

To,

23 June 2021

District Education Officer
Madhyamic Shiksha, Govt of Uttarakhand
Mayur Vihar
Dehradun

Subject: Regarding the implementation of RTE Act 2009 in the school

Dear Madam,

This is to inform you that Tula's International School is Unaided and completely Boarding School affiliated to CBSE. Affiliation no 3530370, School no 81598.

As per the letter issued from the ministry of Human Resource Development, Department of School Education & Literacy dated 12th April 2012, the RTE Act 2009 is applicable to the Day scholar belonging to weaker section and disadvantaged group residing in the specified neighborhood of the school.

The RTE Act 2009 is not applicable to the unaided boarding school which starts admitting children at classes higher than Class I.

Warm Regards

Shalini Sharma
Principal
Tula's International School



Chairman
Tula's International School
Dhoolkot, Dehradun

Public-private partnership [edit]

To address these quality issues, the Act has provisions for compensating private schools for admission of children under the 25% quota which has been compared to school vouchers, whereby parents may "send" their children in any school, private or public. This measure, along with the increase in PPP (Public Private Partnership) has been viewed by some organisations such as the All-India Forum for Right to Education (AIF-RTE), as the state abdicating its "constitutional obligation towards providing elementary education".^[32]

Infringement on private schools [edit]

The *Society for Un-aided Private Schools, Rajasthan* (in *Writ Petition (Civil) No. 95 of 2010*) and as many as 31 others^[36] petitioned the Supreme Court of India claiming that the act violates the constitutional right of private managements to run their institutions without governmental interference.^[37] The parties claimed that providing 25 percent reservation for disadvantaged children in government and private unaided schools is "unconstitutional".

Forcing unaided schools to admit 25% disadvantaged students has also been criticized on the grounds that the government has partly transferred its constitutional obligation to provide free and compulsory elementary education to children on "non-state actors," like private schools but collected a 2% of the total tax payable for primary education.^[32]

On 12 April 2012, a three judge bench of the Supreme Court delivered its 2-1 judgement. Chief Justice SH Kapadia and Justice Swatanter Kumar held that providing thw reservation is not unconstitutional but stated that the Act will not be applicable to private minority schools and boarding schools. However, Justice K. S. Panicker Radhakrishnan dissented with the majority view and held that the Act cannot apply to minority and non-minority private schools that do not receive aid from the government.^{[38][39][40]}

In September 2012, the Supreme Court declined a review petition on the Act.^[41]

In May 2016, the Chetpet-based CBSE school Maharishi Vidya Mandir became embroiled in a scandal over its circumvention of the 25% quota rule.^[42] During its admissions cycle, the school told economically weaker parents "the RTE does not exist" and "we do not take these [government RTE] applications." The senior principal also informed the Tamil Nadu Regional Director of the CBSE that he intended to "reject applicants without an email address" and so excluded technically-illiterate parents from seeking admissions. In addition, school officials falsified the distance figures of several poorer candidates to attempt to disqualify them from availing of the scheme.

Barrier for orphans [edit]

The Act provides for admission of children without any certification. However, several states have continued pre-existing procedures insisting that children produce income and caste certificates, BPL cards and birth certificates. Orphan children are often unable to produce such documents, even though they are willing to do so. As a result, schools are not admitting them, as they require the documents as a condition to admission.^[43]

References [edit]

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Chairman
Tula's International School
 Dhoolkot, Dehradun