



To study the Main Provisions of The Right of Children to Free and Compulsory Education Act 2009 and its Qualitative effects

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Abstract : Education occupies a vital role in the lives of common people. It involves a process of character building, strengthening mind and expansion of intellect. It is the preparation for a complete life. It is a process by which a person gains understanding about himself as well as the environment. It ensures the all-round development of man where he trains himself to fulfill his aims. Through education a child developed his inherent capacities in consonance with his natural environment.

The Constitution (Eighty-sixth Amendment) Act, 2002 inserted Article 21-A in the Constitution of India to provide free and compulsory education of all children in the age group of six to fourteen years as a Fundamental Right in such a manner as the State may, by law, determine. The Right of Children to Free and Compulsory Education (RTE) Act, 2009, which represents the consequential legislation envisaged under Article 21-A, means that every child has a right to full time elementary education of satisfactory and equitable quality in a formal school which satisfies certain essential norms and standards.

Article 21-A and the RTE Act came into effect on 1 April 2010. The title of the RTE Act incorporates the words 'free and compulsory'. 'Free education' means that no child, other than a child who has been admitted by his or her parents to a school which is not supported by the appropriate Government, shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary education. '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. With this, India has moved forward to a rights based framework that casts a legal obligation on the Central and State Governments to implement this fundamental child right as enshrined in the Article 21A of the Constitution, in accordance with the provisions of the RTE Act.

Main Provisions of The Right of Children to Free and Compulsory Education Act 2009

Free & Compulsory Education: According to Section-3 of Act Free education means that a child will not be viable to pay any fees/dues to complete his elementary education.

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- Compulsory means that it is the responsibility of the state government to ensure 100% enrollment, 100% attendance and providing elementary education to every child between the ages of 6 to 14 years.
 - It is given in section 4 of act that enrollment of the dropout students and enrolled them in classes according to their age.
 - Special training provided to those students to make them compatible with other students.
 - Elementary education will be provided even after completion of the age of 14 years.
 - It is mentioned in sub-section 2 of section 14 that there is no need of birth certificate and migration certificate for admission.
 - The Act provides that no student up to 8th class be failed or withheld in the same class.
 - To stop corporal punishment and mental harassment in school according to section 7 Act.
 - Provide education facility in neighbourhood within three years.

Area of Research : Present study being empirical in nature relies mainly on data collected through primary sources. It relates to the implementation of provisions of RTE Act in schools. In this regard, the primary data has been collected with the help of detailed interview-schedule containing questions relating to the provisions of the Act for both students and teachers in government schools of Rohtak, Jind and Hissar (Haryana).

Objectives of the Study

The main objectives of the present study are as follows:-

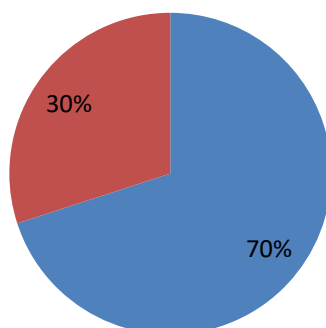
1. To examine the level of awareness among the teachers and students about the provisions of this Act.
 2. To know about the infrastructure of schools according to RTE Act 2009.
 3. To know whether study material are timely provided to the students.
 4. To examine whether SMCs have been made functional or not.
 5. To find out that the students-teacher ratio is according to RTE Act or not.
 6. To verify about provision of 25% reservation for Economic Weaker Section in schools.
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Qualitative effect of the Act

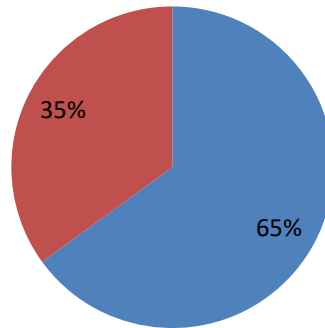
Class	Number of Respondents	JIND		ROHTAK		HISSAR	
		YES	NO	YES	NO	YES	NO
I st	15	4	1	4	1	4	1
II nd	15	3	2	3	2	3	2
III rd	15	4	1	4	1	4	1
IV th	15	3	2	3	2	2	3
V th	15	4	1	3	2	4	1
VI th	15	3	2	4	1	3	2
VII th	15	3	2	2	3	4	1
VIII th	15	4	1	2	3	3	2
Total	120	28 (70%)	12 (30%)	26 (65%)	14 (35%)	27 (67%)	13 (33%)

**Qualitative effect of the Act
JIND (40)**

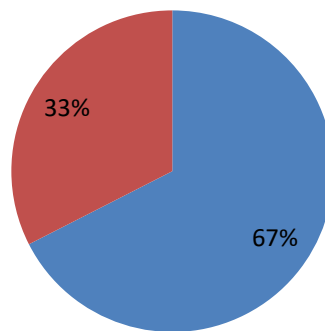




Qualitative effect of the Act ROHTAK (40)



Qualitative effect of the Act HISSAR (40)



Conclusion : From the analysis this is clear that the main effect of the Act is not as per the provisions mentioned in the Act itself. It has been observed that the Act laid the moderate effect over the education system neither we can say that the effect is negative nor it was found to be overwhelming. Under many areas it was found it to be effective where as in many areas it was observed as not effective.

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