

Tele : 23018680

Dte Gen of Mil Trg (MT-15)  
GS Branch  
Integrated HQ of MoD (Army)  
DHQ PO, New Delhi - 110 011

A/83130/RTE/GS/MT-15

19 Aug 12

Principal, Rashtriya Military School, Chail  
Principal, Rashtriya Military School, Ajmer  
Principal, Rashtriya Military School, Belgaum  
Principal, Rashtriya Military School, Bangalore  
Principal, Rashtriya Military School, Dholpur

**EXEMPTION OF RASHTRIYA MILITARY SCHOOLS FROM THE PURVIEW OF RIGHT  
OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009**

1. A photocopy of Gol, Minstry of HRD, Dept of School Edn & Literacy letter No 17-35/2012-UT-III dated 24 Jul 2012 is enclosed herewith.
2. Fwd for your info please.

  
(Dhirendra Kumar)  
Maj  
Offg Dir, MT-15

Encls : As above.

Copy to :-

MoD / D (GS-II)

- Photocopy of the same is enclosed for your info please.

F.No.17-35/2012-UT-III  
Government of India  
Ministry of Human Resource Development  
Department of School Education & Literacy  
B-Wing, Ground Floor, Shastri Bhawan  
\*\*\*

New Delhi, dated 24th July, 2012

The Deputy Director General  
Army Education  
Directorate General of Military Training/MT-15  
General Staff Branch  
Integrated HQ of Ministry of Defence (Army)  
New Delhi - 110011

Subject: Exemption of Rashtriya Military Schools from the purview of Right of  
Children to Free and Compulsory Education Act, 2009.

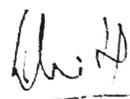
Sir,

Please refer to your letter no. A/83130/GS/MT-15 dated 25th May, 2012 regarding exemption of Rashtriya Military Schools from the purview of Right of Children to Free and Compulsory Education (RTE) Act, 2009.

2. The Ministry of HRD, Department of School Education & Literacy has issued the guidelines under Section 35(1) of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 in respect of residential schools vide OM no. F.No. 1-3/2010-EE-4 dated 13.07.2012. A copy of the said OM is enclosed.

Encl: As above.

Yours faithfully,



(P.K.Mittal)

Deputy Secretary to the Govt. of India

12442/12

24

F No. 1-3/2010 EE4  
Government of India  
Ministry of Human Resource Development  
(Department of School Education & Literacy)

Room No. 429-A, "C" Wing, Shastri Bhavan,  
New Delhi, dated 13<sup>th</sup> July, 2012

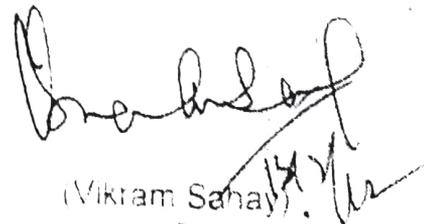
**Subject:** Guidelines under Section 35(1) of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 in respect of Residential Schools – reg.

The Hon'ble Supreme Court in para 13 of its judgement dated the 12<sup>th</sup> April, 2012 in WP (C) 95/2010 in the case of Society for Unaided Private Schools of Rajasthan Vs. Union of India and Anr., and similar writ petitions tagged along with directed that appropriate Guidelines under section 35 of the Right of Children to Free and Compulsory Education Act, 2009 be issued clarifying its applicability to boarding or residential schools.

2. The aforementioned issue has arisen in the context of applicability of the provisions of clause (c) of sub-section (1) of section 12 of the Right of Children to Free and Compulsory Education Act, 2009 on private unaided schools. In the said section it has been, inter alia, provided that children belonging to weaker section and disadvantaged group residing in the specified neighbourhood of the school have a right to be admitted therein to the extent indicated in the said clause and provided free and compulsory education, till completion of elementary education. In respect of residential schools, however, the applicability of clause (c) of sub-section (1) of section 12 would be limited to day scholars, since only in respect of day scholars can the neighbourhood criterion apply.

3. The provisions of clause (c) of sub-section (1) of section 12 of the Right of Children to Free and Compulsory Education Act, 2009 shall not apply to the residential schools which start admitting children at classes higher than class I.

4. The aforementioned Guideline may be brought to the knowledge of all concerned for necessary compliance.



(Vikram Sahay)  
Director

Teletax 2338 1470

Email: vikramsahay7@gmail.com