

**PARLIAMENT OF INDIA
RAJYA SABHA**

213

**DEPARTMENT-RELATED PARLIAMENTARY STANDING
COMMITTEE ON HUMAN RESOURCE DEVELOPMENT**

TWO HUNDRED THIRTEENTH REPORT

ON

**THE RIGHT OF CHILDREN TO FREE AND COMPULSORY
EDUCATION BILL, 2008**

(PRESENTED TO THE RAJYA SABHA ON ...18th February....)
(LAID ON THE TABLE OF LOK SABHA ON ...18th February....)

**RAJYA SABHA SECRETARIAT
NEW DELHI**

...../.....

**PARLIAMENT OF INDIA
RAJYA SABHA**

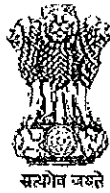
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**COMPOSITION OF THE COMMITTEE ON HRD
(2008-09)**

**MEMBERS
RAJYA SABHA**

1. Shri Janardan Dwivedi — *Chairman*
2. Shri Shaṅtaram Laxman Naik
3. Shri Vijaykumar Rupani
4. Shri T.T.V. Dhinakaran
5. Shrimati Supriya Sule
6. Dr. K. Keshava Rao
7. Shri N.K. Singh
8. Shri M. Rama Jois
9. Prof. Ram Gopal Yadav
10. Vacant

LOK SABHA

11. Shri Ashok Argal
12. Shri Basudeb Barman
13. Shri Harishchandra Chavan
14. Shri Harisinh Chavda
15. Shri Abu Hasem Khan Choudhury
16. Shri Rahul Gandhi
17. Shri Francis K. George
18. Shrimati Paramjit Kaur Gulshan
19. Shri Anant Kumar Hegde
20. Shri Ramswaroop Koli
21. Shri G.V. Harsha Kumar
22. Shrimati Nivedita Sambhajirao Mane
23. Shrimati Archana Nayak
24. Shrimati M.S.K. Bhavani Rajenthiran
25. Prof. Rasa Singh Rawat
26. Shri Ganesh Prasad Singh
27. Dr. Ramlakhan Singh
28. Shri Chengara Surendran
29. Dr. Meinya Thokchom
30. Shri Ravi Prakash Verma
31. Shri K. Virupakshappa

SECRETARIAT

Shri N.C. Joshi, Secretary
Smt. Vandana Garg, Joint Secretary
Shri M.K. Khan, Director
Shri J. Sundriyal, Joint Director
Shri Sanjay Singh, Committee Officer

INTRODUCTION

1. I, the Chairman of the Department-related Parliamentary Standing Committee on Human Resource Development, having been authorized by the Committee, present this Two Hundred and Thirteenth Report of the Committee on the Right of Children to Free and Compulsory Education Bill, 2008.*

2. The Right of Children to Free and Compulsory Education Bill, 2008 was introduced in the Rajya Sabha on 15th December, 2008. In pursuance of Rule 270 relating to Department-related Parliamentary Standing Committees, the Chairman, Rajya Sabha, referred the Bill on the 18th December, 2008 to the Committee for examination and report within three months.

3. The Committee considered the Bill in two sittings held on the 12th and 23rd January, 2009.

4. On the 12th January, 2009, the Committee heard the Secretary, Department of School Education & Literacy and considered the various provisions of the Bill.

5. The Committee, while drafting the report, relied on the following:

- (i) Background Note on the Bill received from the Department of School Education & Literacy;
- (ii) Note on the clauses of the Bill received from the Department of School Education & Literacy;
- (iii) Verbatim record of the oral evidence taken on the Bill; and
- (iv) Presentation made and clarification given by the Secretary, Department of School Education & Literacy.

6. The Committee considered its Draft Report on the Bill and adopted the same in its meeting held on 23rd January, 2009.

7. On behalf of the Committee, I would like to thank the officials of the Department of School Education & Literacy for providing necessary inputs and clarifications during the consideration of the Bill.

8. For facility of reference, observations and recommendations of the Committee have been printed in bold letters at the end of the report.

NEW DELHI;

January 23, 2009
Magha 3, 1930 (Saka)

JANARDAN DWIVEDI
Chairman,
Department-related Parliamentary
Standing Committee on Human Resource Development.

* Published in Gazette of India Extraordinary Part II Section 2 dated 15th December, 2008

** Rajya Sabha Parliamentary Bulletin Part II No. 45623 dated 18th December, 2008

REPORT

1. INTRODUCTION

1.1 The Right of Children to Free and Compulsory Education Bill, 2008 had been the most eagerly awaited legislation which promises to fulfill one of the most cherished dreams of the country in providing free and compulsory education to all children between the age group of 6-14 years till the completion of elementary education. As mentioned in the Statement of Objects and Reasons of the Bill, the purpose of the Bill is to universalize elementary education for strengthening the social fabric of democracy through provision of equal opportunities to all. The goal of universalizing elementary education is already laid down in the Directive Principles of State Policy. The 86th Constitution Amendment Act passed in 2002 inserted a new Article 21 A to provide for free and compulsory education for all children in the age group of 6 to 14 years as a fundamental right. The present Bill is an attempt to provide elementary education to all children including the ones who have dropped out of school before the completion of their elementary education. It is also a recognition of the fact that despite concerted efforts made till now, universal elementary education continues to elude us.

1.2 The National Policies on Education adopted in 1968, 1986 and revised in 1992 contained provisions regarding universal elementary education. The National Policy on Education, 1986 had aimed to achieve universal elementary education by 1995, the time frame for which was extended by another five years in its 1992 version as mentioned below:-

“The New Education Policy, will give the highest priority to solving the problem of children dropping out of school and will adopt an array of meticulously formulated strategies based on micro-planning, and applied at the grass roots level all over the country, to ensure children’s retention at school. This effort will be fully co-ordinated with the network of non-formal education. *It shall be ensured that free and compulsory education of satisfactory quality is provided to all children up to 14 years*

of age before we enter the twenty-first century. A national mission will be launched for the achievement of this goal".

However, target of universal elementary education as envisaged in the Policy of 1992 could not be achieved even by end of the century.

1.3 India has a population of 19.5 crore (as per 2004-05 figures) children between 6-14 years age group in 12 lakh habitations. As per the Government records (2000-2001), the dropout rate from Class I to V was 40.67 per cent in 2000-2001. In 2005-2006, Gross Enrolment Ratio for all children at the elementary stage stood at 94.92% while drop out rate in classes I-VIII was as high as 48.71%. Drop out rate among Scheduled Caste children was 55.25% and in the Scheduled Tribe children, it was 62.95%. Girls' drop out rate among Scheduled Caste and Scheduled Tribe was 57.28% and 63.20% respectively. The legislation aims to bring into its ambit all the drop outs and all children between 6-14 years of age. It makes provisions for non-admitted children to be admitted to an age appropriate class.

1.4 Presently, 18 States and 2 Union Territories have their own legislations dealing with compulsory elementary education. The Committee noted that experiences of these States in implementation of their laws has not been very encouraging and to a large extent, they have remained unimplemented. One of the reasons for the State laws remaining largely ineffective is that these laws do not actually make elementary education compulsory. In fact, they merely contain enabling provisions by which States could notify areas and schemes for free and compulsory education. The focus in the State laws had been on determining the regulatory authority to pass attendance orders and impose penalty on defaulting parents. Another reason for their ineffectiveness was the weak and negligible community involvement which has made these Acts purely administrative in nature. The Committee was informed that the State Acts make no commitments whatsoever for improving the quality of education. **The Committee wonders whether the experiences of these States and UTs have been fully taken into account while drafting the Central legislation. The Committee is of the opinion that problem areas and short-comings noticed in the implementation of**

these State laws should be taken into account so that these are ameliorated beforehand in the present legislation. Community involvement and participation is an essential ingredient for the successful implementation of the provisions of the Bill.

1.5 The Constitution 86th amendment Act, 2002 received presidential assent on 13th December, 2002. This Act was to come into force from such date as the Central Government may by notification in the Official Gazette appoint. However, this notification has not been issued up till now pending enactment of a consequential legislation envisaged under Article 21A. The present Bill is meant for this purpose only. The Committee is of the view that the proposed legislation has been brought after several stages and modifications and a considerable time has elapsed since the inception of the idea of bringing a legislation providing for universalisation of elementary education. Universalisation of Elementary Education has been a long awaited dream since the independence of our country and it is high time, the proposed legislation is given effect to at the earliest.

1.6 The proposed Bill is preceded by a series of Bills following the insertion of ~~Articles 21A in the Constitution stipulating right of children to compulsory education till~~ December, 2002. This Act was to come into force from such date as the Central Government may by notification in the Official Gazette appoint. However, this notification has not been issued up till now pending enactment of a consequential legislation envisaged under Article 21A. The present Bill is meant for this purpose only. The Committee is of the view that the proposed legislation has been brought after several stages and modifications and a considerable time has elapsed since the inception of the idea of bringing a legislation providing for universalisation of elementary education. Universalisation of Elementary Education has been a long awaited dream since the independence of our country and it is high time, the proposed legislation is given effect to at the earliest.

1.6 The proposed Bill is preceded by a series of Bills following the insertion of Article 21A in the Constitution stipulating right of children to compulsory education till 14 years of age. These follow up Bills were:- The Free and Compulsory Education for Children Bill, 2003, The Free and Compulsory Education for Children Bill, 2004, The Right to Education Bill, 2005 (CABE Bill), The Right to Education Bill, 2005 (August), and Model Right to Education Bill, 2006. List of experts/individuals/organizations consulted by the Department while finalizing the Bill is at Annexure.

1.7 The Committee was given to understand that the focal points of the said Bill have been the provision of compulsory education, free education, duties and responsibilities of the appropriate Government authority, schools, teachers and parents.

also states that the Central and State Governments shall bear the responsibility for providing funds for the implementation of the legislation. However, the Bill does not specify the formula for sharing of the funds between the Centre and States.

2 CLAUSE 1

2 The Committee recommends that the title of the Bill in its Hindi Version should be '*Nishulk aur Anivarya Bal Shiksha kaa Adhikar Vidheyak, 2008*' instead of '*Balkon kaa Nishulk aur Anivarya Shiksha kaa Adhikar*'.

3. CLAUSE 2

3 Clause 2 (n) of the Bill entails the definition of a School which defines school as any recognized school imparting elementary education. The Committee however, feels that this would result in keeping primary schools outside the purview of the proposed legislation. The Committee recommends that definition of school needs to be amended as given below;

'(n) "School" means any recognized school including primary schools and schools imparting elementary education and includes-'

4. CLAUSE 3

4 Committee's attention was drawn to the term "neighbourhood school" as provided in Clause 3 (I) of the proposed Bill. The Committee notes that this term has not been defined to enable the State Governments to determine and prescribe the criteria for a neighbourhood school on varied factors like geographical, cultural and social specificity of the State. The Committee, however, would like the inclusion of distance/time for commutation as one of the criteria for neighbourhood schools so that young children do not have to commute long distances which may cause exertion. This criterion can be different for plains, mountainous regions, deserts etc. The Committee, therefore, recommends that the term "neighbourhood school" be defined appropriately.

5. CLAUSE 7

5.1 Clause 7 of the Bill deals with the sharing of financial and other responsibilities between the Central Government and the State Governments. The clause provides that the Central Government shall prepare the estimates of capital and recurring expenditure for the implementation of the Act. The Central Government shall provide to the State Governments, as grant-in-aid of revenues, such percentage of expenditure as determined in consultation with the State Governments. This consultation will begin after the legislation is passed. The clause further stipulates that the Central Government may also request the President to make a reference to the Finance Commission under Article 280 (3) (d) for providing additional resources to the States in order to enable them to meet their financial liabilities for implementing the provisions of this Act.

5.2 According to the Ministry, the revised financial requirement made by NUEPA in 2007 for the seven year period from 2008-09 to 2014-15, worked out to Rs. 2.28 lakh crores. This period covers four years of the 11th Plan and three years of the 12th Plan. However, the total requirement for the period 2008-09-2011-12 falling in the 11th Plan was estimated at Rs. 1.51 lakh crore, of which Rs. 1.02 lakh crores was committed as the Centre share and the remaining to be borne by the States. **The Committee observes that the projected financial requirement does not reflect the actual distribution of the burden between the Centre and the States. The Government can not afford to ignore the fact that many State Governments have expressed their inability to bear the huge financial burden estimated for the implementation of the Act. In fact some States have advocated that the Central Government should assume full financial responsibility for the same. The Committee is of the opinion that in the absence of any formula for sharing of funds between Centre and States, the State Governments may end up facing acute financial constraints. The Committee is of the view that this formula should be finalized and reflected in the financial memorandum attached to the Bill. The formula for sharing of the funds should also be clearly stated and in the absence of any other credible formula should state**

that "till a revised formula is worked out through appropriate consultations, the present sharing formula would continue."

5.3 The Committee was informed that the 13th Finance Commission has been apprised of the said Bill becoming an Act soon and also about the resources of the country for implementing the provisions of the Act. A memorandum has been submitted to the Finance Commission for equalization principles for elementary education expenditure to take into account financial requirements under SSA and the enhanced costs of making elementary education a fundamental right. **The Committee feels that for enabling the Finance Commission to make appropriate recommendations both the over all financial cost as well as the sharing formula between the Centre and the States must be settled. The Committee recommends that necessary steps be taken to ensure that the State Governments discharge their basic responsibility of providing elementary education.**

5.4 Clause 7 (6) of the Bill specifies the other responsibilities of the Central government like developing a framework of national curriculum with the help of academic authority, developing and enforcing standards for training of teachers and providing technical support and resources to the State Government for promoting innovations, researches, planning and capacity building. **The Committee feels that in addition to all this, the Central Government may consider for a provision for development of skills of children through vocational training which should be an integral part of the school education at an appropriate level of elementary education.**

6. CLAUSES 8, 9 & 10

6 Clauses 8, 9 & 10 specify the duties of the appropriate Government, local authority and duties of parents and guardians. Both the appropriate government and local authority have to ensure that every child is provided free and compulsory elementary education. It is the duty of parents/guardians also to send their children/wards to the neighbourhood school. **The Committee would like to point out**

that there is no provision of a monitoring mechanism to ensure the compliance of the provisions by the appropriate Government authority, local authority and parents. The Committee emphasizes that a fool proof monitoring mechanism should be put in place to oversee the strict compliance of these provisions because a single instance of non-compliance would defeat the purpose of the legislation. The Committee also recommends that measures should be taken to create mass awareness about this social legislation and that regular monitoring of its implementation should also be ensured.

7. CLAUSE 12

7.1 Clause 12 (c) lays down that unaided schools shall be reimbursed expenditure incurred on providing free and compulsory education to 25 per cent of children belonging to weaker sections and disadvantaged groups in the neighborhood subject to expenditure by State-run schools or the unaided school whichever is less.

7.2 The Ministry has shared the following figures for average expenditure per child for the years 2003-04, 2004-05 and 2005-06:-

Year	Total Expenditure (in crore)	Total Children (in crore)	Average per child expenditure
2003-04 (actual)	36,365.97	17.70	2,054.57
2004-05 (RE)	44,083.33	18.20	2,422.16
2005-06 (BE)	50,952.03	18.43	2,764.62

7.3 The Committee finds the above figures quite old. The schools propose to enhance the fee from the ensuing academic session and the liability of unaided school for per child average expenditure is likely to go up substantially. The Committee would like to be apprised about the mechanism for ensuring the admission of eligible students to private schools under this provision.

7.4 Apprehensions have been voiced about the implication of Clause 12 providing that every private school has to give free admission to underprivileged children subject to 25 per cent of their admission capacity. In the absence of full reimbursement of fees,

the remaining 75 per cent children may be required to bear the additional burden. The Committee recommends that arrangements be made to see that expenditure incurred on 25 percent of underprivileged children is not passed on to the remaining 75 percent of children. For ensuring this, the reimbursement formula must be determined on the basis of norms by a Group of Experts and in consultation with the Planning Commission. Committee also recommends that the aided or unaided schools should give 25 percent of their admissions to the children of underprivileged class from the very beginning i.e from nursery class itself and not from class I as it may not be possible for such children to compete and cope up with the standard of the remaining children in class I. This procedure based on the aforesaid principle should be reflected in Clause 12 (b) of the proposed Bill.

8. CLAUSES 13, 14, 15, 18 & 19

8.1 Clauses 13, 14, 15, 18 & 19 in the Bill provide for penalty in respect of capitation fee, scrutiny procedure for admission, non-denial of admission due to lack of proof of age, mandatory requirement for certificate of registration and norms and standards for schools. The Committee appreciates the inclusion of such provisions which would pave the way for equal opportunities to all children in completion of their elementary education without any fear, trauma or anxiety. These provisions would provide a level playing field especially to the children of the poorer sections and disadvantaged groups to complete their elementary education without any social, physical or financial stress. The Committee notes that there is no provision of a monitoring mechanism to ensure implementation of these provisions. The fear of penalties may arrest the alleged irregularities and corruption in the field of education but it requires a foolproof monitoring mechanism for its effective implementation so that no school denies admission to any child.

8.2 Clause 14 (2) of the Bill specifies that no child shall be denied admission in a school for lack of age proof. The Committee feels that this is a blanket provision which needs to be spelt out clearly. The Committee is of the view that the provision for admission without age proof is not desirable in society which is

developing at a rapid speed. Age is an important criterion for the children to encourage competition and to grow. In case the age proof is not available, there should be a provision for production of an affidavit from the parents or an age certificate from the chief of the village panchayat/local counselor.

8.3 Clause 15 of the Bill specifies that a child shall be admitted in a school at the commencement of the academic year or within such extended period as may be prescribed. The Committee observes that it is not clear as to which authority will be deciding about extended period for admission. The Committee is of the opinion that there should be some provision with regard to the extended period of admission and the manner of completing study if admitted after the extended period. In this regard, rules may be framed for the same.

9. CLAUSE 16

9.1 Clause 16 provides that no child admitted in a school shall be held back in any class from school till the completion of his/her elementary education. The Committee considers this clause as somewhat counter-productive in so far as the quality of education is concerned. In the absence of any method of evaluation of the child, there would be no motivation for the child to complete and improve. There needs to be an element of fear through proper evaluation lest the non performers may become a liability for the society at large. An evaluation record should be maintained and shared with the Child and the Parents encouraging improved performance particularly in cases where the child fails to meet acceptable quality. The Committee is of the opinion that a minimum level of grading or standardisation should be fixed for the child to be promoted to the next class instead of blanket promotion.

9.2 Clause 16 also lays down that no child admitted in a school shall be expelled from school till the completion of elementary education. In other words, after the enactment of this Bill, no school authority will be having any power to expel any student even if on valid grounds. This provision seems to be a sweeping one and a

rational consideration seems to be called for. The Committee is of the opinion that in cases where a child is habitually deviant or repeatedly creates nuisance and vitiates academic atmosphere of the school, in the first instance, suitable counseling be arranged through experts and academicians. If that does not work, suitable action may be taken against such a child in deserving cases. The action of expulsion should not debar him/her from taking admission in some other school.

10. CLAUSE 21

10 Clause 21 of the Bill provides for the constitution of a School Management Committee by a school consisting of elected representatives of local authority, parents of guardians of children admitted in such schools and teachers. The Committee observes that in the composition of the School Management Committee, there is no representation of women who are a major stakeholder in imparting elementary education to children. The Committee therefore, opines that there should be adequate representation of women in the School Management Committee.

11. CLAUSE 26

11 Clause 26 deals with the filling up of vacancies of teachers by the appointing authority. Vacancy of teachers in a school shall not exceed ten percent of the total sanctioned strength of teachers. The Committee would like to point out that our educational institutions including the school education is presently faced with the problem of huge vacancies of teachers. In this context, filling up of vacancies which should not exceed ten percent of the sanctioned strength is a daunting task. Delays in recruitment of teachers against vacancies often take 3-4 years. The gaps are managed by employing para-teachers. It is not clear as to what would be the status of para teachers in view of these provisions. Further, it is not clear whether States would be given autonomy in matters of recruitment of teachers and also filling up of vacancies. The Committee presumes that the Central Government has taken cognizance of the actual vacancies of teachers in the States and worked out the strategy to fill up these vacancies. This exercise is absolutely necessary to

ensure that there is no conflict between State and Centre laws with regard to the recruitment of teachers and filling up of vacancies.

12. **CLAUSE 30**

12 Clause 30 (2) provides that every child completing his/her elementary education shall be awarded a certificate, in such form and in such manner, as may be prescribed. **The Committee is of the opinion that for awarding a certificate to a child for completion of his/her elementary education, a standardized assessment of that child should be done periodically to enable the child to know his level and improve accordingly.**

13. **CLAUSE 31**

13 Clause 31 requires the National Commission for Protection of Child Rights to monitor the effective implementation of the proposed legislation and to inquire into complaints relating to child's right to free and compulsory education and to take steps under Section 15 and 24 of the Commission for Protection of Child Rights Act. **The Committee notes that in the event of inquiry into complaints and the steps taken under Section 15 and 24 of the said Act, the party against whom an order is passed by the Commission may feel aggrieved by that order. There does not seem to be any provision in the proposed Bill to provide for an appeal against such an order. Therefore, a provision enabling an appeal may be inserted in the Clause.**

14. **CLAUSE 32**

14 Clause 32 deals with redressal of grievances by the local authority or by State Commission for Protection of Child Rights. In sub clause 2 of Clause 32, it is laid down that the local authority shall decide the matter as early as possible after affording a reasonable opportunity of being heard to the parties concerned. **The Committee is of the opinion that the use of the term "as early as possible" is a vague expression. Therefore, a time frame of three months, needs to be specified for the final decision of the local authority. Similar time frame for giving decision needs to be specified**

even for the State Commissions for Protection of Child Rights thereby safeguarding the interests of the child.

15. **CLAUSE 33**

15 Clause 33 deals with the constitution of the National Advisory Council to advise the Central Government on implementation of the provisions of the Act in an effective manner. The Committee believes that the National Advisory Council would be able to fulfill its function only when the monitoring of the implementation of the proposed legislation is done for the whole country. Council on similar lines at State levels need to be constituted to ensure monitoring of the enactment of the legislation and reporting the problem areas. The State Advisory Council would then be able to advise the Central Government on removal of the lacanue and pave the way for effective implementation of the legislation. The Committee therefore recommends for constitution of Advisory Councils at the State level first.

16. **CLAUSE 34**

16 Clause 34 lays down the power of the Central Government to issue guidelines and directions to the appropriate Government or local authority for the purposes of implementation of the provisions of this Act. To what extent the guidelines and directions of Central Government would be binding on the State Governments is a moot question. The Committee recommends that in keeping with the constitutional scheme of division of powers between the Centre and States, the words "and directions" appearing in this Clause be deleted.

17. The Committee adopts the remaining clauses of the bill without any amendments.

18. The enacting formula and the title are adopted with consequential changes.

19. The Committee recommends that the Bill may be passed after incorporating the amended additions suggested by it.

20. The Committee would like the Department to submit a note with reasons on the recommendations/suggestions which could not be incorporated in the Bill.

List of Participants of the 53rd CABE meeting dated 14th July, 2005 in which Right to Education was discussed.

Sl.No.	Name & Address
1.	Shri Arjun Singh, Minister of Human Resource Development - Chairperson
2.	Shri M.A.A. Fatmi, Minister of State in the Ministry of Human Resource Development
3.	Shri Kapil Sibal, Minister of State for Science & Technology (Independent Charge)
4.	Dr. Bhalchandra Mungekar, Member, Education, Planning Commission
5.	Shri Chowna Mein, The Education Minister, Arunachal Pradesh
6.	Shri Tarun Gogoi, Chief Minister, Assam
7.	Dr. Trivikram Bhoi, Parliamentary Member, Chattisgarh
8.	Shri Phool Chand Mullana, Minister of Education, Haryana
9.	Thakur Singh Bharmouri, Chief Parliamentary Secretary, Himachal Pradesh
10.	Shri Pradeep Yadav, Minister of HRD Jharkhand
11.	Shri Mohammad Basheer, Minister for Education, Kerala
12.	Shri Vasant Purake, Minister for School Education, Sports & Youth Affairs Maharashtra
13.	Dr. Shurhozelie, Minister for Education, SCERT, Higher & Technical Education and Urban Development, Nagaland
14.	Shri Ghan Shyam Tiwari, Minister of Education, Rajasthan
15.	Shri G.M. Gurung, Minister of HRD Sikkim
16.	Thiru C.Ve. Shanmugam, Minister for Education and Commercial Taxes Tamil Nadu
17.	Shri Keshab Majumdar, Minister for Education Tripura
18.	Shri Kiran Pal Singh, Minister of Basic Education Uttar Pradesh

19.	Shri Narendra Singh Bhandari, Minister of Education & Language Uttaranchal
20.	Shri Kanti Biswas, Minister-in-Charge Primary, Secondary and Madrasa Education West Bengal
21.	Shri Basudeb Barman, MP (LS)
22.	Ms. Pratibha Singh, MP (LS)
23.	Shri Sitaram Singh, MP (LS)
24.	Smt. Kumud Bansal, Secretary, Department of Elementary Education & Literacy
25.	Dr. Arun Nigavekar, Chairman, University Grants Commission
26.	Shri Damodar Acharya, Chairman, All India Council of Technical Education
27.	Dr. Ved Prakash Mishra, Chairman, Post Graduate Medical Education Committee of the Council, Medical Council of India
28.	Dr. M. Mukhopadhyay, Director, National Institute of Educational Planning & Administration
29.	Prof. Krishna Kumar, Director, National Council for Educational Research & Training
30.	Shri Ashok Ganguly, Chairman, Central Board of Secondary Education
31.	Prof. Dayanand Dongaonkar, Secretary General, Association of Indian Universities
32.	Dr. Kireet Joshi, Chairman, Indian Council for Philosophical Research
33.	Shri U R Ananthamurthy
34.	Shri Praful Bidwai
35.	Ms. Nirmala Deshpande, Member of Parliament (RS)
36.	Ms. Anita Karnavar
37.	Shri S.V. Giri, IAS (Retd.)

38.	Shri Gopal Guru
39.	Mrs. Zoya Hasan
40.	Shri Vinod Raina
41.	Shri Anil Sadgopal
42.	Ms. Teesta Seetalvad
43.	Shri Kiran Seth
44.	Ms. Kumud Sharma
45.	Ms. Shantha Sinha
46.	Ms. Krishna Sobti
47.	Shri Sudeep Banerjee, Secretary (S&HE) & Member Secretary CABE
48.	Smt. Meenaxi Anand Chaudhary, Secretary, Department of Youth Affairs & Sports
49.	Shri Shardindu, Chairman, National Council for Teacher Education
50.	Prof. H.P. Dikshit, Chairman, Distance Education Council
51.	Shri Javed Abidi, National Centre for Promotion and Employment for Disabled People

Sl.No.	Name of Officials from States / UTs/ MHRD
52.	Shri K.M. Acharya, JS (EE-I)
53.	Shri C. Balakrishnan, JS (P)
54.	Ms. Bela Banerjee, JS (L)
55.	Dr. S.D. Awale, Joint Educational Adviser
56.	Ms. Vrinda Sarup, JS (EE-II)
57.	Shri Amit Kaushik, Director, D/o EE&L, MHRD
58.	Shri Anil Kapoor, DS(P), MHRD
59.	Shri K. Ananda Kishore, Director SCERT, Andhra Pradesh
60.	Shri Deepak Srivastava, DS, M/o Social Justice & Employment
61.	Shri Naveen Verma, Secretary (S&HE), G/o Bihar

62.	Shri R.B. Kumar, Jt. Director, Sikkim
63.	Ms. Girija Vaidyanathan, Secretary, School Education, Tamil Nadu
64.	Shri J.M. Abhyankar, State Project Director, Maharashtra
65.	Shri Anshu Vaish, Principal Secretary, School Education, Madhya Pradesh
66.	Shri Jitenderbir Singh, Commissioner & Secretary Education, Assam
67.	Ms. Reena Ray, Secretary, Delhi Government
68.	Shri Narinder S. Randhawa, Addl. Commissioner, Goa
69.	Prof. Ved Prakash, Secretary, UGC
70.	Shri J.S. Deepak, Secretary (EE&L) & SPD S&A, Uttar Pradesh
71.	Shri B. Talukdar, OSD, Government of Arunachal Pradesh
72.	Dr. Poonam Agarwal, Professor & Head, NCERT
73.	Dr. Sushma Gulati, Prof. & Head, DEPF, NCERT

**LIST OF MEMBERS OF THE CABE COMMITTEE ON
"FREE AND COMPULSORY EDUCATION BILL AND OTHER ISSUES
RELATED TO ELEMENTARY EDUCATION" UNDER THE CHAIRMANSHIP
OF SHRI KAPIL SIBAL TO DRAFT THE ESSENTIAL PROVISIONS OF THE
BILL**

List of Members

- | | | |
|-----|--|--------------------|
| 1 | Sh. Kapil Sibal
Minister of State for Science and Technology
and Ocean Development
Government of India | Chairman |
| 2. | Shri Dhal Singh Bisen
Minister for School Education
Madhya Pradesh | Upto May 2005 |
| 3. | Dr. Mukul Sangma
Minister of Elementary Education
Meghalaya | |
| 4. | Shri Ram Chander Purve
Minister of HRD
Bihar | Upto February 2005 |
| 5. | Smt. N. Rajyalaxmi
Minister for School Education
Andhra Pradesh | |
| 6. | Shri Nagendra Kumar Pradhan
Minister of School & Mass Education
Orissa | |
| 7. | Prof. Anil Sadgopal | |
| 8 | Dr. Vinod Raina | |
| 9. | Prof. Shantha Sinha | |
| 10. | Smt. Kumad Bansal
Secretary
Ministry of Human Resource Development
Department of Elementary Education &
Literacy | |

- 11 Dr. A.K. Sharma
Former Director
NCERT
12. Prof. Tapas Majumdar
- 13 Prof. Krishna Kumar
Director
NCERT
- 14 Dr.R. Govinda
Prof. &Head
School and Non formal Education Unit
NIEPA
15. Dr. Archana Mehendale
16. Shri Anurag Goel
Addl. Secretary
Department of Expenditure
Ministry of Finance
Nominee of the Ministry of Finance
17. Shri S. Chatterjee
Joint Secretary
Ministry of Tribal Affairs
Nominee of the Ministry of Tribal
Affairs
18. Smt. Rajwant Sandhu
A Joint Secretary
Ministry of Social Justice & Empowerment
Nominee of the Ministry of Social
Justice and Empowerment-till January
2005
18. Smt. Jayati Chandra
B Joint Secretary
Ministry of Social Justice & Empowerment
Nominee of the Ministry of Social
Justice and Empowerment-from
January 2005
- 19 Sh. D.R. Meena
Joint Secretary & Legal Advisor
Department of Legal Affairs
Ministry of Law and Justice
Nominee of the Ministry of Law and
Justice
- 20 Dr. C. Chandramohan
Director (Education)
Planning Commission
Nominee of the Planning Commission
21. Shri K.M. Acharya
Joint Secretary
Ministry of HRD
Department of Elementary Education and
Literacy
Member Secretary

List of Individuals/Organizations who made written submissions to the CABE Committee on Free and Compulsory Education Bill and Other Issues Related to Elementary Education

A. From Members

S.No.	Name	Document
1.	Sh. Dhal Singh Bisen, Minister for School Education, Madhya Pradesh	1. 'CABE Samiti ki upsamiti ki baithak dinank 28 February 2005 mein ki gayi anushansaon par charcha hetu tip' 2. 'CABE Samiti ki baithak dinanak 16 April 2005 mein Dr. Dhal Singh Bisen, School Shiksha Mantri, M.P. Shasan ke Vichar'
2.	Sh. Nagendra Kumar Pradhan, Minister School & Mass Education, Government of Orissa, Bhubaneswar.	'Free and Compulsory Education Bill, 2004 and other issues: a few observations'
3.	Prof. Anil Sadgopal:	<u>Papers</u> 1. Alternative Framework for a Bill on Free and Compulsory Education 2. Empowering the Government Schools- a plea for political priority for the only historical option for India 3. Deconstructing Free and Compulsory Education Bill, 2003: A Concept Paper for an Alternative Framework 4. Legitimizing Exclusion and Inequality in Education 5. Extract from "Globalization and Education: Defining the Indian Crisis" 6. Analysis of the premises underlying the Free & Compulsory Education Bill, 2004
		<u>Letters</u> 1. <u>10th January 2004</u> -Regarding role of state in regulation of private unaided Schools in India 2. <u>22 February 2005</u> -General Comments on the Emerging Draft of 19 February 2005 Prepared by the Prof. A.K Sharma Sub-Committee 3. <u>09 May 2005</u> -Some Selected Questions Posed to the CABE Committee on "Free and Compulsory Education Bill and Other Issues

		<p>Related to Elementary Education"</p> <p>4. <u>27 May 2005</u>-Some Selected Proposals for Modifications on Essential Provisions of the Bill on Free and Compulsory Education (as recommended by Prof. A.K Sharma Sub-Committee on 16th April 2005)</p> <p>5. <u>14 June 2005</u>-Some Implications of 165th Report of the Law Commission of India (November 1998) [Ref: Draft Bill of 27th May 2005-Sections 13(1) (ii) and (iii)]</p> <p>6. <u>16 June 2005</u>-Revision of Modifications Proposed in the Draft Bill of 27th May 2005</p>
4.	Prof. Shantha Sinha	<p>1. Extracts from the Constituent Assembly Debates showing: The need for the need for linking abolition of Child labour with education up to the age of 14</p> <p>The need to respect Articles under Fundamental Rights as supreme</p> <p>2. Letter-31st May 2005-Comments on the CAFE Committee's Draft on Right to Education Bill 2005</p>
5.	Dr. Vinod Raina	Why, what and how should our children learn
6.	Dr. Archana Mehendele	20 May 2005-Right to Education Bill 2005-For discussion within the CAFE Committee on Free and Compulsory Education (16 April 2005): Some Comments and Suggestions

B. From Others

	Written Submission From	Document
1.	Public Study Group on CAFE Committees	Summary of discussions of the 'Public Study Group on CAFE committees' on Policy towards Free and Compulsory Education Adopted by the Indian Government since independence
2.	TN-forces	<p>i. A critique of the draft Bills</p> <p>ii. A proposal for a Bill for Free and Compulsory Education</p>
3.	Public Study Group on CAFE Committees	Submission on Inclusive Education
4.	Lokshala Bihar	<p>1. Letter-31st May 2005-Comments on the CAFE Committee's Draft on Right to Education Bill 2005</p> <p>2. Letter-31st May 2005-Comments on the CAFE Committee's Draft on Right to Education Bill 2005</p>
5.	Dr. Vinod Raina	Why, what and how should our children learn
6.	Dr. Archana Mehendele	20 May 2005-Right to Education Bill 2005-For discussion within the CAFE Committee on Free and Compulsory Education (16 April 2005): Some Comments and Suggestions

5.	Ms. Mridula Bajaj	Letter on need to include ECCD
6.	PUCL, Bihar Unit	<ol style="list-style-type: none"> 1. Paper: 'Creating a school system with excellence and equity for children at elementary level' by Vinay K. Kantha and Madan Jha 2. Draft Bill: The Right to Educaiton for Children (Equity, Excellence and Social Justice) Bill 2005, drafted by Vinay K. Kantha and Madan Jha
7.	CABE committee on "Girls Education and Common School System"	Minutes of the first meeting of the CABE committee on "Girls Education and Common School System" held on 1 st December, 2004
8.	Shri K.N Pandey, MLC, Bihar, and General Secretary Bihar Madhyamik Shikshak Sangh	Copy of the resolution passed at the 45 th Convention of the Bihar Madhyamik Shikshak Sangh
9.	Shri Madhur Bajaj	Email on private schools

List of invitees who, at the invitation of CAGE Committee on Free and Compulsory Education Bill and Other Issues related to Elementary Education, participated in the deliberations of the Committee.

1. Ms Vrinda Sarup, Joint Secretary (Elementary Education), Ministry of HRD,
2. Shri Ram Pal Singh, President, All India Primary Teachers Federation,
3. Shri D Rami Reddy, President, School Teachers Federation of India
4. Shri R K Maini, Chairman, Indian Public Schools Conference,
5. Shri T R Gupta, President, Action Committee of Unaided Private Schools.

List of the Organizations/Individuals from whom Comments/ Suggestions were received on issues relating to Right to Education Bill.

Sl. No.	Name of Organizations/Individuals	Date
1.	Tamil Nadu Urdu Medium Teachers' Association	20.07.2005
2.	Shri Vasant Purke, Minister, School Education, Government of Maharashtra, Mantralaya, Mumbai	21.07.2005
3.	Sambava Maha Sabha, Alappuzha District Committee, Chengannur, Kerala.	31.07.2005
4.	Bihar Madhyamik Shikshak Sangh, Jamal Road, Patna.	03.08.2005
5.	Bharatiya Matang Yuvak Sanghatana, Karmala, Solapur, Maharashtra.	04.09.2005
6.	Bahujan Kranti Mahasangh, Sadatpur, Delhi.	10.09.2005
7.	Dr. Mithu Alur, Founder Chairperson, National Resource Centre for Inclusion, Member, CIBE.	13.09.2005
8.	Shri Yogeshwar Mahato, Retired Head Master, Middle School, Chas, Bokaro, Jharkhand.	09.10.2005
9.	Shri M. Rajan	27.10.2005
10.	Shri Madhav Chauhan	29.10.2005
11.	Haryana Abhibhavak Ekta Manch, 252, Sector 9, Faridabad.	07.11.2005
12.	Deepalaya, 46, Institutional Area, D-Block, Janakpuri, New Delhi.	23.11.2005
13.	The Child Trust, Balika/Mukti Ashram, Mukti Ashram Colony, Village Ibrahimpur, Delhi.	24.11.2005
14.	Shri Niraj Seth, Functional Manager, Education, ActionAid India, C-88, South Extn. Part-II, New Delhi.	05.12.2005
15.	Shri Autar Nehru, a Bangalore-based national education	14.12.2005

	newsmagazine	
16.	Shri Maruti B. Shirtode, Teacher, Municipal School Board of Sangli; Miraj & Kupwad City Corporation, Wazar, Tal. Khanapur, Dist. Sangli.	19.12.2005
17.	Shri S. Sivanu, Nellai West, Hindu Munnani, Puliangudi, Andhra Pradesh.	23.12.2005
18.	Buddha Institute Group of Studies, Buddha Educational Society (U.P.), IIIrd Floor, Lekhraj Panna, Vikas Nagar, Lucknow.	29.12.2005
19.	Puraskarit Shikshak Sanghatana, Maharashtra, Pune, Bharati Vidyapith Bhavan, 131, Sadashiv Peth, Lal Bahadur Shastri Marg, Pune.	05.02.2006
20.	Independent Schools' Federation of India, C-94, Nirman Vihar, Delhi.	24.02.2006
21.	National Alliance For Right to Education & Equity, 61-A, L Block, Kalkaji, New Delhi.	28.02.2006
22.	Centre For Civil Society, Hauz Khas Enclave, New Delhi.	01.03.2006
23.	Confederation of Indian Industry, 23, Institutional Area, Lodhi Raod, New Delhi.	02.03.2006
24.	National Coordination Committee of Unaided Schools, B126, Janta Colony, Jaipur.	04.03.2006
25.	School Teachers' Federation of India, 4, Dr. Radhakrishnan Nagar, Abdullah Street, Choolaimedu, Chennai.	12.03.2006
26.	Shri Anil Pradhan, Member-Secretary, Sikshasandhan, A/12, Housing Board Colony, Baramunda, Bhubaneswar.	27.03.2006
27.	Campaign Against Child Labour (CACL), Dr. A. V. Balliga Memorial Trust, Link House, 3 Bahadur Shah Zafar Marg, Press Area, New Delhi.	19.05.2006
28.	The State Teachers' Union, Andhra Pradesh, H.No:3-2-	20.06.2006

	798, S.T.U. Bhavan, Kachiguda, Hyderabad	
29.	All India Primary Teachers' Federation, 41, Institutional Area, D-Block, Janakpuri, New Delhi.	11.07.2006, 20.09.2006, 16.11.2006 & 25.01.2007
30.	Shri Syed Shahabuddin, Ex-MP, President, All India Muslim Majlis-E-Mushawarat, D-250, Abul Fazal Enclave, Jamia Nagar, New Delhi.	15.07.2006 & 16.10.2006
31.	School Teachers' Federation of India, 4, Dr. Radhakrishnan Nagar, Abdullah Street, Choolaimedu, Chennai.	26.07.2006
32.	All India Secondary Teachers' Federation	18.8.2006
33.	All India Students' Association (AISA), U-90, Shakarpur, Delhi.	18.08.2006
34.	Rajkiya Prathmik Shikshak Sangh, Haryana	22.8.2006
35.	Mizoram Primary Teachers' Association, Aizawl	22.8.2006
36.	Akhil Delhi Prathmik Shikshak Sangh, Delhi	23.8.2006
37.	Jharkhand Rajya Prathmik Shikshak Sangh, Ranchi	23.8.2006
38.	All Utkal Primary Teachers' Federation, Bhubaneswar	23.8.2006
39.	Akhil Karnataka Prathmika Shikshak Sangh, Bangalore	23.8.2006
40.	Shri Vinod Raina	19.9.2006
41.	Professor Muchkund Dubey, President, Council for Social Development, Sangha Rachana, 53 Lodi Estate, New Delhi.	25.09.2006
42.	Consumers' Forum (R), Sagar, Karnataka	25.9.2006
43.	Joint memorandum from Shri Muchkund Dubey, New Delhi, Ms. Pratibha Shinde, Nandurbar, Maharashtra and Shri Anil Sadgopal, Bhopal	04.10.2006
44.	National Alliance For Right to Education and Equity, 61-A, L Block, Kalkaji, New Delhi	7.10.2006

45.	Eight(8) Left Teachers' and Educational Employees' Organizations, West Bengal	13.10.2006
46.	M. Venkatarangaiya Foundation, 201, Narayan Apartments, Marredpally (West), Secunderabad.	01.11.2006
47.	Sagacious Teachers & Employees Association (School), 7/A, Yogipara Road, Kolkata.	08.11.2006
48.	School Teachers' Federation of India, 4, Dr. Radhakrishnan Nagar, Abdullah Street, Choolaimedu, Chennai.	22.11.2006
49.	Dr. Mithu Alur, Founder Chairperson, National Resource Centre for Inclusion, Mumbai.	07.12.2006
50.	West Bengal Headmasters' Association, 1/1A, College Square, Kolkata.	24.01.2007
51.	Uttaranchal Rajya Prathamik Shikshak Sangh, Race Course, Dehradun.	01.02.2007
52.	Council of Boards of School Education in India, 6H BigJo's Tower, A-8 Netaji Subhash Place, Ring Road, Delhi.	09.03.2007
53.	All India Federation of University & College Teachers' Organisation (AIFUCTO), 493, Urban Estate, Jalandhar, Punjab.	12.03.2007
54.	Kumari Padmakshi, P-42/3, Pandav Nagar, Mayur Vihar, Phase-I, New Delhi.	18.04.2007
55.	National Coalition for Education (NCE), 41, Institutional Area, D-Block, Janakpuri, New Delhi.	30.04.2007
56.	Shri Bhaskar Mitra, Asha for Education, Hyderabad.	11.08.2007
57.	Shri M. M. Parikh, 64, Adarsh Nagar, worli, Mumbai.	18.10.2007

**List of States/UTs who had submitted their Comments in response to
draft Right to Education Bill, 2005**

1. Himachal Pradesh
2. Madhya Pradesh
3. Maharashtra
4. Uttar Pradesh
5. West Bengal
6. Karnataka
7. Orissa
8. Gujarat
9. Tamil Nadu
10. Kerala
11. Tripura
12. Sikkim
13. Pondicherry
14. Chattisgarh
15. Haryana
16. Mizoram
17. Bihar
18. Assam

List of States/UTs who had sent their Reply/Comments in response to draft Model Right to Education Bill, 2006 circulated to them

1. Rajasthan
2. West Bengal
3. Uttar Pradesh
4. Karnataka
5. Pondicherry
6. Haryana
7. Kerala
8. Bihar
9. Punjab
10. Gujarat
11. Jharkhand
12. Manipur
13. Tripura
14. Andhra Pradesh
15. Chhattishgarh
16. Madhya Pradesh
17. Delhi
18. Uttaranchal
19. Meghalaya
20. Maharashtra