



RIGHT TO EDUCATION ACT- A FUNDAMENTAL RIGHT OF EVERY CHILD IN INDIA

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ABSTRACT

If Gopal Krishna Gokhale, one of the greatest sons of India, would have been alive today, he would have been the happiest person to see his dream of 'Right to Education for children of the country come true. It was he who, a hundred years ago, urged the Imperial Legislative Assembly confer such a right on Indian children. That goal has been realized a century later.

The government of India has finally passed a law and given effect to the Right to Education Act, from 1st April 2010. The Right to Education now a fundamental Right for all children in the age group of 6 to 14 years. The government will be responsible for providing education to every child up to the 8th standard, free of cost, irrespective of class and gender. It has thus paved the way for building a strong, literate and empowered youth of this country. The act ensures providing quality and compulsory education to all children and equipped them with knowledge, skills and values to make them enlightened citizens of India.

Considering that today there are about a crore of children across the country out of schools, this indeed is a huge task. The realization of this goal, therefore calls for a united efforts by all the stakeholders, the parents, the teachers, the Schools, the NGO's, the society at large the state government and the central government. This paper deals with the concept of RTE history of RTE, benefits, objectives and challenges of RTE.

INTRODUCTION

Education is the most potent mechanism for the advancement of human beings. It enlarges, enriches and improves the individual's images of the future. A man without education is no more than an animal.

Education emancipates the human beings and leads to liberation from ignorance. According to Pestalozzi education is a constant process of development of inner powers of man which are natural, harmonious and progressive. It is said that the 21st century, 'the nation's ability to convert knowledge into wealth and social good through the process of innovation is going to determine its future,' accordingly 21st century is termed as century of knowledge.

It is said that child is the future of nation. The quality of education of the child will determine the quality of life in nation and if we see in India the conditions are not very favorable in case of child education.

Nearly eight years after the constitution was amended to make education a fundamental right, the government on 1st April 2010 implemented a historic law to provide free and compulsory education to all children in age group of 6 to 14 years.

The new law makes it obligatory on part of the state government and local bodies to ensure that every child gets education in a school in the neighborhood. Its implementation will directly benefit close to one crore children who do not go to schools at present. These children who have either dropped out from schools or have never been to any educational



institutions will be enrolled in schools. Now India's children have a right to receive at least eight years of education. What is RTE 2009?

Every child ages of 6 to 14 years has the right to free and compulsory education. This is stated as per the 86th Constitution Amendment Act added Article 21 A. the right to education act seeks to give effect to this amendment.

The national commission for elementary education shall be constituted to monitor all aspects of elementary education including quality.

FEATURES OF RTE:

- Free and compulsory education for children between 6-14
- No student is held back or failed
- No need to pass the board exams until completion of elementary education
- Class is assigned according to age group
- Special help is given to the students for his/her backlog of preceding classes
- Admission is not denied due to lack of birth certificate
- Certificate is given when primary education is completed
- Special efforts to reduce the student: teacher ratio
- 25% reservation for economically and socially backward students
- Quest for quality education
- Essential to get required degree within 5 years for the teachers else the job is lost
- 3 years are given for those schools having poor infrastructure to develop it or else their recognition is cancelled
- Funding from state as well as central government

HISTORY OF RTE

- Dec 2002- free and compulsory education became fundamental right
- Oct 2003- 1st draft was prepared and shared with the society for suggestions and improvement
- 2004- suggestions were considered and revised draft was made
- June 2005- CABE drafted the bill and submitted to HR ministry
- 14 July 2006- bill was rejected due to lack of funds. New bill was made
- 2009- Bill was passed in both the houses. Obtained president's assent in august 2009
- 1 April 2010- implementation of the act started.....

CONTENT AND PROVISIONS OF RTE

- Compulsory 25% reservation in all schools for backward students living in neighborhood
- This policy is also applicable to the private schools (unaided)
- No donations and capitation fees during admission
- No interviews or screening tests for students as well as parents
- Prohibition of physical punishment, detention of students and detention of teachers for reasons other than census, election duties and disaster relief



- Recognition of schools is compulsory

PROVISION OF SECTION 13 IN RTE

- Empowers government to penalize the schools collecting donations and capitation fees
- If capitation fee is taken then 10 times penalty is charged
- If exams/tests/interviews are taken, a penalty of 25000 Rs. is charged
- If the same law is violated again then a penalty of 50000 Rs. is charged
- Applicable even to special category schools like “ Navodaya” schools.

ELIGIBILITY FOR TEACHERS

The following persons shall be eligible for appearing in the TET:

- Having academic and professional qualifications specified in the NCTE Notification dated 23rd August 2010.
- Appearing for any of the teacher education courses (recognized by the NCTE or the RCI, as the case may be) specified in the NCTE Notification dated 23rd August 2010.

IMPLEMENTATION OF THE ACT

- 7.8 lakh additional classrooms and seven lakh girls' toilets
- Rs 1.71 lakh crore in the next five years for implementing the Act.
- Free uniforms and textbooks
- Students with special need will get Rs 3,000 per annum for inclusive education
- requirement of additional 5.1 lakh teachers to meet the pupils-teacher ratio of 30 for 1 as per the RTE Act
- 7.6 lakh untrained teachers will be provided training in next five years
- Barrier-free education for children with special needs and one classroom per teacher.

CHALLENGES BEFORE RTE

- Great diversity in students as well as schools thus one law is not applicable to all the schools
- Poor implementation of the rules and lack of seriousness
- Counter effects of some provisions like “no student is held back or failed”. This result in change in attitude of students and their performance is lowered.
- Lack of awareness of this act in parents students and schools
- High population of students in age group 6-14 thus a large force of teachers is required who are well qualified too

CONCLUSION

The state should prepare a set of model rules for implementation of the right to education, with the help of the community and other stakeholders.



According to this act the age group of the children is 6 to 14 years the power has to be given to the state whether they want to widen this group to include more children under this act. This is a very good Act made by government of India. All the people those who are related with this Act follow the rules properly so the individuals can take maximum benefits of it, society can be flourished and the Nation can develop.

REFERENCES

1. Dr. Digumarurti Bhaskar Rao, Right to Education, 2011, Neel Kamal Publications Pvt, ltd, New Delhi
2. www.rte2009.com
3. www.rte2009wikipedia.com
4. www.righttoeducationact.com.