

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

UNSTARRED QUESTION NO:6593
ANSWERED ON:05.05.2010
INFIRMITIES IN RTE ACT
Mani Shri Jose K.

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

- (a) whether certain provisions of Right to Education Act have been challenged by a group of unaided minority institutions in kerala;
- (b) if so, the details thereof;
- (c) whether legal experts have also commented a few infirmities in the provisions of Right to Education Act;
- (d) if so, the details thereof; and
- (e) the action taken by the Government in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SMT. D. PURANDESWARI)

- (a) to (d): Minority organizations, including those in Kerala, have represented that provisions under section 21 and 22 of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 relating to composition and functions of the School Management Committees violate their rights under Article 30 of the Constitution of India. They have requested that all minority institutions be excluded from the requirement of constituting the School Management Committees.
- (e): In order to carry out necessary amendments, the Right of Children to Free and Compulsory Education (Amendment) Bill, 2010 has been introduced in the Rajya Sabha.