

# Collecting excess fee violates RTE Act

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The implementation of the RTE of parents and children alike, that education would be realized the past five years of its



Act in 2010 heightened the hopes their fundamental right to effectively. But the experiences in implementation reveals the Act

failed to deliver and was restrained to mean only 25% reservation to children from the weaker sections and disadvantaged groups. Other key provisions of the Act remained on paper. For instance, Section 2(b) of the RTE Act defines capitation fees as any donation, contribution or payment collected by the school other than the fee notified.

Section 13 of the RTE Act prohibits collection of capitation fee to be in violation of the RTE Act and also prescribes the penalty to be imposed on schools in case of violation.

The fee to be collected in a specific academic year by a school needs to be notified by the management under Section 2(b) of the RTE Act. Unfortunately, no schools are notifying the fee and Section 2(b) is not being invoked. This is a gross violation of Section 13 as the fees collected by schools without notification amounts to capitation fee. The department has turned a blind eye to this and is not taking appropriate measures to invoke Sections 2(b) and 13(1) & (2) to hold schools accountable. The recent instances of abuse in schools and subsequent security are cited as a reason for the steep hike in fees. This is exploitation of parents and children, despite a clear legal provision in the Act. It appears the state is not keen on taking measures to regulate the fee structure of schools, owing to its own vested interests since a majority of private schools are run by politicians, their kith and kin, and heads of religious institutions who are part of the power structure.