications from children residing within 3 km of the school were considered.

While filling the online form, parents were required to mark their house on Google Maps, after which the application software automatically screened schools within that area from the overall list of schools to only show the schools within 1 km and 1-3 km of the neighbourhood. Applicants were then required to tick mark the schools from this list where they wished to apply.

#### 1.5. Items covered under 'Free'

Section 5 (i) of the Maharashtra Right of Children to Free and Compulsory Education Rules<sup>102,103</sup>, 2011 states that, "Every child shall be entitled to receive free textbooks, writing materials and uniforms." However, as the state has not yet reimbursed the fee to private schools, there is no clarity regarding whether the cost for these items is to be borne by the government or the private schools. In our interaction with the schools and parents, we observed that in majority of the cases, this expense was being borne by the parents.

[102] <http://mbsp.maharashtra.gov.in/upload/RTEDoc/RTErulesMAH.pdf>

[103] [http://mhrd.gov.in/sites/upload\\_files/mhrd/files/upload\\_document/ccs\\_rte-rules\\_maharashtra\\_1.pdf](http://mhrd.gov.in/sites/upload_files/mhrd/files/upload_document/ccs_rte-rules_maharashtra_1.pdf)

## 2. Awareness

### 2.1. Notification about the Process

The notification regarding the application process was announced on February 8th, 2015 by the government through the medium of newspapers. The notification published in newspapers only had the list of help centres and their dates of operation. It did not contain any information about the timelines of operation for any of the help centres or the eligibility criteria and documentation required (see image below).

The details about eligibility criteria and documentation were put up on a hoarding at each of the help centres and on the notice board of the PMC education office in Marathi language. According to the initial notification, the application process in Pune and Mumbai was to be conducted in a two week window between February 23rd and March 7th, 2015 before which, all the schools were mandated to register on the government website between February 16th and February 21st, 2015.



### 2.2. Observations regarding the Application Process Timeline

**Non-Uniform timelines across the states** - While for Mumbai and Pune, the application process started from February 27th, applications in Nagpur were only available after March 2nd and Solapur after March 16th.

**Non-adherence to the declared dates** - Although the application website was supposed to be operational on February 23rd, it only became functional on February 27th, late in the evening. The last date to fill the form was also extended thrice at the last moment.

**Inconvenience to applicants** - The uncertainty about the starting and end dates along with last minute postponement of dates and improper communication of the same to the applicants caused a huge loss of time, money and energy for many of the applicants whom we interviewed. One of the interviewees had to take a leave from his office where he worked as a clerk, to submit his application on March 11th which was supposedly the last date, only to find out later that the centre was closed on the occasion of Rang Panchmi, and that the last date had been extended by one week.

### 2.3. Modes of Awareness

Section 3.2 of the Maharashtra RTE Rules 2013<sup>104</sup>, states that “Every school shall give wide publicity to the above notice in the neighbourhood area through the appropriate means like loudspeaker, pamphlets, local T.V., website, public announcement.” However, from our interviews with the schools, no school, barring one, took the efforts to publicize about this clause as per the mentioned rules. Only one school had conducted awareness drives in their neighbourhood with the help of teachers and students of classes IX-XII.

When asked about the awareness efforts taken by the government, an Education Officer at PMC informed us that there was no formal mechanism of awareness in place by then. The government had put up a few banners across the city and had even conducted meetings with principals of corporation schools so that they were able to spread awareness amongst parents and students about the opportunity available to apply in private schools.

Based on our discussions with parents and NGOs we observed that the awareness efforts were mostly driven by NGOs and through word of mouth publicity by applicants to their neighbours and relatives.

## 3. Application Process

### 3.1. Medium of Process - Online / Offline

From the year 2014-15 Maharashtra government shifted the RTE Application process to the online medium on a pilot basis for a few cities. For the year 2015-16, the online application process was followed for only the following 13 cities – Mumbai, Pune, Nagpur, Nashik, Thane, Aurangabad,

Jalgaon Amravati, Raigarh, Ahmadnagar, Latur, Solapur and Kolhapur. For the rest of the state, no information regarding the application process was available on the government website.

In the cities of Mumbai and Pune, the government did not accept any applications through the offline medium, however certain news reports<sup>105</sup> hinted at Kolhapur adopting the offline admission process due to less applications received through the online process.

### 3.2. Application filling – Government Help Centres

As the online application process required the applicant to have access to a computer, internet connection, as well as in some cases a scanner and a printer, the government opened up a number of help centres in each city to facilitate the online form filling process. Table 6 lists the number of help centres in each of the cities.

TABLE 6.6: NUMBER OF HELP CENTRES IN EACH CITY OF MAHARASHTRA DURING 2015-16		
Sr. No.	City	Number of Help Centres
1	Ahmednagar	8
2	Amravati	19
3	Aurangabad	1
4	Jalgaon	4
5	Kolhapur	1
6	Latur	14
7	Mumbai	31
8	Nagpur	25
9	Nashik	11
10	Pune	26
11	Raigarh	15
12	Solapur	22
13	Thane	51

Subsequent to the form filling, the officers at the verification centre verified the submitted applications with the document proofs and appropriately accepted or rejected the application, the results of which were notified by an SMS to the applicants. In case of rejection, the applicants were informed about the reason of rejection, and they had the option to visit the verification centre to get their old application deleted from the system and re-submit a corrected application. In our interaction with the

[104] [http://mhrd.gov.in/sites/upload\\_files/mhrd/files/upload\\_document/Maharashtra-DDWS.pdf](http://mhrd.gov.in/sites/upload_files/mhrd/files/upload_document/Maharashtra-DDWS.pdf)

[105] <http://timesofindia.indiatimes.com/home/education/news/Edu-dept-gears-up-for-offline-RTE-admissions/articleshow/46661878.cms>



verification centre official, we learnt that the majority of rejections were due to wrong tagging of the residence on the map when compared to the proof of residence.

The help centres at Mumbai and Pune followed slightly different modes of operation. Table 7 depicts some of these prominent differences in their operation.

**TABLE 6.7: DIFFERENCE IN OPERATION OF HELP CENTRES AT MUMBAI AND PUNE**

Pune	Mumbai
Operated by government officials	Operated by private schools
Uniform timings decided by the PMC	Independent timings according to each school
Same centre for form filling as well as verification	Separate centres for form filling and verification
Mandatory to get the application verified physically at the verification centre.	Need to visit the verification centre, only if the submitted application is rejected

### 3.3. Online Application form

The application form was accessible after registering on the portal with basic details like child's name, date of birth and mobile number. The online portal tackled the issue of duplicate registration by only allowing one application per phone number. After registration, parents were required to enter their basic details, choose the preferred medium and class for their child, mark their house on Google maps and then choose the schools from the list of schools in their

neighbourhood. Finally they were required to upload the scanned copies of required document proofs to successfully submit their application. An SMS alert was sent on the registered phone number upon successful submission of the application on the portal.

## 4. Documentation Required

Applicants were required to produce eligibility and identity document proofs along with the application form. These documents included their residence proof, birth certificate, caste certificate (for SC/ST applicants only), disability certificate (for children with disability only), income certificate (for EWS applicants only) and a coloured photograph.

### 4.1. Residence Proof

The list of documents that qualified for a valid residence proof in Maharashtra included an Aadhar Card, Passport, Voter Id Card, Driving License, Electricity Bill, Phone Bill, Water Bill or House Tax Receipt, while Rental agreement or Ration card were not considered a valid address proof.

### 4.2. Income Proof

The BPL (Below Poverty Line) Ration Card was not considered a valid income proof for applicants belonging to economically weaker sections. They were required to produce an income certificate of less than 1 Lakh rupees for the financial year 2013-2014 from the Tehsildar Office.

## Checkpoint #3

### Problems related to income proof

- The process of acquiring an income certificate was both time consuming and frustrating for parents as it required multiple visits to the Tehsildar Office. Many parents we interviewed, were asked to bring their neighbours or employees as a witness to their income, which meant a loss of income for not just them, but also their neighbours.
- Although the application fee for income certificate was Rs. 5, we came across cases, where the parents were made to donate Rs. 100 to the 'Sashastra Sena Dhvajdin Nidhi' (see image pasted below).



Receipt of donation to "Sashastra Sena Dhvajdin Nidhi"

## 5. Admission Process

The date of lottery and result announcement were not conveyed to the applicants at the time of form submission. After the declaration of results, the applicants were notified about the results through SMS and website. Under this lottery system, it was possible for a child to get selection offers from more than one school (see Table 8). While some students got as many as 14 admission offers, 4,372 out of

10,820 applicants in Pune could not be allocated any school in the first lottery.

After the draw of lottery, parents were given a time period of two weeks to secure admission in one of the schools allocated to them. However, since many parents were not able to secure admission in this time frame, it was extended by another two weeks.

**TABLE 6.8: BREAKUP OF APPLICANTS FROM PUNE ACCORDING TO THE NUMBER OF ADMISSION OFFERS**

Number of Offers	No. of Children
0	4372
1	3691
2 to 5	2650
6 or More	107

### Checkpoint #4

#### Problems related to income proof

- We also came across cases where some of the NGOs charged a sum of 250 rupees from the parents for helping them in preparation of their income certificates (see image pasted below).
- In Mumbai, the government initially accepted the income certificate, made in the mother's name, only in cases where the father of the child was dead or the parents were legally separated. This led to rejection of many applications where the mother was abandoned by the father of the child. However, when this issue was raised by the local NGOs and media, the government also started accepting the income certificate of the mother.



*Receipt of an NGO*

**Checkpoint #5****Problems related to admission**

- Resistance from schools - Many schools who were required to admit children in pre-primary as well as Std. I, decided to accept admissions in only one of the classes. Some of the schools refused to admit children in pre-primary classes, as the state government was not providing reimbursements for pre-primary classes, while some others refused to admit children in Std. I saying that the entry level of their school was pre-primary.
- Table 9 below depicts the number of applications and admissions at various stages of the process in Pune and Mumbai derived using data available on the official government website.

**TABLE 6.9: NUMBER OF APPLICATIONS AND ADMISSIONS AT VARIOUS STAGES OF THE PROCESS**

City	Class	Vacancies	Applications	Total Admission Offers	Unique Offers*	Confirmed Admissions
Mumbai	Std. I	7371	1755	2516	1248	661
	Pre-Primary	4186	2920	2433	1601	875
Pune	Std. I	8433	4131	6649	3173	1918
	Pre-Primary	5191	6689	4552	3275	2243

\*Since one student could get multiple admission offers, unique offers is the count of number of children who got at least one admission offer

- The analysis revealed that only half the selected students were finally able to secure admission in Pune. The admission realization for the city of Mumbai also stood at a low 20 percent mark for pre-primary and a paltry 8 percent for Std. I. (Contd...)

**TABLE 6.10: BREAKUP OF SCHOOLS BY PERCENT OF SELECTION**

City	Class	Total Schools	Breakup of schools by percent of Selection (Selections in the school/ Vacancies)			
			No selection	1-50 percent	51-99 percent	100 percent
Mumbai	Std. I	308	77	138	30	63
	Pre-Primary	223	45	72	18	88
Pune	Std. I	420	34	63	30	293
	Pre-Primary	323	20	24	20	259

**TABLE 6.11: BREAKUP OF SCHOOLS BY PERCENT OF ADMISSION**

City	Class	Total Schools	Breakup of schools by percent of Admission (Admissions in the school/Vacancies)			
			No selection	1-50 percent	51-99 percent	100 percent
Mumbai	Std. I	308	215	78	15	0
	Pre-Primary	223	136	62	25	0
Pune	Std. I	420	246	126	44	4
	Pre-Primary	323	158	82	77	6



Though Section 12(1)(c) of the Maharashtra RTE Rules, 2013 mentions that the first instalment of reimbursement must be received latest by September 30, and the second instalment by May 30, no reimbursement was provided to any school by the state government as of May 30th, 2015.

The maximum cap of reimbursement under Section 12(2) had been fixed at “per child expenditure incurred by the state” which has been defined by the Maharashtra Government through Section 8 of the Maharashtra RTE Rules, 2011 as “*The total annual recurring expenditure incurred by the State Government, whether from its own funds, or funds provided by the Central Government or by any other authority, on elementary education in respect of all schools established, owned or controlled by it or by the local authority, divided by the total number of children enrolled in all such schools, shall be the per-child expenditure incurred by the State Government.*” However, the maximum amount that would be reimbursed to the school is not yet clear, as the state government has not put these calculations in the public domain.

## 7. Grievance Redressal

In a notification dated May 15th 2014, it was announced that an “Online Admission Committee” headed by the regional deputy director consisting of Education Officers of Zila Parishad, Municipal Corporations, Municipal Councils and Nagar Panchayat as well as two parents and two management representatives from the School Management Committees, would have power to decide on complaints of non-admission by the school. However, there are no further details of what action could this committee take against defaulting schools and the manner of grievance redressal. In our interactions with the education officers of the Pune Municipal Corporation, we were informed that the department had sent a notice to the schools against whom they had received complaints for not admitting children through this clause. However, as the RTE Act did not have separate penal provisions for various level of violations by the school, the only option available for them was to de-recognize schools, a strict step, which they were hesitant to take keeping the future of other children in mind.

### Salient Features of the Maharashtra MIS portal

- The Maharashtra RTE Portal uses Google Maps to only show the schools within 3 KM of the applicant’s residential address. This has reduced the administrative difficulties in measuring the distance to determine the eligibility for neighborhood.
- The portal requires applicants to scan and upload the supporting document proofs, which helps in verification of the application before draw of lottery.

## PART B: IMPLEMENTATION ACROSS STATES USING MEDIA REPORTS

This section reports the experience of implementation across a select few states in India based on reports published among popular English dailies in the past one year. Our methodology for collecting the news articles for this analysis involved using search terms that are most likely associated with Section 12(1)(c) of the RTE Act, such as Right to Education, 25 percent quota, EWS admissions, Private Unaided Schools amongst others. Moreover, we primarily relied on the Google News search engine, which allowed us to examine most of the major English dailies. However, the study is limited in analyzing other vernacular and regional reports, which may have additionally been a rich source of information about the on-ground implementation scenario across these states.

Across reports within these states, we consistently noted that the coverage on Section 12(1)(c) of the Right to Education (RTE) Act has become synonymous with the overall Act itself. This is in line with the growing attention garnered by Section 12(1)(c) of the RTE Act over the last few years since its inception in 2009 as compared to other provisions of the Act. On numerous occasions across various news reports, this particular section has simply been referred to as RTE, highlighting the disproportionate attention the provision has received. One such recent instance is of the following headline from The Times of India, Pune edition dated Aug 6, 2015.<sup>106</sup>

[106] Gole, S.S. (2015, August 6). Pay for uniforms & stationery, schools tell RTE students. The Times of India. Pune. Retrieved from <http://timesofindia.indiatimes.com/city/pune/Pay-for-uniforms-stationery-schools-tell-RTE-students/articleshow/48368829.cms>

### Role played by Civil Society Organizations in Maharashtra

- **Action for the Rights of the Child (ARC)** – is a consortium of nearly 25 NGOs and individuals, maintains a bilingual website [www.rtemaharashtra.org](http://www.rtemaharashtra.org), which is the most comprehensive website containing all the resources and information related to RTE in Maharashtra. The impact of the role played by ARC in spreading awareness about RTE can be gauged by the fact that on searching about RTE in Maharashtra on Google, the ARC website shows even above the government website.
- **Swadhar** – is one of the prominent NGOs working on 25 percent reservation in Pune, Swadhar has spread awareness through street plays, public meetings and exhibitions. The NGO also distributes newsletters and pamphlets for effective awareness in six areas across Pune.
- **Kagad Kach Patra Kashtakari Panchayat (KKPKP)** – has helped children from hundreds of ragpicker families to secure admissions in private schools over the last three years through RTE Section 12(1)(c). They are also active in raising the grievances of parents with the local administration, by leading peaceful, non-violent protests at the Directorate Office. They filed and subsequently won a PIL in the Bombay High Court to allow dual entry at the entry level in Std. I as well as pre-primary classes.
- **Khidmat Welfare Centre** – is an NGO started by the Municipal Corporation from Andheri, Mumbai, set up as an informal help centre with 6 computers well equipped with printers, scanners and internet, to fill the online form for applicants from the local area, free of charge. Last year they reached out to nearly 3000 families through their awareness drives, out of which nearly 600 applicants successfully completed their applications. The organisation also helped the parents in getting their income certificates from the Tehsildar Office.
- **Anudanit Shiksha Bachao Samiti (ASBS)** – is an NGO setup by members of CPI(M) party in Mumbai, which has filed multiple PILs in Bombay High Court regarding non-compliance of RTE. A protest led by them at the BMC Education Office, was instrumental in acceptance of income certificate of mothers as a valid income proof. Apart from helping the applicants in getting their Income Certificate from the Tehsildar, they also operated an informal help centre to assist in online form filling, although they charged a token fee of 100 rupees from each applicant to cover their operation costs.
- **Desh Seva Samiti** – is a Goregaon based NGO, which has been instrumental in spreading awareness about RTE Section 12(1)(c) since 2012 through Rath Yatra, community meetings, banners, posters and pamphlets. They also helped parents in securing an income certificate from the Tehsildar office.

*“Pay for uniforms & stationery, schools tell RTE students”.*

Additionally, we observed that maximum reporting on RTE Section 12(1)(c) has been done in the states of Karnataka, Maharashtra and Delhi. The reports mainly revolved around 5 main issues - creating awareness, admission process going online, entry level for admission, reimbursements to schools as well as improved accountability measures.

Highlighting each of these five dimensions, we now present a consolidated overview of several media reports, published across individual states in 2015.

### Generating Awareness

The foremost step in admission of students under Section 12(1)(c) is to create awareness and sensitize beneficiaries

about the provision. Recently conducted assessments point to a gap of information among the beneficiaries and the stakeholders. Additionally, there are information leakages at every level. Our analysis reveals that most of the state governments and district authorities reported advertisements in local newspapers as the only method to spread awareness. Furthermore, they used the advertisements to declare the important dates for the application process just a few days before the official procedure started.

In line with this, the Gujarat High Court has given strict instructions to the state government to undertake a wide media campaign for six months in the state, in response to a writ petition filed by Dalit HaqRakshak Manch. The education secretary has been asked to submit a report on

this campaign to the HC's registrar general. In case of non-compliance, the court may take up the case once again.<sup>107</sup>

### Online Admission Process

Education departments within states of Delhi, Rajasthan, Madhya Pradesh and Maharashtra have adopted a centralised, online route for better implementation of Section 12(1)(c). The same is also being planned for admissions in Kendriya Vidyalayas and all central government schools, from the coming academic session.<sup>108</sup> Till date, the governments have merely been issuing a common form and monitoring the draw of lots, with the remaining process being managed by individual schools. We now briefly describe key highlights from admission processes being followed across some of the states:

1. In addition to last year's Pune, PimpriChinchwad and South Mumbai, Maharashtra made the entire admission process centralized and online in 6 more cities and satellite towns of Mumbai for facilitating the entire process for the coming academic session 2015-16. These include cities like Nashik, Aurangabad, Kolhapur, Nagpur, Amravati, Latur as well as those in Mumbai's metropolitan regions comprising of satellite towns such as Thane, KalyanDombivali, Bhiwandi-Nizampur, Ulhasnagar, Mira-Bhayandar and Navi Mumbai.<sup>109</sup>
2. Madhya Pradesh planned an aggressive campaign, online as well as offline, to create awareness among the masses about the provision.<sup>110</sup>
3. Delhi made their admission process online for the first time starting from the session 2016-17. This is for schools recognised under Delhi School Education Act and Rules (DSEAR), 1973 whereas it is the same offline process for schools recognised under the Right to Education (RTE) Act, 2009. However, this also hassled parents who had to figure out which school was under

which category, since there was no list notifying the same.<sup>111</sup>

4. Articles and reports from other states suggest that although going online with the admission process appears to be a good move to improve transparency and efficiency, it might also pose a hindrance to government's larger goal of inclusivity in schools. Not all parents would be able to apply online for admissions especially the ones coming from the lower strata of the society. Problems faced by parents, a majority of whom are not computer literate were reported from across many states. Parents also complained that help centres or cyber cafes assisting them in the process charged them a lot for filling up forms.<sup>112</sup>

### Entry Level for Admission

A few states have gone one-step ahead in extending the ambit of this provision to provide admissions, under this mandate, in kindergarten. Entry level criteria has varied across different states (as is evident in the details below), being largely dependent on the state's discretion.

1. Maharashtra, Delhi, and Karnataka have been taking students in schools, under this mandate, at the pre-primary level.
2. Karnataka government, further, is contemplating to start lower-kindergarten in government schools. The government has a view that this would help dissuade parents from sending their wards to private schools.

### Reimbursements

This refers to both the reimbursements to schools by the government as well as reimbursements to parents for their expenditure on books and uniform. Ambiguity, especially on the latter, was seen as a common concern among key stakeholders.

1. Despite clear provisions under this clause, which makes it mandatory for schools to provide free books and uniforms to students belonging to economically weaker sections eligible under the Act, parents have alleged that schools have been demanding money, amounting upto Rs 5,000 in certain cases, for uniform and stationery. Even

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[107] TNN (2016, Jan 19). HC orders wide publicity for RTE. The Times of India. Retrieved from <http://timesofindia.indiatimes.com/city/ahmedabad/HC-orders-wide-publicity-for-RTE/articleshow/50633753.cms>

[108] Dharmo (2016, Jan 4). KVS online application may bare illiterate RTE EWS parents to access. India Help. Retrieved from <http://indhelpp.com/kvs-online-application-may-bare-illiterate-rte-ews-parents-to-access/>

[109] TNN (2015, Feb 26). RTE admissions go online in more cities in Maharashtra this year. The Times of India. Retrieved from <http://timesofindia.indiatimes.com/city/pune/RTE-admissions-go-online-in-more-cities-in-Maharashtra-this-year/articleshow/46374837.cms>

[110] Lashkari M.R. (2016, Jan 28). MP education dept. plans campaign to boost enrolment under RTE. Hindustan Times. Retrieved from <http://www.hindustantimes.com/education/mp-edu-dept-plans-campaign-to-boost-enrolment-under-rte/story-9pl05VTNvj5e93xppqJnUL.html>

[111] Press Trust of India (2016, Jan 2) Nursery admissions begin in Delhi amid online-offline hassle. NDTV. Retrieved from <http://www.ndtv.com/delhi-news/nursery-admissions-begin-in-delhi-amid-online-offline-hassle-1261414>

[112] TNN. (2015, July 26). Karnataka govt. plans to bring BPL family kids under RTE. The Times of India. Bengaluru. Retrieved from <http://timesofindia.indiatimes.com/city/bengaluru/Karnataka-govt-plans-to-bring-BPL-family-kids-under-RTE/articleshow/48221237.cms>

government officials have shown apathy in this matter arguing whether getting free admission isn't enough.<sup>113</sup>

2. Alternatively, there have been schools which haven't been reimbursed by the government since 2013-14. The National Independent Schools Alliance (NISA), an advocacy organisation for budget private schools, has proposed to give reimbursement vouchers directly to private school students instead of going through the school authorities since most of the schools haven't been reimbursed by the government since 2013-14.<sup>114</sup>

### Improved Accountability Measures

A few reports have also brought out how some state governments have revised the rules and guidelines to ensure smoother on-ground implementation of the provision.

1. The Karnataka government, for instance, in addition to laying down rules clearly and revising the rules for eligibility, has also started looking critically into certificates provided by the schools for claiming minority status. This can be seen as a response to the rising number of schools vying for minority certificates.<sup>115</sup>
2. The Delhi Government, as has been observed through some reports, has revised distance rules for admission for the session 2016-17. According to the notification, admission shall first be offered to eligible students belonging to EWS and DG category residing within 1 KM of the specified school. In case the vacancies remain unfilled, students residing within 3 KM of the school shall be admitted. If there are still vacancies, then the admission shall be offered to other students residing within 6 KM of the institution. Students residing beyond 6 KM shall be admitted only in case vacancies remain unfilled even after considering all the students within the 6 KM area. It clearly opens up more options for parents.<sup>116</sup>

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[113] Gole, S.S. (2015, August 6). Pay for uniforms & stationery, schools tell RTE students. The Times of India.Pune. Retrieved from <http://timesofindia.indiatimes.com/city/pune/Pay-for-uniforms-stationery-schools-tell-RTE-students/articleshow/48368829.cms>

[114] Vibhute, K. (n.d.). Schools body suggests reimbursement vouchers for RTE students. DNA. Retrieved from <http://www.dnaindia.com/mumbai/report-schools-body-suggests-reimbursement-vouchers-for-rte-students-2175827>

[115] Guidelines for RTE Seats Announced. (2016, February 10). Dailyhunt. Bangalore. Retrieved from <http://m.dailyhunt.in/news/india/english/the-new-indian-express-epaper-newexpress/guidelines-for-rte-seats-announced-newsid-49510672>

[116] Press Trust of India (2015, Dec 31). Norms for online EWS admissions draw concerns from parents. NDTV.Retrieved from <http://www.ndtv.com/delhi-news/norms-for-online-ews-admissions-draw-concerns-from-parents-1260819>

## NOTE 3:

# Q&A WITH KIRAN BIR SETHI ON DEVELOPING A CULTURE OF SOCIAL INCLUSION

Kiran Bir Sethi is the founder of Design for Change. Her early training as a designer is clear in her work as an educator -- she looks beyond what exists, to ask, “could we do this a better way?” In 2001, she founded the Riverside School in Ahmedabad, designing the primary school’s curriculum (and its building) from the ground up. She also runs an NGO, called AProCh -- which stands for “A Protagonist in every Child”, which works for making cities child friendly. Design for Change is a worldwide movement, which runs across 33 countries with 200,000 children. Kiran BirSethi is the head, heart and soul for this global movement

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Implementation is “not just about letter of the law, it is also about the spirit of the act”, says Kiran as I introduce her to the purpose of the State of the Nation Report. The spirit, explains Kiran, lies in the idea of building a culture of equal opportunities. This is an opportunity not just for EWS and disadvantaged children. It is also an opportunity for the private schools to collaborate with the government, to come together and build model schools and curriculum that promote inclusivity. It is a matter of perspective, she elaborates, currently most private schools view Section 12(1)(c) as problematic, and diversity management as a demanding task. To operationalize the spirit of the act, this view needs to be altered. That is, in order to provide quality education to EWS children, a private school must believe that they want to and that they can do so. The question of Implementation of Section 12(1)(c) is therefore not just a systemic consideration, it is also involves developing mindsets and environments for social inclusion.

**Q. How does Riverside School view the 25 percent mandate and how does it operationalize the spirit of the act?**

At Riverside, we view Right to Education and Section 12(1)(c) as an inspirational policy. Its introduction was a mere legal development for us. Culturally, inclusivity was already a part of our policy and our system. Trust,

giving back and co-operation constitute the core values of school culture at Riverside, inclusivity is an extension of this culture. In line with the spirit of Section 12(1)(c), at Riverside, children and parents are taught to be empathetic towards their surroundings, they are made to acknowledge their privileges, and act appropriately to enable their surroundings.

With respect to Section 12(1)(c), our system is premised on a process that operationalizes these values, keeping in mind the increasing social and economic diversity within school system. We adopted a holistic policy, looking at legal, systemic, cultural and psychological aspects of the provision. To this effect, we first studied the provision and the law, with respect to its intention, outcome, and process. We studied model schools to understand pedagogical, social and cultural practices involved in social and academic inclusion. We developed research-oriented practices to track the growth of a child with respect to the academic and social exposure provided to him or her. To ensure full success in this endeavour, Riverside has introduced and fully supported a mandatory program for mothers of EWS students to build basic education skills upto Grade 10.

We are currently in the process of developing inclusive pedagogical and social strategies for children as they

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progress beyond the pre-primary and elementary classes. As we build this system, we continue to focus on building a culture of inclusion by involving our parents in management and decision making and making inclusion a part of our conversations.

**Q. What are some of the constitutive features of a culture of inclusion in a school?**

A culture is constitutive of people interacting and working with each other in groups and networks. Inclusion means bringing people together, by the means of communication and collaborative actions. So creating a culture of inclusion with respect to Section 12(1)(c) involves creating platforms where parents and students from different backgrounds can interact with each other. In this sense, a culture of inclusion is both a process and an outcome. Such a culture however is contingent upon school leadership. It's the vision of the leader that provides force to mobilization of school resources towards the desired outcomes.

The school leader must possess a mindset to strategically practice inclusivity in school. This mindset reflects in a school's academic and social culture. It is important to change the belief that only some abilities constitute as intelligence, and only certain children learn. This is not a special needs idea. Children from EWS category come to private schools at a very young age. Children at this age are quick to grasp and ready to learn. In effect, if it is approached strategically, this type of academic inclusion is not a very difficult task. Socially, school culture is contingent upon the culture of the community and society. It is therefore important that we keep sight of the culture of inclusion as it operates in the community, and use the school as a locus of control to manoeuvre in the desired direction.

**Q. How do we build a culture of inclusion with respect to education in a community and a society?**

A model such as Riverside School in Ahmedabad becomes a symbol or a face for inclusive education in the immediate community. An intensively engaging citizenship program at Riverside allows us to take the conversation about inclusion outside the boundaries of the school. This process enhances active community engagement, enhancing communication and activity with respect to inclusion in the community. This evolves into a "norm for inclusivity" in the immediate community. In this sense, inclusivity becomes a constitutive feature of the definition of a good school.

As I noted earlier, it is essential that we change the discourse around the RTE Act, Section 12(1)(c) Change the words people use to talk about Section 12(1)(c) and develop a narrative of engagement, encouragement and potential. This can be done at a state or national level, by developing a communication or marketing strategy for inclusive education. This discourse can be brought to people's attention by getting it endorsed and advertised by a celebrity. While there are already some state and national level systems that rank schools, it would be beneficial to add inclusive education as a criteria on which schools are bench marked on when they are given national or state level ranking. We should give awards to socially inclusive schools. This encourages parents to choose inclusive schools, which further encourages private schools to provide inclusive services.

**Q. How do we utilise the learning from Riverside model to develop inclusive practices in smaller private schools?**

One of the most important factors that determine ongoing success of the Riverside model is dedicated school management and leadership. As I explained earlier, it is the mindset of the leader that serves to mobilize the resources. Therefore, the first step will be to target school leadership. This involves, engaging the leaders of different private schools in a dialogue. This provides us a space for utilizing a private school's perspective, knowledge and resources to inform the strategy for inclusion. Such a network provides a platform for schools with successful models of inclusion to share their knowledge. For example, we at Riverside can provide design-thinking workshops to school leaders and key teaching staff. Further, through 'Design for Change', we can create a platform for sharing methods to design inclusive and contextually sensitive curriculum and pedagogical practices. The key is to build a collaborative platform to facilitate communication and exchange amongst the private schools. The private schools themselves need to embody the spirit of inclusion in their relationship with each other, so as to practice the same successfully in their schools and in their community.



# CONCLUSION AND GUIDE FOR IMPLEMENTATION

In the previous edition of this report, we spoke about the ambiguities, gaps and obstacles in the law and procedures of Section 12(1)(c). We had recommended in the previous version that the primary way to resolve procedural issues would entail an increased engagement with all stakeholders, including the government. While analysing data and suggesting recommendations, we often assume correctly placed government intentionality and will. This might not be so easy in case where so many states are pro-actively trying to avoid implementing the RTE mandate.

As emphasised in the previous as well as this edition, there is no ambiguity about the legitimacy of this mandate. So states which have made this provision difficult to implement by putting preference of filling government/ government aided should revise their rules. Similarly steps towards strengthening the implementation structures- whether by having a separate RTE commission or by building an effective MIS system- are still critically important.

But we also realise that it is imperative to shift focus from only 'what to do' to also 'how to do it'. In this endeavour, we want to conclude this report by putting together a guide for implementation. We will constantly revise the recommendations.

## 1. State Rules, Guidelines and Notifications

### 1.1. Definition of Economically Weaker and Disadvantaged Sections

In order to realise the objective of this clause, it is imperative to holistically cover all the groups falling under the disadvantaged categories.<sup>117</sup> Any cases of systematic underrepresentation of particular sections of the society should be identified by the states individually. Efforts should be made to reach out to orphans, homeless and disabled children apart from the economically and socially disadvantaged children.<sup>118</sup>

There still exists a wide disparity across the states in deciding the maximum limit of annual income of parents to be regarded as belonging to economically weaker section. A rational methodology and targeted approach should be used by each state to decide this limit, and the limit should be reviewed periodically.

### 1.2. Clear Age Criteria

In order to correctly identify the beneficiaries, the age criteria for eligible children should be identified by the state governments. As we have discussed in the case of Maharashtra, if the age criteria is left at the discretion of schools, it is often prone to misuse. In such cases, the government must issue certain guidelines and validate the age criteria decided by each school, before approving it.

### 1.3. Entry Level

While many states like Rajasthan, Delhi and Maharashtra have recognised pre-primary sections as the entry level in addition to Class I, some other states like Gujarat treat only Class I as the permissible entry level. A gap is created when in a school children go through 2-3 years of pre-primary schooling while Section 12(1)(c) children are only enrolled in Class I.

Therefore, pre-primary classes must also be considered as 'entry level' in schools following the said clause. The Bombay High Court, last year ruled on the legality of the clause, and held that as per the RTE Act, it is the responsibility of the state government to provide reimbursements to the schools which admit children in pre-primary through this clause.

### 1.4. Neighbourhood Criteria

Some of the states like Maharashtra, Tamil Nadu etc. follow distance as the criteria for deciding neighbourhood while others like Rajasthan, Karnataka, MP and UP regard the ward/block as the neighborhood. Using the ward criteria as neighborhood reduces the administrative efforts required to measure the distance between school and house for each applicant.

However, the use of technology like in case of Maharashtra can be helpful if the state decides to use distance as the neighbourhood criteria.

[cxvii] Namala. A, personal communication, Jan 26 2016

[cxviii] Chandrakanta, personal communication, Feb 1, 2016

### 1.5. Items for free – provision for uniform, books, stationery etc.

Each state interprets the term “free education” in a different manner. While Rajasthan government provides for textbooks in addition to school fee, other states like Maharashtra have made a provision to provide uniforms and stationery as well. Since the expenditure on the uniforms and stationery for the children are an integral part of the schooling cost, the government should also include these costs within the per-child expenditure that is to be reimbursed to each school. A good example is of Gujarat government which has decided to reimburse a sum of Rs. 3000 every year to cover the expenses on these items in addition to the school fee.

## 2. Awareness

Existence of a right, or any other benefit produced by a given social welfare scheme, has little or no value unless people are aware.

In our view, governments across these states need to carry out large scale mass-campaigns including, but not limited to, advertisements on local TV, FM Radio, print advertisements in all major newspapers, and banners and hoardings throughout the city in conjunction with other interpersonal communication campaigns. Schools, on the other hand, need to engage in enhancing basic awareness and dispelling doubts amongst beneficiaries, through local channels such as their notice boards, parent teacher meetings, official websites as well as periodic visits to the neighbourhood.

States with rich data on the beneficiaries should also start thinking about mining the data to provide insights. For example, the data might reveal some low-income communities with poor admissions. This information could then be passed to the local NGOs or the local administration for creating awareness.

### 2.1. Notification about the process

The notification for the application process should be issued well in advance (at least one week) before the start of the application process, to create awareness. As far as possible, same timelines should be used across the whole state,

which is helpful for state-wide awareness campaigns. Efforts should also be made to use uniform timelines each year, so that the applicants are prepared in advance.

The dates for lottery and admission stages should also be informed at the application stage, as it was done in case of Rajasthan. In case of Maharashtra, where the lottery dates were not declared at the time for form submission, parents faced a lot of anxiety and difficulty in finding out about the result of their applications.


The time window for application process should be long enough to ensure that the parents get sufficient time for preparation of required proofs. This eliminates last minute extensions, which cause delays in the remaining process.

## 3. Mode of Application

As observed in our interaction with the applicants, the offline mode of application where they are required to fill the pen-and-paper application form turns out to be relatively easier for applicants who lack the technical knowledge to operate computers. However, given the large number of participants it would be practically unfeasible to physically verify the neighbourhood for each applicant and conduct the lottery to allocate a school.

To mitigate this problem, many states like Delhi, Rajasthan, Maharashtra and Karnataka have developed online portals to streamline the application process. The end to end management information system (MIS) provides for a transparent admissions and reimbursement process. Some states even further extend this system to cover post admission processes such as tracking attendance and performance of children, as well as providing reimbursements.

However, there are certain limitations of the online application process as it requires the applicant to have access to a computer and internet connection, or in some cases a scanner and printer. This often ends up being a constraint for people belonging to economically weaker sections. To solve this, the Maharashtra government had set up dedicated help centres in each city to facilitate the form filling process. However, the centres were insufficient, both



in terms of their capacity and reach, considering the large size of cities like Mumbai and Pune.

Therefore, a combination of online and offline application process, like Rajasthan, can be employed where either the parents can fill the form online on the government portal, or can go to the nearby private school of their choice to submit an offline form. These forms are then uploaded on the portal by the particular school. Having each private school as the form filling centre ensures greater accessibility to the applicants in their neighbourhood, and saves the cost of setting up dedicated help centres for the government.

#### **4. Reimbursement**

Each government should form a committee of experts to determine the method of calculating reimbursements, and the calculations performed to arrive at the amount should be made available in the public domain. Also this number should be periodically revised.

The reimbursement process should be carried out through the online MIS portal. Each school should be directed to create an account on the web portal, and upload all information that constitutes the expenditure on the child in a pre-defined template.

Further, the school should be asked to upload their account details online so that the amount can be transferred through net-banking services. To avoid the cases of faulty reimbursements, the government representatives should physically verify the students admitted under the provision in the school and confirm the same on the portal. The reimbursement can then be made in fixed number of installments each year. To this effect, the state of Rajasthan provides a robust model for online reimbursements, where linking of reimbursement process to the online portal has ensured timely reimbursement to private schools, thereby reducing unnecessary delays.

#### **5. Grievance Redressal**

An accountable and operational grievance redressal mechanism to ensure strict compliance by various stakeholders forms the linchpin of a robust policy process. Each state should therefore constitute a “Grievance Redressal Committee” which is empowered to investigate the complaints and take actions against the defaulting schools.

The information of specific officers who will be handling grievance redressal should be made public and freely accessible. This can be done during the time of the awareness campaigns, so that parents/guardians are aware of whom to approach. There should be a designated officer at the ward level, as the authority charged with redressal, to handle complaints and to efficiently distribute workload. This can also ensure that the DEO's office is not overburdened with complaints that may be resolved locally at the ward level.

The states should also launch a Toll-Free Helpline number, where the parents can register their complaints regarding non-compliance of this policy. This number should be printed on every application form and should also be provided along with the receipt.

#### **6. Regular tracking of children**

The process of tracking children admitted under this mandate should be instituted to check for the desired level of implementation and outcome. This involves tracking children admitted under the RTE 25 percent quota for attendance, grades, dropout rates, frequency of parent interaction, learning outcomes etc.

In addition to this, state governments can administer simple tests to detect any cases of systematic discrimination against children admitted under the quota.

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# ANNEXURE

## Annexure 1: Using and Cleaning DISE data

For the purpose of this report, we have used the data for private unaided schools for years 2013-14 and 2014-15. DISE Data Capture Format (DCF) has only two data points related to implementation of Section 12(1)(c)

- Number of children enrolled at entry level in current academic year
- Number of children continuing who got admission in previous years

In 2012-13, DISE DCF had two different data points for Section 12(1)(c): applications and enrolments in class 1. As the numbers are not comparable, we have not added them to the current analysis.

### 1. Calculating Fill Rate under Section 12(1)(c)

Fill Rate = Enrolment under Section 12(1)(c) at entry level/ Total seats available under Section 12(1)(c) \*100

- Enrolment under Section 12(1)(c) at entry level is reported by DISE.
- Though DISE does not report total enrolment at entry level for all schools, it provides total enrolment in Class 1. We have used total enrolment in Class 1 to calculate available seats as it satisfies all the cases for admission under Section 12(1)(c).

Case	Actual enrolment under Section 12(1)(c) at entry level	Total seats available under Section 12(1)(c) = 25 percent of total enrolments in Class 1
School only has 1 entry level and that is pre-primary	Schools would report pre-primary admissions in DISE	As the school has only 1 entry level, total enrolments in Class 1 should be equal to enrolments at entry level (discounting any dropouts)
School only has 1 entry level and that is Class 1	Schools would report admissions in Class 1 in DISE	Entry level is Class 1.
School has two entry levels: pre-primary and Class 1	Schools would report enrolments in pre-primary + new enrolments in Class 1	Enrolment in Class 1 reflects enrolments continuing from pre-primary plus new enrolments in Class 1. 25 percent of this should give the available seats under RTE.

### 2. Calculating drop-outs

As mentioned earlier, we have the following data points under Section 12(1)(c) for the years 2013-14 and 2014-15

2013-14		2014-15	
Enrolment at entry level	Children continuing from previous years	Enrolment at entry level	Children continuing from previous years
A	B	X	Y

Drop-out between year 2013-14 and 2014-15 = Y – (A+B)

### Data Cleaning

For DISE data to accurately reflect the implementation, we have cleaned the raw data for all the states. For the purpose of cleaning, consider the following example:

- a. A school reports that total no. of children in Class 1 as 100. Therefore the maximum no. of RTE Section 12(1)(c) admissions should be equal to 25.

In practice, in raw data, the schools have reported the enrolments under Section 12(1)(c) anywhere from 0 to even more than 100.

Number reported by school	0-25	25-100	>100
Action taken	Actual number reported by the school is used	The number has been capped to maximum 25	School has been removed from the analysis
Explanation	Permissible	Though the schools may take admissions greater than 25, yet from the point of view of compliance, the maximum number should not go beyond 25. Also over-compliance in one school might mask the under-compliance in another when the data is aggregated at the state level. Hence it makes sense to cap the data.	As the Section 12(1)(c) enrolments cannot go beyond the total number of seats available in entire class 1, this number has been wrongly reported by the school.

- b. For calculating the dropouts, any school with a negative drop-out has also been removed from the calculation.

In terms of overall errors, there were 25,727 schools with negative dropouts. 4,389 schools where admissions under Section 12(1)(c) were greater than Class 1 strength. 2,713 schools had both these errors.



## ANNEXURE 2: NOTE ON CALCULATION OF EXPENDITURE ON TEACHER SALARY

There are two sources of funds for elementary education in a State: State treasury and SSA. Till 2013-14, entire gamut of funds flowing through SSA did not reflect in State budgets. Hence, Calculating total expenditure on salaries involved adding: a) expenditure incurred through the State budget (information available from state budget documents), and b) funds for salaries flowing through SSA. Since 2014-15, the Central share toward SSA is also channelised through treasury. In other words, the State budget document fully reflects expenditure on elementary education in a State.

Total expenditure on salaries so obtained is then divided by total enrolment in government schools to obtain per student expenditure. Total enrolment in government schools is obtained from DISE.<sup>119</sup> We have considered the salary expenditure only on the teacher employed in government schools, and excluded salary expenditure incurred on teachers in private aided schools.

Rajasthan classifies its budget according to budget heads. Budget head 2202.01 includes all revenue expenditure incurred by the government toward elementary education. Within 2202.01, we focus only on those minor budget heads which include salary component. These minor heads are 001 (Direction and Administration); 101 (Government primary schools); 103 (Assistance to local bodies); 104 (Inspection), 105 (Non-formal education); 196 (Assistance to district level panchayats); 197 (Assistance to block level panchayats); 796 (Tribal Sub-plan); and 800 (Others). Within these minor heads, there are specific sub-minor heads that report salary expenditure. Summing up the amounts mentioned in these heads gives us the quantum of expenditure salaries in state treasury. The next step was to add the expenditure on teacher salary under SSA (for 2013-14). This was collected from PAB minutes available on the SSA portal.<sup>120</sup> This step was not needed in 2014-15.

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[119] District Information System for Education (DISE), covers both primary and upper primary schools of all 662 districts of the country. Report available online at <http://www.dise.in>

[120] [http://ssa.nic.in/pabminutesdocuments/Pab percent20Minutes percent20201314/Rajasthan/PAB\\_MinutesRajasthan-2013-14 percent20\\_Final\\_.pdf](http://ssa.nic.in/pabminutesdocuments/Pab%20percent20Minutes%20percent20201314/Rajasthan/PAB_MinutesRajasthan-2013-14%20percent20_Final_.pdf)











