

- (v) The children recommended by Hon'ble Members of Parliament must be otherwise eligible for admission as per the extant KVS Admission Guidelines.

As per the Special provisions of KVS admission guidelines, 100 children of employees of the Ministry of Human Resource Development can be admitted every year in the KVs.

(b) and (c) No such proposal is under consideration at present. KVs are opened primarily to cater to the educational needs of the children of transferable Central Government employees including Defence and Para-Military personnel by providing a common programme of education. KVs are affiliated to the Central Board of Secondary Education (CBSE) and as per the CBSE bye-laws, optimum number of students in each section shall be 40 (forty). The Right of Children to Free and Compulsory Education (RTE) Act, 2009 also specifies that the student-teacher ratio should be 30:1 for classes I to V and 35:1 for the classes VI to VIII. Any admissions over and above the class strength are likely to adversely affect the teaching learning process.

Board examination for Class 5

†2932. SHRI GOPAL NARAYAN SINGH: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the System of Board Examination was decided to be introduced in the 5th class in schools of the country, according to the scheme of the Ministry;

(b) the names of the States where it has already been introduced and where it is yet to be introduced respectively and the future planning of Government regarding the implementation thereof; and

(c) the reasons for non-introduction thereof, till date and the stand of Government thereon?

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI RAMESH POKHRIYAL 'NISHANK'): (a) to (c) No, Sir. As per Section 30(1) of the Right of Children to Free and Compulsory Education (RTE) Act, 2009, no child is required to pass any Board examination till completion of elementary education. However, the Right of Children to Free and Compulsory Education (Amendment) Act, 2019 has amended the no detention provision in the principal RTE Act, 2009. This *inter alia* provides that:—

- (1) There shall be a regular examination in the fifth class and in the eighth class at the end of every academic year.

† Original notice of the question was received in Hindi.

- (2) If a child fails in the examination referred to in sub-section (1) of Section 16 of RTE Act, 2009, he shall be given additional instruction and granted opportunity for re-examination within a period of two months from the date of declaration of the result.
- (3) The appropriate Government may allow schools to hold back a child in the fifth class or in the eighth class or in both classes, in such manner and subject to such conditions as may be prescribed, if he fails in the re-examination referred to in sub-section (2) of Section 16:
- Provided that the appropriate Government may decide not to hold back a child in any class till the completion of elementary education.
- (4) No child shall be expelled from a school till the completion of elementary education.

As per section 2 (a) of the RTE Act, 2009 the appropriate Government means:—

- (i) in relation to a school established, owned or controlled by the Central Government, or the administrator of the Union Territory having no legislature, the Central Government;
- (ii) in relation to a school, other than the school referred to in sub-clause(i), established within the territory of —
- (A) a State, the State Government;
- (B) a Union Territory having legislature, the Government of that Union Territory.

Space crunch in subordinate courts

2933. DR. R. LAKSHMANAN: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether Government is aware that many subordinate courts at district level are functioning in rented buildings and are also facing space crunch, which is adversely affecting their functioning;
- (b) if so, the details thereof;
- (c) whether Government has floated any scheme to construct buildings for court rooms to enable the subordinate courts to function in a spacial atmosphere;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor?