

Rajasthan Education Guidelines and NCPCR

July 13, 2020

The National Commission for Protection of Child Rights (NCPCR) has said the Rajasthan government has violated the Right to Education (RTE) Act in the new norms it has recently issued for **admissions to pre-primary classes in private schools.**

Rajasthan Education Guidelines

NCPCR recommended that the Rajasthan government re-examine its recent guidelines and make necessary changes in light of the **RTE Act, 2009.** The law, via the **86th Constitution Amendment,** made **education a fundamental right under Article 21A for children between 6 and 14 years.** It also provided for **25% reservation for economically weaker sections (EWS) in government-aided private schools.**

The new guidelines recently published by Rajasthan government's Department of Elementary Education have **exempted private schools from 25% reservation for EWS students in their pre-primary classes** for the academic session 2020-21. The Act also states that where such a school imparts pre-school education, the **provisions shall apply for admission to such pre-school education as well.**

RTE Act **empowers governments to issue notifications and make rules** for carrying out the provisions of the Act. Therefore, the guidelines or rules issued by the appropriate government should be for carrying out the provisions of the Act. While issuing guidelines or framing rules, any deviation or change in the provision under the Act amounts to **violation of the Central Act.**

NCPCR

The NCPCR was set up in March 2007 under the **Commission for Protection of Child Rights (CPCR) Act, 2005**, an Act of Parliament. It is a **statutory body** under the administrative control of the **Ministry of Women & Child Development**. The Commission's mandate is to ensure that all laws, policies, programmes, and administrative mechanisms are in consonance with the child rights perspective as enshrined in the **Constitution of India and the UN Convention on the Rights of the Child**. The Child is defined as a **person in the 0 to 18 years age group**.