CIRCULAR

The Directorate of Education is in receipt of various RTI applications/representations seeking therein details of students admitted in unaided recognized public schools under the Economically Weaker Section and Disadvantaged Group Category.

In this regard attention of all is invited towards the provisions of Right to Education Act, 2009 and Right to Information Act, 2005.

Provision of Section 8 (C) of RTE Act, 2009 read as –

“8. Duties of appropriate Government:

(c) Ensure that the child belonging to weaker section and the child belonging to disadvantaged group are not discriminated against and prevented from pursuing and completing elementary education on any grounds.”

Provisions of section 8 (1) (j) of RTI Act, 2005 read as-

“8. Exemption from disclosure of information:–

(1) (j) Information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information.”

In view of the above mentioned statutory provisions, it was considered that the disclosure of the details of students admitted under EWS/DG category may tantamount to disclosure of personal information which would cause unwarranted invasion of the privacy of the individual and may also lead to discrimination against the student belonging to EWS/DG category.

The matter was also referred to the MHRD, GOI for opinion/advice which is still awaited.
Therefore, till the time the matter of disclosure of such information is decided in consultation with MHRD, GOI, all the DDEs/PIOs shall restrain themselves from disclosing the details of students admitted under EWS/DG category in unaided recognized public schools.

(DR. MADHU RANI TEOTIA, IAS)
ADDL. DIRECTOR OF EDUCATION. (ACT-I)

To,

All Dy. Directors of Education/PIO,
Directorate of Education, GNCTD

NO.DE.15/Act-I/Misc./EWS/DG/2014/

Copy to the:-

1. Joint Secretary & Addl. Registrar, Central Information Commission,
   Room NO.315, 2nd Floor, B-Wing, August Kranti Bhawan, Bhikaji Cama
   Place, New Delhi – 110066.
2. P.S. to Principal Secretary (Education), Dte. of Education, GNCT of
   Delhi.
5. All RDEs/FAA.
6. All EO/PIOs.
7. OS (IT) to upload on departmental website.

(P. LATA TARA)
ASSTT. DIRECTOR OF EDN. (ACT-I)