

F.No. 1-3/2010-EE 4  
Government of India  
Ministry of Human Resource Development  
Department of School Education and Literacy

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Room No. 429-A, C Wing, Shastri Bhawan  
New Delhi, September 13, 2010

To

All Education Secretaries of States / UTs

Subject: **Guidelines under section 35 (1) of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 regarding implementation of the provisions of section 27-reg.**

The Ministry has received various representations seeking clarification on the nature of duties of teachers relating to elections to the local authority or the State legislatures or Parliament under section 27 of the RTE Act.

2. The matter has been considered in the Ministry. At the outset, it may be mentioned that the purpose of section 27 is not to enumerate the non-educational duties of a school teacher, but to emphasize that teachers should not be deployed for non-educational duties other than those which are considered to be essential in national interest. This section has to be read in consonance with the provisions of section 24 of the Act, specifying the duties of teachers (specifically to conduct and complete the prescribed curriculum within the specified time) and norms and standards specified in the Schedule of the Act (specifically minimum number of working days / instructional hours and minimum number of working hours per week for teachers), both of which underline the crucial role of teachers in providing quality elementary education to children and the need to ensure that teachers are engaged in their academic duties.

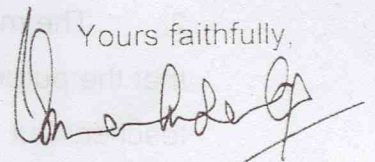
3. The objective of Section 27 is to free teachers from deployment to non-educational assignments and enable them to spend more time on school and classroom related activities. In this connection, the department has also examined the judgement dated 6.12.2007 of the Hon'ble Supreme Court in the case of Election Commission of India Vs. St. Mary's School & Others, and accordingly the following guidelines are issued under section 35(1) of the RTE Act, 2009.

"Duties relating to election to the local authority or the State Legislatures or Parliament relate to conduct of elections and the consequent deployment of teachers on the days of poll and counting, the time spent on training imparted to them and collection of election material for such deployment. All other duties relating to electoral roll revisions will be undertaken on holidays and during non-teaching hours and non-teaching days"

4. The appropriate Government and local authority may utilize the services of school teachers for elections to the local authority or the State legislatures or Parliament, as the case may be, in accordance with the aforementioned guidelines.

5. This issues with the approval of the competent authority.

Yours faithfully,



(Vikram Sahay)  
Director

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