

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

UNSTARRED QUESTION NO:4335  
ANSWERED ON:02.05.2012  
MISUSE OF RTE ACT  
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**Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:**

- (a) whether the Right to Education Act is being misused in some States; and
- (b) if so, the details thereof and its implementation status especially in Gujarat?

**Answer**

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

(a) & (b): The Right of Children to Free and Compulsory Education (RTE) Act has come into force from 1st April, 2010. Several steps have been taken by the Central and State Governments for implementing the RTE Act, including the following:

- (i) The Central RTE Rules were notified on 9th April, 2010, which are applicable to five UTs without legislature;
- (ii) 28 State Governments have notified the State RTE Rules;
- (iii) The Sarva Shiksha Abhiyan (SSA) Framework for Implementation has been revised to correspond with the provisions of the RTE Act;
- (iv) The Centre-State funding pattern for implementation of the combined RTE-SSA programme have been revised to provide for greater financial support to States;
- (v) Teacher qualification norms have been notified, and Teacher Eligibility Test (TET) has been conducted by the Central Government and several State Governments;
- (vi) Since the commencement of the RTE Act, sanctions have been issued for opening of 39,502 primary schools and 11,952 upper primary schools, construction of 28,561 primary schools and 8,247 upper primary schools, construction of 4,98,339 additional classrooms, 2,49,400 toilets and 22,791 drinking water units and appointment of over 6 lakh teachers.

In respect of Gujarat under the combined RTE-SSA programme, the Central Government has sanctioned for 2010-11 to 2012-13, 53,688 additional teacher posts, 47,445 additional classrooms, 2,165 toilets, 9,881 separate girls' toilets, 1,597 Head Teacher rooms, boundary wall for 2,162 schools. Further, the State Government of Gujarat has notified the State RTE Rules, Constituted the State Commission for Protection of Child Rights, and issued notifications for (a) appointing an academic authority under section 29 of the RTE Act, (b) policy on eight year elementary education (c) no detention (d) no corporal punishment (e) no board examination till completion of elementary education (f) banning private tuition, screening procedure and capitation fees; and (g) fixing the minimum working days and instructional hours.