

**Ban on physical punishment or mental
torture to children in primary schools.**

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

Read :-

- (1) Section-17(1), 17(2) 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, Sachivalay, Gandhinagar.

Preface:-

For the purpose of giving 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 a provision as under in Article-17 of the act:

- (1) No child can be given physical punishment or mental torture.
- (2) On the person who will violate provision of subsection (1), disciplinary actions under rules applicable to the person can be taken.

The matter of implementation of provisions of the section was under active consideration of government. It is resolved as under by government after mature consideration:

Resolution: -

According to provision of section 17(1),17(2) and section 38 of 'The Right of Children to free and compulsory Education Act,2009' enacted by government of India and indicated in preamble(1),

- (1) Physical punishment or mental torture for any reason by teachers or head masters/management to any child in all schools situated in state 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 (Gujarati, Hindi, English) affiliated with any other board is completely banned which All concerned must strictly be implemented by all concerned. If violation of the provision by any person is found, or any presentation or complaint about it is received and it is found true, disciplinary actions applicable to the person will be taken.

- (2) Implementation of the G.R. should be done from academic year 2011-12 i.e. from new academic term starting from June, 2011.

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, Secretariat, Gandhinagar.
- Personal Secretaries to all Hon. ministers/ministers of State/Hon. Parliamentary Secretaries.
- Personal Secretary to Principal Secretary(primary education), Secretariat, Gandhinagar
- Personal Secretary to Secretary(primary education), Secretariat, Gandhinagar
- All Departments of Secretariat, 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 Departemnt, secretariate, Gandhinagr(To put On Line)
- Select File.
- Deputy Section Officer, Select File.