



RIGHT TO EDUCATION ACT. 2009

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Manmohan Singh stated that,

"We are committed to ensuring that all children, irrespective of gender and social category, have access to education. An education that enables them to acquire the skills, knowledge, values and attitudes necessary to become responsible and active citizens of India."



OBJECTIVES

- To provide for **free and compulsory** education to all children of the age **6 to 14 years**.
- Emphasis is on children belonging to **disadvantaged group**.
- To conform with **values enshrined in the Constitution**.
- **Equity, Equality and Quality** Education for every child
- **All round development** of every child
- **Experimental and Active Learning** process
- **Child friendly** class room
- School environment free from **fear and punishment**
- Child friendly and **Continuous assessment**
- **Community partnership and community ownership**

Historical View

<https://righttoeducation.in/sites/default/files/The%20Right%20to%20Education%20Legislation%20A%20history.pdf#overlay-context=>

- **1870:** Compulsory Education Act passed in **Britain**
- **1882: Indian Education Commission(Hunter Commission):** Demand provision for **mass education** and **Compulsory Education Acts**.
- **1893: Maharaja of Baroda (Sayajirao Gaekwad third- Shrimant Gopalrao Gaekwad)** introduces Compulsory Education for **boys** in **Amreli Taluk**
- **1906: Maharaja of Baroda extends** Compulsory Education to **rest of the state**
- He is also considered to be **the father of the Indian library movement**.

- **1906: Gopal Krishna Gokhale** makes a plea to Imperial Legislative Council for introduction of Free And Compulsory Education.
- **1910 – Gopal Krishna Gokhale** moved Private Members Bill on 18-03-1910 and it was Rejected.
- **1917: Vithalbhai Patel** is successful in getting the Bill passed –First Law on Compulsory Education passed (Popularly Known as Patel Act)
- **1918: Every Province** in British India gets Compulsory Education Act
Many of these initiatives, however, were not seriously implemented; lack of resources being the chief reasons.

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- **1950:** Finally, **Article 45** of **Directive Principles of State Policy** accepted:

"The State shall endeavour to provide, **within a period of ten years** from the commencement of this Constitution, for **free and compulsory education** for all children until they complete the age of fourteen years".

- **1993:** Supreme Court Held Free Education Until the Child Completes the age of 14 **to be a Fundamental Right** (Article 21) (**Unnikrishnan and others Vs State of Andhra Pradesh and others**)

<https://indiankanoon.org/doc/1775396/>

RIGHT TO EDUCATION

- **2 December 2002– 86th Constitutional Amendment** – Insertion of New article 21 A (RIGHT TO EDUCATION)
- Article 21-A inserted in Fundamental Rights in the light of Articles 45, 46 and Article 29 (Unnikrishnan and others Vs State of Andhra Pradesh and others).
- Stipulates that:
 - The State shall provide free and compulsory education to all children of the age of 6 to 14 years in such manner as the State may, by law, determine.
 - ‘it shall come into force from such date as the Central Government may by notification in the Official Gazette, appoint’.

<https://righttoeducation.in/sites/default/files/86th%20Amendment%20to%20the%20Constitution.pdf#overlay-context=>



Article 21 –

- article 21 secures two rights:
 - 1) Right to dignified life, and
 - 2) Right to personal liberty.

What are Fundamental Rights ?

- Fundamental Rights are **rights which are inherent in a human being**. They are **natural rights**.
- These rights are regarded fundamental because they are **most essential for the attainment of the full growth, development and potential of a human being**.



Article 46-

- The State shall promote with **special care** the **educational** and **economic interests of the weaker sections** of the people and, in particular, of the **SCs** and **STs** and shall protect them from **social injustice** and all forms of **exploitation**.

Article 29 –

- **No citizen shall be denied admission** into any educational institution maintained by the **State or receiving aid** out of State funds on **grounds only of religion, race, caste, language or any of them**. which means **equality of access to education and educational facilities**.



Article 30

- Article 30 of the Indian constitution consists of provisions that **safeguard various rights of the minority community** in the country keeping in mind **the principle of equality** as well.
- Right of minorities to **establish** and **administer** educational institutions.



Article 51A

Fundamental Duties

(k) who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six to fourteen years.

https://rshrc.rajasthan.gov.in/writereaddata/ActsRulesOrders/202208291219467911156Article_51A.pdf



All these factors contributed and finally gave birth to
this new act-

- Right of Children to Free and Compulsory Education Act (RCFCE)
2009 or Right to Education Act (RTE)
- ❖ These rules may be called the in U.P.-

**THE UTTAR PRADESH RIGHT OF CHILDREN TO FREE AND COMPULSORY
EDUCATION RULES, 2011**

[https://righttoeducation.in/sites/default/files/Uttar%20Pradesh%20RTE%20Rules,%202011.pdf#overla
y-context=](https://righttoeducation.in/sites/default/files/Uttar%20Pradesh%20RTE%20Rules,%202011.pdf#overlay-context=)

What is RTE Act?

<https://righttoeducation.in/know-your-rte/about>

- **The Right of Children to Free and Compulsory Education Act (RCFCE) or Right to Education Act (RTE), which was passed by the Indian parliament on 4 August 2009,**
- **Free and compulsory education for children between 6 -14 years in India under Article 21-A of the Indian Constitution.**
- **The act came into force on 1 April 2010.**
- **India became one of 135 countries to make education a fundamental right of every child.**
- **It is one of the 3 flagship programs of UPA govt. 1- MGNREGA, 2- RTI Act. 3- RTE**

➤ The Act Contains 7 Chapters, 38 Sections and 1 Schedule.

- Chapter -I : Introduction, Definitions (Sections 1-2)
- Chapter –II : Free and Compulsory Education. (Sections 3-5)
- Chapter –III : Duties of Appropriate Government (Sections 6-11)
- Chapter –IV : Responsibilities of schools & teachers(Sections 12-28)
- Chapter –V : Curriculum and completion of Elementary Education (Sections 29 -30)
- Chapter –VI :Protection of Right of Children (Sections 31-34)
- Chapter –VII : Miscellaneous (Sections 35-38)
- The Schedule

<https://legislative.gov.in/sites/default/files/The%20Right%20of%20Children%20to%20Free%20and%20Compulsory%20Education%20Act,%202009.pdf>


Chapter – I – Preliminary (Section-1)

Short title, extent and commencement.

1. This Act may be called the **Right of Children to Free and Compulsory Education Act, 2009**.
2. It shall extend to the whole of India **except** the State of **Jammu and Kashmir**.
3. Subject to the provisions of **articles 29 and 30** of the Constitution, the provisions of this Act shall apply to conferment of rights on children to free and compulsory education.
4. **Nothing contained** in this Act shall apply to **Madrasas, Vedic Pathshalas** and educational institutions primarily imparting **religious instruction**.


Section-2 DEFINITIONS

- **APPROPRIATE GOVERNMENT** : in relation to a school established, owned or controlled by the Central Government or State Government, or the administrator of the Union territory, having legislature.
- **CAPITATION FEE** : any kind of donation or contribution or payment other than the fee notified by the school.

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- **CHILD** : a male or female and Transgender child of age of 6-14 years.
 - **DISADVANTAGED GROUP** : [a child with disability, Orphans or] a child belonging to the Scheduled Caste, the Scheduled Tribe, the socially and educationally backward class or
 - such other group having disadvantage owing to social, cultural, economical, geographical, linguistic, gender or such other factor, as may be specified by the appropriate Government, by notification.

- **WEAKER SECTION:** a child belonging to such parent or guardian whose annual income is lower than the minimum limit specified by the appropriate Government, by notification.
- **CHILD WITH DISABILITY:** a child with disability as defined in clause (i) of section 2 of the Persons with Disabilities Act, 1995 (Equal Opportunities, Protection of Rights and Full Participation)
- “disability” means— (i) blindness; (ii) low vision; (iii) leprosy-cured; (iv) hearing impairment; (v) locomotor disability; (vi) mental retardation; (vii) mental illness.

<https://legislative.gov.in/sites/default/files/A1996-1.pdf>


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- **ELEMENTARY EDUCATION:** the education from first class to eighth class.
[Primary (1 to 5th) & Upper-Primary(6 to 8th)]
 - **GUARDIAN:** in relation to a child, means a person having the care and custody of that child and includes a natural guardian or guardian appointed or declared by a court or a statute.
 - **LOCAL AUTHORITY:** Such authority or body having administrative Control over the school, Municipal Corporation or Municipal Council or Zila Parishad or Nagar Panchayat or Panchayat, by whatever name called.

➤ **PARENT** : either the natural or step or adoptive father or mother of a child.


➤ **SCHEDULE**: the Schedule annexed to this Act.

➤ **SCHOOL** : any recognised school imparting elementary education-

- I. **AIDED SCHOOL** receiving aid or grants to meet whole or part of its expenses from the appropriate Government or the local authority;
- II. **UNAIDED SCHOOL** not receiving any kind of aid or grants to meet its expenses from the appropriate Government or the local authority;



➤ **SPECIFIED CATEGORY SCHOOL** : a school known as **Kendriya Vidyalaya, Navodaya Vidyalaya, Sainik School** or any other school having a **distinct character** which may be specified, by notification, by the appropriate Government.

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- **NEIGHBOURHOOD:** a population area specified in rule 4
 - **PUPIL CUMULATIVE RECORD:** record of the progress of the child based on **comprehensive and continuous evaluation(CCE)**
 - **SCHOOL MAPPING:** planning school location to overcome **social barriers and geographical distance.**


FREE AND COMPULSORY EDUCATION

- **COMPULSORY EDUCATION:** defined as the obligation of the State to take all necessary steps to **ensure that every child participates** in, and **completes** Elementary Education.
- **FREE EDUCATION:** defined as freedom from liability to
 - (i) pay **any fee** to the school, and
 - (ii) incur such other prescribed expenses as may be likely to prevent the child from participating in and completing Elementary Education.

There is **no direct** (school fees) or **indirect cost** (uniforms, textbooks, mid-day meals, transportation) to be borne by the child or the parents to obtain elementary education.

support materials for children with special needs (e.g. hearing aids, spectacles, Braille books, crutches, etc.) and so on.

The government will provide schooling free-of-cost until a child's elementary education is completed.

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- **SCREENING PROCEDURE:** the method of selection for admission of a child, in preference over another, other than a random method.
 - **“NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS (NCPCR)” & “STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS(SCPCR)”:** the Commission **constituted** under section 3 of the Commissions **for Protection of Child Rights Act, 2005.**

<https://wcd.nic.in/sites/default/files/TheGazetteofIndia.pdf>

<https://ncpcr.gov.in/>

Protection of RTE Act:

Commissions for Protection of Child Rights Act, 2005

- Act assigns NCPCR/SCPCR additional functions. **Examine and review safeguards for rights under this Act, recommend measures** for effective implementation. **Inquire into complaints** relating to child's right to free and compulsory education.
- Where SCPCR not constituted, **appropriate govt. may constitute an authority.**



What kind of powers do the Protection of RTE Act have?

- Under the NCPCR Act 2005, the NCPCR and SCPCRs have quasi-judicial powers whereby they can investigate, summon and recommend cases to the courts. They can not, however, pass judgments and hand out punishments.




VIOLATIONS	PENALTY
Collecting capitation fee	A fine up to 10 times the capitation fee charged
Screening students during admission	A fine of Rs. 25,000 for the first violation and Rs.50,000 for every subsequent violation
Physical or mental harassment of a student	Disciplinary action under service rules from censure to dismissal)
Running a school after its recognition is withdrawn	A fine of Rs.1 lakh, and Rs.10,000 for every subsequent day
Delay in schools issuing TC	Disciplinary action
School teachers taking private tuition	Disciplinary action
action RTE Act help desk can be reached at 0XX-XXXXXXX	




Important Points to Remember


or


Salient features of RTE Act.

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- **The RTE Act came into effect in the whole of India **except** the state of **Jammu and Kashmir** from **1 April 2010**.**
 - **The State shall provide **free and compulsory education** to all children of the **age of 6 to 14 years**.**
 - **The Right to Education of **persons with disabilities** until **18 years of age** is laid down under a separate legislation- **the Persons with Disabilities Act**.**
 - **Children **suffering from disability** will also be covered under RTE Act.**

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- **Sharing of financial & other responsibilities** Concurrent responsibility of the **Central & State Governments for providing funds.**
 - **Centre & States will share the financial burden in the ratio 55:45**
 - "Education" falls under **Concurrent List**: responsibility for both Central and State governments.
 - ✓ 65% 35% of the finances will be borne by State Govt.
 - ✓ For **North-Eastern states**, this ratio will be **90:10** for Centre : State.
 - **No child shall be denied admission in absence of documents** like birth certificate; and **transfer certificate may not be insisted for admission up to Class 8th.**

- Duty of the appropriate **govt/local authority** to **establish school** within limits of prescribed neighbourhood within a period of **three(3) years** of commencement of this act.
- The area or limits of neighborhood:
 - Classes I-V-** within walking distance of **1 km.** and has population of at least **300:**
 - Classes VI-VIII -** within walking distance of **3 kms.** and has population of at least **800.**
- The State has to make **appropriate and safe transportation arrangements for children with disabilities.**
- Where **no school exists within the area or limits specified,** government has to make provision for **free transportation, residential facilities and other facilities.**
- In areas with **high population density,** the State may establish **more than one neighbourhood school.**

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- It is the **duty of parents** to admit the child in the elementary school (**ARTICLE 51-A(k)**)
 - All private schools(**Unaided Pvt. recognized schools and schools of special category**) must keep **25% of seats reserved** for children belonging to **weaker sections of society and disadvantaged group.**
 - **Indian Law commission** had initially proposed **50% reservation** for disadvantaged students in private schools.

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- **The management of private schools had unitedly filed a petition in the Supreme Court court to strike down this provision. But the Supreme Court dismissed the petition through an April 2012 order.**
 - **On 7 May 2014, the Supreme Court of India ruled that Right to Education Act is not applicable to minority institutions.**
 - **Parliament has also made another amendment excluding madrasas and Vedic schools from its purview.**



Are some schools exempt from the 25% free reservation requirement of the RTE Act?

- ✓ Yes. Those schools like **religious schools and minority unaided schools are exempt** from this as they are exempt from the entire Act itself. Acting on the Supreme Court directive, the Central Government guideline notes that the **25% reservation requirement does not apply to boarding or residential schools which admit students only after Class 1.**
- ✓ In boarding or residential schools which have Class 1. **the 25% reservation applies to day scholars only.**



➤ How is the 'school' defined?

Section 2(n), defines four categories of schools:

- (i) funded and managed by the government or local authority,
- (ii) private but aided by the government or local authority,
- (iii) schools defined under special category, like Kendriya Vidyalaya, Navodaya Vidyalaya, Sainik School, school under the Central Tibetan Schools Association and similar others, and
- (iv) private schools receiving no aid from the government or local authority.




REIMBURSEMENT OF FEES

RTE Act, 2009 provides for reimbursement by the State/UT Government to private unaided schools for the admission of children belonging to disadvantaged groups and weaker sections

- ✓ such reimbursement to the private unaided schools as per the norms prescribed under the respective State RTE Rules.

What about private aided schools?


- These schools are required to provide free education to children in a proportionate relationship to the grants in aid they receive, subject to a minimum of 25%. They too will not be reimbursed by the state.




What is the entry level class in which the 25% reservation is mandatory under RTE?

- ✓ Where a school specified in clause (n) of section 2 **imparts pre-school education**, the provisions of clauses (a) to (c) shall apply for admission to such pre-school education.

Eg:, if a school starts from nursery, the 25% reservation applies to nursery class. If a school starts from class I, then the 25% reservation applies to class I.

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- **No school to be established or can function after the commencement of the Act without obtaining certificate of recognition from appropriate Government, norms and standards of the school as per RTE Act.**
 - **The RTE act 2009 offers provisions for students who dropped out of school.**
 - **No screening test to be conducted from Class I to VIII.**
 - **There will be no detention or exams until elementary school is completed.**

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- Schools are **not allowed to charge any capitation fee at any step while giving admission to a child.**
 - It makes **provisions** for a non-admitted child to be admitted to **an age appropriate class and special training to them.**
 - Free education also includes the delivery of **textbooks, clothing, stationery, and special education resources for children with disabilities** in order to **reduce the financial burden** of school costs.


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- **All government and aided schools should create a **School Management Committee** composed of **75 percent members as parents or guardians.****
 - **Constitution of **School Management Committee(SMC)** in every school **except unaided pvt. recognized schools.****
 - **75%** representation from **parent members.**
 - **50%** representation from **women.**
 - Representation from **SC/ST and disadvantage group.**




In UP

https://www.education.gov.in/en/sites/upload_files/mhrd/files/upload_document/GO%20dated%201-8-2013%20%20for%20formation%20of%20New%20SMCs.pdf

- **School Management Committees (SMC)**
 - **It comprises mainly of parents.**
 - **In fact, 75% of the SMC members should be parents.**
 - **In the other 25%,**
 - **1/3 should be from the elected members of the local authority,**
 - **1/3 from amongst the teachers and 1/3 from amongst the local educationists.**
 - **In case, there is no educationist in the area, 1 student should take the place.**
 - **The total number of SMC members depends on the strength of students in the school.**

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- It lays down to **Pupil Teacher Ratios (PTRs), buildings and infrastructure, school-working days, teacher-working hours.**
 - **Minimum qualification as laid down by Government is required for appointment of a teacher.**
 - It is a collective responsibility of the **educators, officers, principals, teachers, parents' management and children** to implement the RTE Act in letter and spirit.

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- **Ensure that child completing elementary education is being awarded a certificate as prescribed by the government.**

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- **The section 29 (2) (h) of the RTE Act makes a comprehensive and continuous evaluation (CCE) mandatory, wherein schools are expected to use test results to improve teaching and learning of the child.**
 - **No child pursuing elementary education shall be drop out, held back, expelled, or asked to pass a board examination.**
 - **No children to be detained in any class up to 8th standard.**
 - **http://mhrd.gov.in/sites/upload_files/mhrd/files/document-reports/AssmntCCE.pdf**

It Prohibits:

- **1. Physical punishment and mental harassment;**
- **2. Screening procedures for admission of children;**
- **3. Capitation fee;**
- **4. Private tuition by teachers;**
- **5. Running of schools without recognition.**
- **No children to be detained in any class up to 8th standard.**
- **Deployment of teachers for non-educational purposes other than**
 - i. decennial population census,**
 - ii. disaster relief duties and**
 - iii. for election duties.**



THE SCHEDULE


Pupil Teacher Ratio

➤ a) For I-V classes

Admitted children upto 60-	Number of teachers 2
61-90	Three
91-120	Four
121-150	Five
Above 150	Five +one head teacher (PTR 30:1)
Above 200	PTR shall not exceed 40 (Including Head Teacher) (PTR 40:1)

b)For VI-VIII classes- 35:1

- **1) At least one teacher per one class so that there shall be at least one teacher each for**
 - (i) Science & Mathematics,**
 - (ii) Social studies,**
 - (iii) Languages**
- **(2) At least one teacher for every thirty five children**
- **(3) Where admission of children is above one hundred**
 - (i) a full time head teacher;**
 - (ii) part time instructors for**
 - (A) Art Education**
 - (B) Health and Physical Education**
 - (C) Work Education**



**Minimum number of working days / instructional hours in an
academic year:**

- (i) 200 working days for I-V classes;**
- (ii) 220 working days for VI-VIII classes;**
- (iii) 800 instructional hours per academic year for I-V classes;**
- (iv) 1000 instructional hours per academic year for VI-VIII classes.**

➤ **Min. no. of working hours/week/Teacher: 45 teaching hrs
including preparation hours.**

Building


➤ All weather building consisting of

- (i) at least **one class-room for every teacher** and an **office-cum-store cum-head-teachers room**;
- (ii) **barrier free access**
- (iii) **separate toilets** for boys and girls
- (iv) **safe and adequate drinking water** facility to all children
- (v) a **kitchen** where mid-day meal is cooked in the school;
- (vi) **Playground**
- (vii) arrangements for securing the school building by **boundary wall**



Library

- There shall be a library in each school providing newspaper, magazines and books on all subjects, including story-books.





➤ **Play material, games and sports equipment:** Shall be provided to each class as required.

➤ **Teaching learning equipment:** Shall be provided to each class as required.

Role of Head/Teacher of School in implementation of RTE Act

- **Ensure that there is no discrimination and segregation of children belonging to weaker section, dis-advantage group, children with special need which prevent them from completing elementary education.**
- **No child is subjected to caste, religion, gender abuse.**
- **No delay in issuance of transfer certificate as and whenever required by the child.**

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- Ensure **No physical punishment or mental harassment.**
 - To ensure that children admitted in school get **timely benefits** of their rights like **free books, uniforms, stationary, mid day meal, benefits of welfare schemes etc.**
 - Ensure that **teachers attend training programmes and takes part in developing the curriculum, syllabi, training modules and text book development and any other duties** as prescribed by the govt. from time to time.
 - Ensure that child completing elementary education is **being awarded a certificate** as prescribed by the government.

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- **Maintain Regularity and Punctuality** in attending School
 - **Complete Curriculum** in accordance with the specified **provisions and time**
 - **Assess the learning ability** of each child and provide **supplementary instructions accordingly**
 - **Maintain Cumulative Record** of every child
 - **Hold regular meetings with parents** and apprise them of the progress of the child
 - **Not to engage in private tuitions** or take part in **any private teaching activities**

CHILDREN BENEFITED


- Approx 22 crore children fall under the age group 6-14. Out of which 4.1% i.e. 92 lakhs children either dropped out from school or never attend any educational institution. These children will get elementary education.



Present Status

Govt. report says•

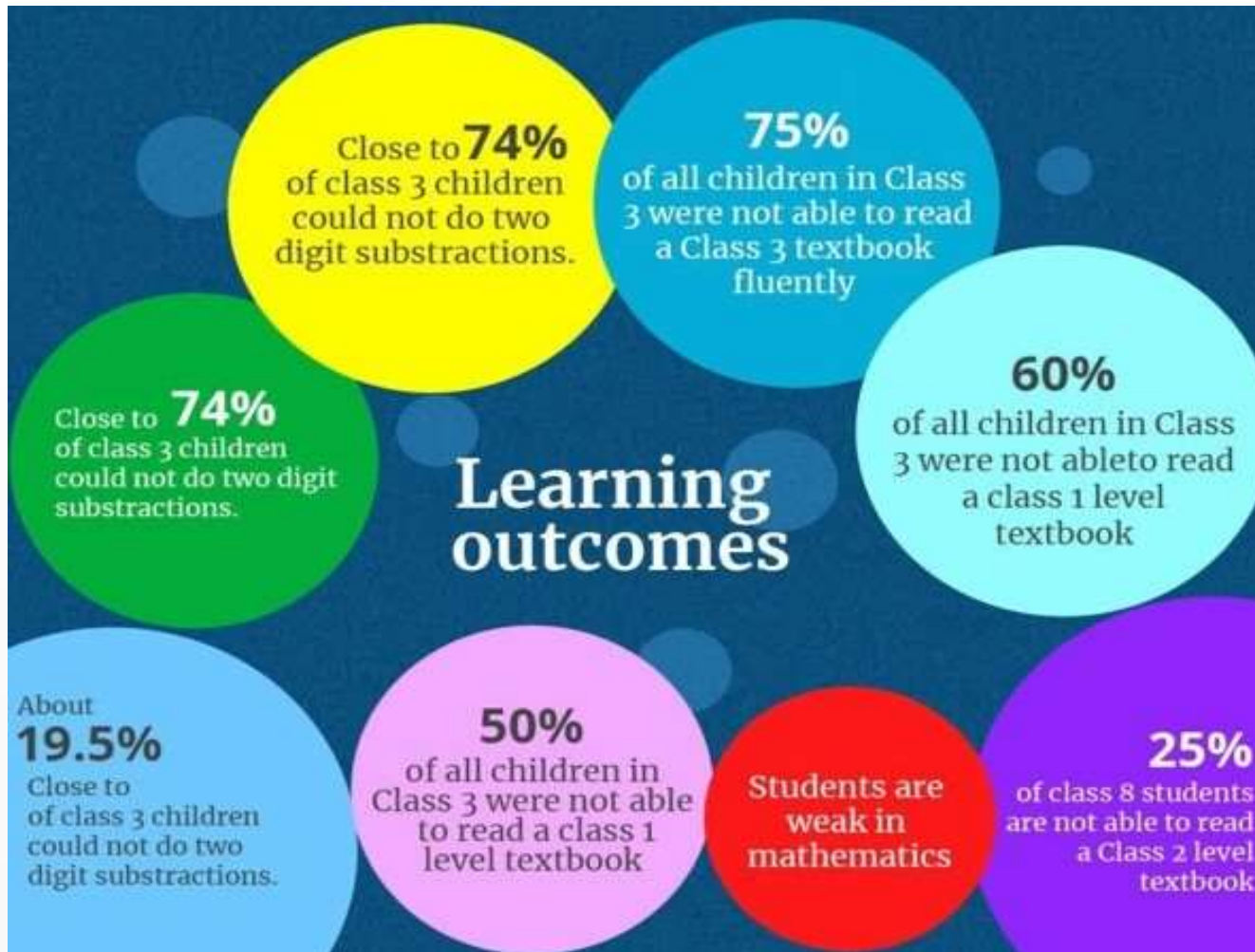
- Poor presence of students
- Ignorance among teachers and guardians about the provisions of the Act.
- Poor condition of training regarding RTE
- Acute shortage of teachers
- No atmosphere of quality teaching and meaningful teaching-learning process

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- **Only 8 percent** of schools are **admitting** students under RTE rules.
 - **20%** of teachers are **not trained**.
 - There are **8% schools** in the country which are run **by only one teacher**.
 - There are some States which have not notified this law.
 - Lack of **necessary structure** due to **lack of funds**.
 - Lack of trained teachers.
 - Lack of **grievance redressal mechanism**.



Facts and Figures (Report ASER of 2014)

- • **31.4% of std. III** Children cannot read words in their own language.
- • **70.1% of std. III** Children cannot solve a 2-digit subtraction problem.
- • **72.5% of std. V** Children cannot do a simple division problem.
- • **51.8% of the std. V** Children cannot read a std. II level text.



<https://www.inderdo.com/major-problems-in-indian-education/>

THE SPIRIT OF RTE

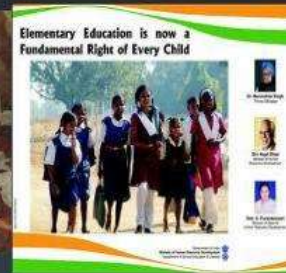
FROM..



THROUGH..



THE RIGHT TO EDUCATION



TO..



EDUCATION
FOR ALL



SUGGESTIONS

??????

1.


2.


3.

Comments / Consequences /Implications of the Act for Minorities


- Enforcement of the Fundamental Rights is the duty of the state. Now the state is enforcing it on others including the minorities.
- RTE Act threatens to take away the rights granted and guaranteed to the minorities under the constitution
- RTE Act does not mention the word 'minority' at all anywhere in the act.
- Will RTEA negate/black out the Art.30? Writs are already filed and pending in the S.C.
- 25% seats to be reserved for disadvantaged groups. How do you identify "children belonging to disadvantaged group"? What happens if more than 25% come for admission?


- Under the act, compulsory education starts at the age of 6. Normally our schools admit children in UKG or LKG depending on the age. So in our schools admission will have to be from Pre-school.
- Where a child is directly admitted in a class appropriate to his/her age, he/she has a right to receive special training to be at par with others. How do you do that?
- Regarding age proof even an affidavit will suffice. Now, can you insist on hospital certificate or baptism certificate?
- No test or interview for admission. So what are the consequences? How will you reconcile this?

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- Government will prescribe a common syllabus. What happens to your school syllabus?
 - The school has to provide entitlements (books, uniforms even transportation) to the 25% disadvantaged students.
 - The government is supposed to provide books for them but will not match with the text books you are using? Moreover, the books from govt. quota hardly come in time. So what's the solution? National curriculum?
 - There is provision for MDM for the disadvantaged children. How are you going to handle that?
 - Government will reimburse all the expenses as per its norms. The school has to maintain a separate bank account for the amount received.

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- No child is to be detained up to class 8. On completion of class 8 a child is to be given a certificate stating that s/he has completed the course.
 - No physical punishment or mental harassment of the child while in school. (“Spare the rod and spoil the child” ??)
 - No disciplinary action ; no expulsion of students is possible.
 - School buildings cannot be used for non-educational purpose. What does it mean?

- Every school, other than an unaided school (exempted under Model Rule 13), must have a School Managing Committee (SMC).
- 75% of the members must be parents/guardians of the children. Remaining from local representatives of the people, teachers representatives etc. 50 % are to be women.
- Prima facie it appears that only one person, namely the School Head can represent the management. Doesn't it violate the minority right under Art. 30?
- What happens to the existing Governing Board? With this the virtual control of the school will be with the SMC.
- Are they qualified, competent to carry out these responsibilities including financial affairs such as school development plan, annual accounts of receipts and payments etc.?
- Isn't it a simple conversion of the existing VEC (Village Education Committee) concept in villages under SSA to all schools?

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- No school can be established without obtaining certificate of registration.
 - Existing schools, too, have to obtain registration.
 - Recognition once granted can also be withdrawn on condition of non fulfillment of norms, standards, conditions etc. Hence there will always loom large the fear and threat of de-recognition under some pretext or other.
 - No tuitions are allowed. Can our schools tighten the noose on our teachers in this regard?

- 
- Doesn't the idea of admitting children to the 'neighborhood school' take away the freedom of parents/guardians to choose the school of their choice?. Will the govt. servants, politicians etc. do the same?
 - No prosecution of any offence under the act without previous sanction of an authorized officer. That seems to give a ray of hope.
 - The school has to furnish such reports and information as may be required by the DEO including copy of the audited report. The school is also open to inspection by any officer appointed by the govt. or local authority. This can be used as a sword of Damocles. It's a clear and blatant violation of Fundamental Right of Minorities.

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Thank You



Thank you...

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- ▶ If a 13 year old child wants to join a school, will she be asked to leave in one year when she attains 14 years of age?
 - ▶ No. The Act guarantees the completion of elementary education. It means therefore that the child can continue to study till she has completed class 8, irrespective of her age at that time.