

I/1060127/2025

Government of Punjab  
Department of School Education  
Education Branch 7

APCCG  
wfn  
21.3.25

To

1. Director School Education (Elementary)  
SAS Nagar.
2. All District Education Officers (Elementary)

Dated, Chandigarh: 21.03.2025

**Subject: - Implementation of the Section 12 (1)<sup>(c)</sup> of Right to Education Act, 2009 in the State of Punjab.**

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Please refer to the subject cited above.

2. Attention is drawn to directions of the Hon'ble Punjab and Haryana High Court in Civil Writ Petition – Public Interest Litigation No. 285 of 2024 – K.S. Raju Legal Trust vs State of Punjab and others dated 19.02.2025. The operative part of the order is as under:-

*"The petitioner represented by Sh. Jagmohan Singh Raju, contends that the restrictions placed by Rule 7(4) of Punjab RTE Rules, 2011 is abhorrence to and virtually nullifies the concept of Right to Education especially extended constitutionally to children belonging to weaker sections and disadvantaged group. He further contends, by referring to Section 12(1)(c) of Right of Children to Free and Compulsory Education Act, 2009 (in short "the RTE Act, 2009") that it is obligatory for all schools described in sub clause (iv) of Clause (n) of Section 2 Right of Children to Free & Compulsory Education Act, 2009 (2009 Act for brevity) to reserve 25% of the strength of Class I to be filled up by children belonging to weaker sections and disadvantaged group living in the neighborhood to provide free and compulsory education.*

*Prima facie, it appears that the provisions of Rule 7(4) of Punjab RTE Rule, 2011 is in the teeth of the Section 12(1)(c) of the RTE Act, 2009. It is settled by the principles of interpretation of statute that in case of conflict between statutory rules and the Act, the Act prevails.*

*In view of above, as an interim measure it is directed that all private unaided recognized schools satisfying the criteria laid down in sub clause (iv) of Clause (n) of Section*

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*2 of 2009 Act shall reserve 25% of seats in Class I, to be filled up exclusively by children belonging to weaker sections and disadvantaged group living in the neighborhood of the school to provide free and compulsory education".*

*The functionaries of State of Punjab are directed to ensure compliance of this order for admission to 2025-26 session."*

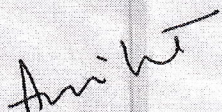
3. In compliance with the aforementioned orders Section 7(4) of Rights of Children for Free and Compulsory Education Rules, 2011, has been omitted (copy attached).

4. Accordingly, all private unaided recognized schools satisfying the criteria laid down in sub clause (iv) of clause (n) of section 2 of the Right to Education Act, 2009 are required to reserve 25% of seats in Class I, to be filled exclusively by children belonging to weaker sections and disadvantaged group living in the neighborhood of the School to provide free and compulsory education.

5. The directions of the Hon'ble Court and amendment to Punjab Rights of Children for Free and Compulsory Education Rules, 2011 be communicated to all such schools for compliance and implementation of the same be ensured w.e.f. academic session 2025-26.

Ⓐ This must be treated as Most Urgent.

Dated, Chandigarh  
21-03-2025

  
Anindita Mitra I.A.S.  
Secretary to Government of Punjab  
Department of School Education



1/1059993/2025

No. SED-EDU 7010/G/2023-4EDU7  
Government of Punjab  
Department of School Education  
(Education 7 Branch)

Annexure R-1

**NOTIFICATION**

The 20<sup>th</sup> March, 2025

No. In exercise of the powers conferred by Section 38 of the Rights of Children to Free and Compulsory Education Act, 2009 (Central Act No. 35 of 2009), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Rights of Children to Free and Compulsory Education Rules, 2011, namely;

**RULES**

- (1) These rules may be called the Punjab Right of Children to Free and Compulsory Education (Amendment), 2025.  
(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
- In the Punjab Right of Children to Free and Compulsory Education Rules, 2011 Section 7 (4) shall be omitted.

ANINDITA MITRA

Secretary to Government of Punjab  
Department of School Education

2. ਸਿ. ਸਿ. ਮ (ਸੀ. ਸਿ), ਚਾਇੰਡਰ  
ਠੰਡਰ ਸੀ! - ਸਮਕਾ/ਮਾਰਚੀ-ਬੀ/2734 ਸਿਲੀ - 25.03.2025  
ਕਿਉਂਕਿ ਇਹ ਇਸਤਰ ਮਕੂਦ ਖਾਈ-ਬੀ, ਮੁਢਲੇ-ਤਿੰਨ ਸਕੂਲ ਪ੍ਰਫਿਰਮਾਂ ਕੀ ਠੰਡ  
ਕੇ ਸਿਕਿਰਮਾ ਸਾਂਝ ਕੇ ਕਿਉਂਕਿ ਕੁਰੀ-ਫਿਰਮਾ ਤੇ ਸਿਕਿ-ਕਿਕ  
ਯਾਕੁਤਾ ਕਰਕੀ ਚਕੀਲੀ ਚਫਾਈ ਸਾਫ਼।