Supreme Court refuses to exempt minority aided schools from RTE

20 SEP. 2012. 05.00AM IST. ET BUREAU

NEW DELHI: The Supreme Court has refused to exempt minority aided schools from the purview of the Right to Education Act, asking them to reserve at least 25% of their seats from Class I onwards for children from weaker and disadvantaged sections living in the neighbourhood as mandated by the Act.

The order, passed by a three-judge bench headed by Chief Justice of India SH Kapadia, also said these institutions should make education free for such students.

The <u>Catholic Bishops Conference of India</u> (CBCI) had contested the legality of several other provisions of the RTE, including one that created a school managing committee.

Despite the government's claim that these would be "advisory" in nature, the <u>CBCI</u> said a parallel body of outsiders, as opposed to existing ones comprising "insiders", would create administrative problems.

The CBCI invoked the fundamental right guaranteed to all minority groups under Article 29(2) of the Constitution, which allows them to establish and administer educational institutions of their choice, to urge the court to exempt it from the RTE.

Several unaided private educational institutions had also objected to the court's April 12 judgement, which upheld the <u>RTE</u> and banned capitation fees, tuition tests, screening tests for admissions and corporal punishment.