

Ban on charging Capitation Fees in primary schools

Government of Gujarat
Education Department
Resolution No: PRE-112011-149-K,
Sachivalay, Gandhinagar.
Dt.18 FEB 2011

Read :-

- (1) Section-13(1) and Section-38 of 'The Right of children to free and compulsory Education Act-2009.'
- (2) Notification No.GH/SH/6,No.PRE/12010/5/K,Dated 1/4/2010 of Education Department, Secretariat, Gandhinagar.

Preface :-

Intending to give free and compulsory education to all children from 6 to 14 years, Government of India has given fundamental constitutional right to all children by passing 'The Right of Children to free and compulsory Education Act,2009' in parliament. There is provision as under in Article-13(1) of the act:

"No school or person can charge capitation fee of any kind and can not make the child or his parents/guardian to undergo any interrogation or interview at admission of the child in school."

The matter to inform schools to implement by resolving the provisions of the section was under consideration of government.

Resolution:-

It is resolved by the state government as under vide powers gained from provisions of section 13(1) and section 38 of The Right of children to free and compulsory Education Act-2009 enacted by government of India which is indicated in preamble(1) :

- (1) No capitation fees/security deposit of any kind, fees or donation or amount except prescribed by school can directly or indirectly be taken from student or his guardians at admission of the student in all primary schools. It means that school can take fees which are prescribed every year for various aims, but can not take any kind of fees or advance of Capital Nature which is taken once at admission in the schools.
- (2) If it is proved that any school has violated provision of condition No.1 of the G.R., fine of the amount ten times more than capitation fees taken at admission will be imposed by competent officer.
- (3) The resolution must strictly be implemented by all primary schools of any medium and managements i.e. Government schools, schools managed by District Education Committees and by Municipal school Boards, Aided private schools. Non-granted private schools, CBSE or ICSI or other schools of any medium affiliated with any other board.

- (4) All District Primary Education Officers and District Education Officers should make all the schools under their jurisdiction strictly implement above provisions of the G.R.

Implementation of the G.R. is to be made from admission in academic year 2011-12.

By order and in name of Governor of Gujarat,

Sd/-

(S. B. Garasia)
Deputy Secretary (Primary Education),
Education Department,
Government of Gujarat

To,

- Principal Secretary to Hon. Governor, Raj Bhavan, Gandhinagar.
- Secretary to Hon. Chief Minister, Secretariate, Gandhinagar.
- Personal Secretaries to all Hon. ministers/ministers of State/Hon. Parliamentary Secretaries.
- Personal Secretary to Principal Secretary (primary education), Secretariate, Gandhinagar
- Personal Secretary to Secretary (primary education), Secretariate, Gandhinagar
- All Departments of Secretariate, Gandhinagar.
- Commissioner, Mid Day Meal and Schools, G.S. Gandhinagar.
- Director, Primary Education, G.S. Gandhinagar.
- State Project Director, Sarv Siksha Abhiyan, Sector 17, Gandhinagar. Direct
- Director, Continuing Education, G.S. Gandhinagar.
- Director, G.C.E.R.T. Gandhinagar.
- Director, Gujarat State Board of School Text Books, Gandhinagar.
- Secretary, Gujarat Secondary and Higher Secondary Education, G.S. Gandhinagar.
- All Munciple Commissioners
- All D.D.Os.
- All D.P.E.Os./D.E.Os.
- All A.O.s. Municipal School Boards,
Municipal Corporations
and Nagar Panchayats..... through Director, Primary Education
- Accountant General, Rajkot/Ahmedabad.
- Pay and Accounts Officer, Ahmedabad/Gandhinagar.
- All District Treasury Officers.
- Inspector, Local Accounts Fund, G.S. Gandhinagar.
- Director of Information, G.S. Gandhinagar. For publication in prominent Daily Newspapers of State.
- All Officers of Education Department
- All Branches of Education Department.
- Computer Cell, Education Department, secretariat, Gandhinagar (To put On Line)
- Select File.
- Deputy Section Officer, Select File.