

# A Study of RTE Act 2009 and its implementation in Gujarat

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**Abstract** - The Right to Education (RTE) Act, 2009 empowers children belonging to the backward section of the economy to free and compulsory education. The Right to Education Act was earlier termed as The Right of Children to Free and Compulsory Education Act came into function after Gopal Krishna Gokhale's famous impassionate plea to the Imperial Legislative Council for introducing free and compulsory primary education throughout India. The Right to Education Act made compulsory all government and private sector schools across India to provide 25 percent reservation to children between the age group of 6 and 14 belonging to the weaker section of the country access to free and compulsory education. India became one of the 135 countries to make education a fundamental right of every child, when the act finally came into practice in April 2010.

## I. IMPLEMENTATION & FUNDING

The Right to Education act has clearly laid down distinct responsibilities for the centre, state and local bodies for its implementation. However, a lot of states have been complaining about the lack of funds being received which is making it impossible to meet with the appropriate standard of education in the schools needed for universal education. Hence, the centre that is at the receiving end of the revenue will have to subsidize for the states.

A committee set up to study the fund requirement for the implementation of the act estimated an initial capital requirement of approximately Rs. 171000 crores or 1.71 trillion over 5 years, and in April 2010 the Indian government agreed to share the funding of the price at a ratio of 65 to 35 between the centre and the state and a ratio of 90 to 10 for the Northeastern states. Later the principal amount was then increased to Rs. 231000 crores and the centre agreed to raise its share to 68%. However there is much debate on this. Another important development in 2011 was to further stretch the act and implement it till the preschool age range, hence the age ceiling would rise from 14 years now to 16 years and would cover till class 10

## II. RULES AND PROVISIONS

Right of Children to Free and Compulsory Education Act-2009 and rules for Children to Free and Compulsory Education-2012 has a provision to admit 25% children from weaker and disadvantaged group in un-aided primary school is as follows:

Right of Children to Free and Compulsory Education Act-2009, section-12 has a provision :-

(1) For the purposes of this Act, the school :-

(K) All admitted student will complete their free and compulsory education as per specified in section-2 , sub clause (1).

(KH) As per section-2, part (Th) sub part (2) specific to provide free and compulsory education to at least 25% of the children Subject to the annual recurrent costs from its annual recurring aid or as Grant.

(G) As per section-2, part (Th), sub-part (3) and (4) specific to the admission of at least 25% of the total strength of the standard 1 children belonging to weaker or disadvantaged group in the neighborhood school till the completion of their primary education. But the addition of section-2, part (Th) specific to those school and pre schools which are available for the admission in preschool as per the provision of part (k) and (G).

(2) As per sub- clause (1) part (G) specific to free and compulsory education to primary education specific in section-2 part (Th) school will fill it out their payments for cost which is done by the state and the actual amount charged from the child ; whichever is less.

Expense per child will not increase as Specified in the section-2 part (Th) sub part-1

But in addition when school is getting land, building, equipment or other facilities at free of cost or at subsidized rate then it is a responsibility of a school to provide free and compulsory education to specific no. of children and for that school is not entitled to receive payments.

(3) Each school will provide the required information to government or local authority. Specific school will admit at least 25% of the total students of the class belong to children from weaker and disadvantaged group in standard-1 and they will complete their free and compulsory primary education.

Specify school will able to receive the amount as per expense done per children and actual amount charged from the child whichever is less.

## III. IMPLEMENTATION IN GUJRAT

As per Right of Children to Free and Compulsory Education Act-2009 Government of Gujarat has pass the bill of Gujarat Educational Act (Amendment) Bill- 2010 in Legislative

Assembly and State has implemented Right to Education Act since Dt. 01/04/2010. In this regard 25% belonging to weaker and disadvantaged group should admitted in Standard-1.

For the sake of the children of Gujarat state rule-11 is showing the provision for weaker and disadvantaged group children to be admitted in the non granted school.

- (1) Children belongs to schedule caste, schedule tribe and other backward class should include in the weaker and disadvantaged group and for such special status by the state government through the certification by recognized authority will be enough.
- (2) Director will issue the guidelines for such admission and schools must have to follow such guidelines.
- (3) School Management needs to carry out special training for the coordination between special group children and other children. Through organizing professional training management has to integrate the teachers and school children management will have to sensitize it.
- (4) There should be the access of infrastructure facilities, co-curricular activities to the special group children or there should not be any discriminating behavior from teachers, management and / or children (towards special group children). Violation of this rule results in the withdrawal of recognition.
- (5) Rule-5, sub-rule (2) Specified in the nearby areas or city limits of, Section-12, sub- section-(1) part (G) in accordance with the applicable entry.

But as per section (12) sub-section-(1) part (G) with the aim to mentioned children essential percentage limits may be extended by prior approval of the state government

#### IV. CONCLUSION

Right of Children to Free and Compulsory Education Act-2009 and Gujarat State Rules 2012 for Free and Compulsory Education to children for the implementation of above said provisions state government have mature considerations on it.

#### V. REFERENCES

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