

**Right of Children to Free and Compulsory Education Act (RTE) : A Review**

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**Abstract**

Indian Parliament approved the “Right of Children to Free and Compulsory Education Act (RTE) on August 4th, 2009, which outlines the necessity of free and compulsory education for children between the ages of 6 and 14 in India. The Act was signed into law on April 1, 2010, making India one of 135 nations where education is a basic right for all children.

**Key words:** Shiksha, Government, achievement etc.

**Introduction**

The International Covenant on Economic, Social and Cultural Rights (ICESCR) recognises the right to free, compulsory primary education for all, an obligation to develop secondary education accessible to all, in particular by the gradual introduction of free secondary education, and an obligation to develop equitable access to higher education, ideally by introducing free secondary education. Almost 70 million children throughout the globe are unable to attend to school each day because of poverty and other factors. The Covenant was signed by 164 countries as of 2015.

Basic education for those who have not finished elementary education at the school and college levels is part of their entitlement to education. Besides this, the right to education includes the students' responsibilities to prevent discrimination at all levels of the educational system, establish basic standards of education, and to enhance the quality of education.

**Definition**

*the entire process of social life by means of which individuals and social groups learn to develop consciously within, and for the benefit of, the national and international communities, the whole of their personal capabilities, attitudes, aptitudes and knowledge.*

**Historical Background of the RTE Act (2009)**

The newly drafted Constitution's Article 45 declared that within 10 years of the Constitution's inception, the state will work to offer free and mandatory education to all children until the age of fourteen. Children between the ages of six and fourteen are entitled to free and compulsory education under Article 21A (Part III) of the 86th



Amendment Act (2000). Parents and guardians are now required to give their children with educational opportunities as a result of the legislation. Free and Compulsory Education for Children Bill, 2003, was produced and put on this website in October, 2003 in order to solicit feedback and recommendations from the general public about the proposed law. After receiving feedback on this draught, a new version of the Free and Compulsory Education Bill, 2004, was drafted in 2004. The 'Right to Education' Bill was written by the CABE (Central Advisory Board of Education) committee in June 2005 and presented to the Ministry of Human Resources and Development. Mrs. Sonia Gandhi serves as chair of the National Advisory Committee (NAC), which is chaired by MHRD. The bill was referred to India's Prime Minister by the NAC for his consideration. Because of a lack of resources and a model law, the finance and planning committees rejected the legislation (Post- 86th amendment, States had already cited lack of funds at State level). There were changes made in August of 2009, however the public was not alerted for about seven months after that. Beginning on April 1, 2010, the Right of Children to Free and Compulsory Education Act went into effect. This was a monumental day for the people of India, since Article 21A of the Indian Constitution guarantees the right to education the same legal significance as the right to life. All children, ages 6-14, will get 8 years of primary education in an age-appropriate classroom close to their homes. For the first time in Indian history, it is codified as an enforceable right in Article 21 of Chapter 3 of the Constitution. Thus, the right to an education is recognised as a basic right for children. A free and obligatory education is now available to all children aged 6-14. This is specified in Article 21A of the 86th Constitutional Amendment Act. All children would be able to attend public schools for free, and these institutions will be overseen by school management committees (SMC). At least 25% of the students enrolled in private schools must be admitted free of charge. The term free refers to the state removing all financial obstacles that stand in the way of a kid completing eight years of compulsory education. The term compulsory refers to the fact that students must be required to enrol in, attend, and complete primary school. The term compulsion refers to the state or local government's compulsion on parents to send their children to school, rather than the parent's basic obligation to do so.

**Basic Provisions made in the RTE Act (2009):**

Many fundamental principles were laid down in 2009 when the Indian government passed the Right to Education Act" to assure free and compulsory elementary education



for all children aged 6 to 14. As a starting point, below are some of the most essential RTE Act (2009) provisions:

- Article 21A of the Indian Constitution, added in December 2002 by the 86th Amendment, enshrines this privilege. Beginning on April 1, 2010, the Act's provisions went into effect.
- 'The Right of Children to Free and Compulsory Education Act, 2009' is its official title.
- In order to offer free and compulsory education to all children between the ages of 6-14 years, i.e. from Class I to VIII, it is an Act that covers the whole country except for the state of Jammu and Kashmir.
- In terms of finances and other duties, the federal and state governments will each bear some of the burden.
- Ensure that all children under the age of fourteen who reside within the jurisdiction of the local authority have access to, and are enrolled in, an elementary school by the local authority, such as Municipal Corporation, Municipal Council, Zilla Parishad, or Nagar Panchayat.

### **Problems in achieving RTE**

- Continuous or productive measures are necessary to educate 1 lakh new or inexperienced teachers and to build up their abilities.
- Families are critical to the success of child-friendly education. Today, more than 190 million youngsters are enrolled in primary education.
- In order to provide quality education, there must be no barriers in place. Preschool education is essential to achieving set objectives.
  - To enrol children who have never attended school, regardless of their age, and assign them to the appropriate class based on their age. To meet this challenge, the method must be adaptable and inventive.

### **Conclusion**

The Sarva Shiksha Abhiyan is a community-led initiative to ensure that all children have access to a quality basic education. Quality basic education is a reaction to the growing demand for it throughout the nation. The nation started the Sarva Shiksha Abhiyan in the year 2000, which was a purposeful attempt to bring together various programmes and



methods to achieving the country's educational objectives. Universalizing Elementary Education programmes have been brought together under one umbrella. Many innovative initiatives have been suggested to increase access and participation in elementary education and to enhance the quality of instruction in primary schools. Sarva Shiksha Abhiyan will be implemented by the Indian government and the state government under a long-term cost-sharing and decentralised management framework that includes local bodies.

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