

RIGHT TO EDUCATION ACT

The Right of Children to Free and Compulsory Education Act or Right to Education Act (RTE), which was passed by the Indian parliament on 4 August 2009, describes the modalities of the provision of free and compulsory education for children between 6 and 14 in India under Article 21A of the Indian Constitution.

India became one of 135 countries to make education a fundamental right of every child when the act came into force on 1 April 2010.¹

This Act serves as a building block to ensure that every child has his/her right (as an entitlement) to get a quality elementary education, and that the State, with the help of families and communities, fulfils this obligation.

RTE provides a ripe platform to reach the unreached, with specific provisions for disadvantaged groups, such as child labourers, migrant children, children with special needs, or those who have a "disadvantage owing to social, cultural, economical, geographical, linguistic,, gender or such other factor"

The Act provides for

- Every child between the ages of 6 to 14 years has the right to free and compulsory education. This is stated as per Article 21A added by the 86th Constitutional Amendment Act. The RTE seeks to give effect to this amendment.
- The government schools shall provide free education to all the children and the schools will be managed by School Management Committees (SMC). Private schools shall admit at least 25% of their children in their schools without any fee.
- The National Commission for Elementary Education shall be constituted to monitor all aspects of elementary education including quality.

Free education implies that there is no direct (school fees) or indirect cost (uniforms, textbooks, mid day meals, transportation (as schools to be enrolled in are neighbourhood schools)). The Government will provide schooling free of cost until a child's elementary education is completed.

¹ Source :http://en.wikipedia.org/wiki/Right_of_Children_to_Free_and_Compulsory_Education_Act

The National Commission for the Protection of Child Rights shall review the safeguards for rights provided under this Act, investigate complaints and have the powers of a civil court in trying cases.

A State Commission for protection of Child Rights (SCPCR) or the Right to Education Protection Authority (REPA) is to be constituted within six months from April, 01, 2010. Appeals will be decided by the SCPCR/REPA. Prosecution of offences requires the sanction of an officer authorised by the appropriate government.²

- The Right To Education Act 2009:

<http://www.indg.in/primary-education/policiesandschemes/free%20and%20compulsory.pdf>

- Article 21-A of the Constitution- Constitution (Eighty- Sixth Amendment) Act, 2002

<http://www.indg.in/primary-education/policiesandschemes/1.pdf>

- Jharkhand RTE Rules 2011

<http://righttoeducation.in/sites/default/files/jharkhand-rte-rules-2011.pdf>

- Jharkhand SMC Notification, 2012

http://righttoeducation.in/sites/default/files/jharkhand_smc-notification-2012.pdf

²Source: <http://www.indg.in/primary-education/policiesandschemes/right-to-education-bill>

