

**GOVERNMENT OF INDIA  
WOMEN AND CHILD DEVELOPMENT  
LOK SABHA**

UNSTARRED QUESTION NO:4426  
ANSWERED ON:20.08.2010  
RIGHT TO EDUCATION  
Thakor Shri Jagdish

**Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:**

- (a) whether the National Commission for Protection of Child Rights (NCPCR) has the judicial power to act in the cases of violation of the Right to Education;
- (b) if so, the details thereof;
- (c) whether the NCPCR has delegated the judicial powers to the State Commission for Protection of the Child Rights in this regard; and
- (d) if so, the details thereof?

**Answer**

MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH)

(a) & (b): For conducting an enquiry in the cases of violation of the Right of Children to Free & Compulsory Education (RTE) Act, 2009, the National Commission for Protection of Child Rights (NCPCR), under the Commissions for Protection of Child Rights (CPCR) Act, 2005, have all the powers of a Civil Court trying a suit under the Code of Civil Procedure, 1908 (5 of 1908), and, in particular, in respect of the following matters, namely:

i) summoning and enforcing the attendance of any person and examining him on oath; ii) discovery and production of any document; iii) receiving evidence on affidavits; iv) requisitioning any public record or copy thereof from any court or office; and v) issuing commissions for the examination of witnesses or documents.

(c) & (d): Same powers have been assigned to the State Commissions for Protection of the Child Rights (SCPCRs) under RTE Act, 2009 read with CPCR Act, 2005.