



ABSTRACT

School Education – The Right of Children to Free and Compulsory Education Act 2009 – Issue of certain directions regarding compulsory admission, attendance and completion of education under the Right of Children to Free and Compulsory Education Act, 2009- Orders – Issued.

School Education (C2) Department

G.O.(Ms.)No.189

Dated: 12.07.2010.

1. From the Director of Matriculation Schools, Chennai 6. Letter Rc.No.2330/A2/2010, Dated: 22.06.2010
2. From the Advisory Committee on Free and Compulsory Education Act note dated: Nil

ORDER:-

The Right of Children to Free and Compulsory Education Act, 2009 has come into effect from 1st April 2010. The Act provides for Free and Compulsory Education to all children including disabled children of the age of 6 to 14 years. Every child of the age of 6 to 14 years shall have a right to free and compulsory admission, attendance and completion of education in a neighbourhood school. The Act outlines the various duties and responsibilities of the appropriate Government, Local Bodies, Schools and Parents. In providing Free and Compulsory Education to children upto the age of 14 till the completion of elementary education, the Schools play a vital role. The Advisory Committee on Free and Compulsory Education Act has suggested issue of instructions to schools, keeping in view the following basic responsibilities of the schools:

1. No child shall be held back in any class or expelled from school till the completion of elementary education in a school.
2. Any child above 6 years of age not admitted in any school or could not complete his or her Elementary Education shall be admitted in a class appropriate to his/her age. When a child is directly admitted in a class appropriate to his/her age, then the child shall have the right to receive special training in the school in order to be at par with others. Wherever a Birth Certificate is not available any one of the following documents shall be deemed to be proof of age of the child for the purposes of admissions in schools.

P.T.O.

- a. Hospital / Auxiliary and Midwife Register
 - b. Anganwadi Record
 - c. Declaration through an affidavit of the age of the child by the Parent/Guardian
3. Extended period of admission shall be 6 months from the date of Commencement of the academic year of the school. Where a child is admitted in a school after the extended period he or she shall be eligible to complete the studies with the help of special training as determined by the head of the school.
 4. In case there is no provision for completion of Elementary Education in a school, a child shall have a right to seek transfer to a school run by the appropriate Government or by a local authority or the Aided School receiving Aid or Grants from the appropriate Government or Local Authorities.
 5. The child shall have a right to move from one school to another either within the State or outside for completing his or her Elementary Education. In such cases, the head teacher of the school where such child was last admitted shall immediately issue the Transfer Certificate. Moreover, the delay in producing Transfer Certificate shall not be a ground for either delaying or denying admission in such other school.
 6. No school while admitting a child shall collect any capitation fees and subject the child or his or her parent or guardian to any screening procedures. Receiving capitation fee and subjecting a child to screening procedures in contravention of the provisions of the Act is punishable.
 7. No child shall be subjected to physical punishment or mental harassment.
 8. No child is required to pass any Board Examination till the completion of Elementary Education.
 9. Every child completing Elementary Education shall be awarded a Certificate.

2. The Advisory Committee on Free and Compulsory Education Act has also requested to issue instructions to Director of School Education, Director of Elementary Education, and Director of Matriculation Schools in accordance with the RTE mandate.