

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

UNSTARRED QUESTION NO:1216  
ANSWERED ON:13.07.2009  
RIGHT TO EDUCATION  
Khaire Shri Chandrakant Bhaurao

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

- (a) whether the Government proposes to enact a law to provide compulsory and free education to all children in the age of six to fourteen years in the country;
- (b) if so, the details thereof;
- (c) whether the Government also proposes to give necessary assistance to the States in implementation of the proposed law;
- (d) if so, the details thereof;
- (e) whether some State Governments have recorded their apprehensions on the proposed legislation; and
- (f) if so, the details thereof?

**Answer**

Minister of State in the Ministry of Human Resource Development(Smt. D. Purandeswari)

(a) to (f): Article 21 A, as inserted by the Constitution (Eighty-sixth Amendment) Act, 2002, provides for free and compulsory education of all children in the age group of six to fourteen years as a Fundamental Right in such manner as the State may, by law, determine.

The Right of Children to Free and Compulsory Education Bill, 2008 which represents the consequential legislation, was introduced in Rajya Sabha on 15.12.2008, Clause 7 of the Bill provides that the Central Government and the State Government shall make available funds for carrying out the provisions of the Bill. The Bill also stipulates that the Central Government shall prepare the estimates of capital and recurring expenditure and provide to the State Governments, as grants-in-aid of revenues, such percentage of expenditure as it may determine from time to time, in consultation with the States.

The Right of Children to Free and Compulsory Education Bill is the outcome of extensive and wide ranging discussions, which included

- (a) consideration by the Central Advisory Board of Education (CABE) comprising Ministers of Education of all States/UTs
- (b) circulation of a draft Bill based on CABE discussions to all States/UTs for their comments
- (c) discussion in a High Level Group (HLG) constituted by Prime Minister, and preparation/ circulation of a Model Right to Education Bill. The present Bill takes into consideration the concerns of States and UTs as well as teachers association and civil society organizations.