



सत्यमेव जयते

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

## PART IV-B

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made  
by the Government of Gujarat under the Gujarat Acts

EDUCATION DEPARTMENT

Notification

Sachivalaya, Gandhinagar, 21<sup>st</sup> September, 2019.

### RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009.

No.GH/SH/83/PRE/122019/SingleFile-5-K:- In exercise of the powers conferred by section 38 of the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009), the Government of Gujarat hereby makes the following rules further to amend the Right of Children to Free and Compulsory Education Rules, 2012, namely: -

1. (1) These rules may be called the Right of Children to Free and Compulsory Education (2<sup>nd</sup> Amendment) Rules, 2019.
  - (2) They shall extend to whole of the State of Gujarat.
  - (3) They shall come into force from the date of their publication in the *Official Gazette*.
2. In the Right of Children to Free and Compulsory Education Rules, 2012, in Rule 24, after clause (g), the following clauses shall be added, namely: -
  - “(h) There shall be an annual examination in the fifth class and in the eighth class at the end of every academic year, which shall be conducted as a part of other examinations being conducted in the school during the academic year,
  - (i) If a child fails in the annual examination referred to in clause (h), he shall be given additional instructions and granted opportunity for re-examination within a period of two months from the date of declaration of the result of such annual examination,
  - (j) If a child fails in the re-examination as specified in clause (i), the school has to detain that child in fifth class or eighth class as the case may be. If the child such detained seeks admission in another school, he should be enrolled in the same standard in which he has been detained earlier, irrespective of his age.
  - (k) Any child who is enrolled in primary school, shall not be held back until he completes the basic elementary education except for the provision mentioned in clause (j).
  - (l) No child admitted in a primary school shall be expelled from such school until he completes elementary education.”

By order and in the name of the Governor of Gujarat,

V. T. MANDORA,  
Joint Secretary to Government.