

**GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA**

STARRED QUESTION NO:376

ANSWERED ON:21.04.2010

IMPLEMENTATION OF RTE ACT

Patil Shri C. R. ;Rao Shri Sambasiva Rayapati

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) whether the law relating to the Right to free and compulsory education for all children in the age group of six to fourteen years has been enforced by the Government with effect from 1 April, 2010;
- (b) if so, the details thereof and the role of the private educational institutions therein;
- (c) the funds earmarked by the Government for the purpose and allocated during the current financial year, State-wise;
- (d) whether more than 2.5 lakh posts of teachers are lying vacant in Kendriya Vidyalayas, Sarvodaya Vidyalayas and the Central Tibetan Schools as per the affidavit given by the Government before the Supreme Court; and
- (e) if so, the manner in which the Government proposes to effectively implement the Act?

Answer

MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI KAPIL SIBAL)

(a) to (e): A Statement is laid on the Table of the House

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 376 FOR 21st APRIL, 2010 ASKED BY SHRI C. R. PATIL AND SHRI RAYAPATI SAMBASIVA RAO REGARDING IMPLEMENTATION OF RTE ACT.

(a) & (b): The Right of Children to Free and Compulsory Education Act, 2009, is a consequential legislation to Article 21A of the Constitution. The Act provides inter alia that (a) every child of the age of six to fourteen years shall have the right to free and compulsory education in a neighborhood school till completion of elementary education; (b) the appropriate Government and local authority shall ensure compulsory admission, attendance and completion of elementary education; (c) every school shall conform to the Norms and Standards specified in the Schedule of the Act; and (d) the Central Government and the State Governments shall have concurrent responsibility for providing funds for carrying out the provisions of the Act. The Act has come into force from 1st April, 2010.

The Act inter alia provides that an unaided school shall admit in class I, to the extent of at least twenty-five per cent of the strength of that class, children belonging to weaker sections and disadvantaged groups in the neighbourhood and provide them free and compulsory elementary education till its completion. Further, all aided and unaided schools have to seek a certificate of recognition from a designated Government authority.

(c): For 2010-11, a Central budget allocation of Rs. 15,000 crore has been presented to Parliament under the Sarva Shiksha Abhiyan (SSA). The States will be required to contribute the State share as per the approved fund-sharing pattern under SSA. Funds are provided to each State/UT based on the approved Annual Work Plan & Budget (AWP&B) for the year.

(d): The position of vacancy of teachers in Kendriya Vidyalayas, Sarvodaya Vidyalayas and Central Tibetan Schools is as under.

Institution	No. of teacher posts	vacant
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Kendriya Vidyalayas	2,675	
Sarvodaya Vidyalayas	7,755	
Central Tibetan Schools	53	
TOTAL	10,483	

(e): It is the duty of the appropriate Government and the local authority to take necessary steps for carrying out the provisions of the Act. Chapter VI of the Act inter alia provides for monitoring and protection of rights of the child by the National Commission for Protection of Child Rights and the State Commissions for Protection of Child Rights.