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## Study of Right to Education Act 2009 and its salient features

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**Introduction :** 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. India became one of 135 countries to make education a fundamental right of every child when the Act came into force on 1 April 2010.

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The Act makes education a fundamental right of every child between the ages of 6 and 14 and specifies minimum norms in elementary schools. 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 in to 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. The World Bank education specialist for India, Sam Carlson, has observed: "The RTE Act is the first legislation in the world that puts the responsibility of ensuring enrolment, attendance and completion on the Government. It is the parents' responsibility to send the children to schools in the US and other countries."



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. A number of other provisions regarding improvement of school infrastructure, teacher-student ratio and faculty are made in the Act.

The right to education (RTE) act, 2009 under article 21-A, means that every child has the right to study in the school in a proper way such that it must satisfy essential rules and regulations.

Article 21-A and RTE act came into force on 1 April 2010. The RTE act basically supports and encourages “free and compulsory” education. Here, free education means that none of the child is allowed to pay any fee or any kind of charges for completing and getting education except for the child whose parents are there who are capable of paying fees and affording all other kinds of expenses for their child related to studies. And compulsory education means that it is the duty of the government and concerning local authorities to check for proper attendance of the students, to ensure proper admission and also to take care for the fulfillment of fundamental education of every child.

### **Salient features of right to free and compulsory education act, 2009**

The RIGHT TO EDUCATION (RTE) ACT, consist of the following measures-

- Every child has the fundamental right to free and compulsory education.
- The RTE act makes rules for the non-admitted students to be admitted at a proper age to the specified class.
- It specifies different responsibilities to the local authorities and government to ensure to provide free and compulsory education.
- It also lays down rules regarding Pupil Teacher Ratios (PTRs).
- It also ensures that the employment of every teacher whether in urban or in rural areas is in a balanced way, and should maintain a proper ratio.
- It also lay down rules for maintaining the infrastructure of the schools, proper working hours for the teachers etc.
- It also suggests employing trained and well-educated teachers.
- The Right to Education act also forbids some of the issues like,
- Any type of mental harassment over any student or physical assault.



- Capitation fees, which means that the amount of fee taken by the institution which is more than the prescribed fee.
- It also prohibits the working of the school without its identification.

The RTE act wants to form an education system in which every child should be allowed to get education freely and he or she should be free from any kind of fear regarding harassment, unequal treatment etc. This act wants to establish the system in which full knowledge regarding subject and moral values should be provided and none of the child could be remained deprived of their fundamental and the most basic rights.

### **Conclusion :**

As compared since independence we can see that there is an increase in the literacy rate. But the increasing level is slow. So the government has made different rules and regulations, different types of norms, acts, articles etc to increase awareness among the people.

Education is the most fundamental right of us and we should try to encourage the people from urban areas and persons who are not able to get the sufficient information regarding rules and regulations so that the acts and articles made by the government can be useful and fruitful.

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