

Right to Education Act

October 14, 2020

In News

The Right of Children to Free and Compulsory Education Act or Right to Education Act (RTE), is an Act of the Parliament of India enacted on 4 August 2009, which **describes the modalities of the importance of free and compulsory education for children between 6 and 14** in India under Article 21A of the Indian Constitution.

Provisions of RTE Act

- India became one of 135 countries to **make education a fundamental right of every child** when the Act came into force.
- **The Constitution (86th Amendment) Act, 2002 inserted Article 21A** in the Constitution to provide **free and compulsory education** of all children in the age group of 6 to 14 years as a fundamental right.
- Compulsory education casts an obligation on the appropriate Government and local authorities to provide and **ensure admission, attendance and completion of elementary education** by all children in the 6-14 age group.
- It requires **all private schools to reserve 25% of seats** to children (to be reimbursed by the state as part of the public-private partnership plan).
- Kids are admitted into private schools **based on economic status or caste based reservations**. It also **prohibits all unrecognised schools from practice**, and makes **provisions for no donation or capitation fees and no interview of the child or parent for admission**.
- The Act also provides that **no child shall be held back, expelled, or required to pass a board examination until the completion of elementary education**.

- There is also a provision for **special training of school drop-outs** to bring them up to par with students of the same age.
- The RTE Act requires **surveys that will monitor all neighbourhoods**, identify children requiring education, and **set up facilities for providing it.**
- It makes provisions for a non-admitted child to be **admitted to an age appropriate class.**
- It lays down the norms and standards relating inter alia to **Pupil Teacher Ratios (PTRs), buildings and infrastructure, school working days, teacher working hours.**
- Education in the Indian constitution is a **concurrent issue** and both centre and states can legislate on the issue. The Act lays down **specific responsibilities for the centre, state and local bodies for its implementation.**