



THE RIGHT TO FREE AND COMPULSORY EDUCATION ACT, 2012



CONTENTS

SECTIONS:

1. Short title, extent and commencement.
2. Definitions.
3. Right of child to free education.
4. Special provisions for education.
5. Right of transfer to other school.
6. Duty of appropriate Government to establish school.
7. Sharing of financial and other responsibilities.
8. Duty of parents.
9. Appropriate Government to provide pre-school education.
10. Responsibility of private school for free education.
11. No capitation fee and screening procedure.
12. Proof of age for admission.
13. No denial of admission and expulsion.
14. Registration of Schools.
15. Norms and standards of school.
16. School Management Committee.
17. Terms and conditions of service of teachers.
18. Duties of teachers.
19. Other teachers related matters.
20. Monitoring of child's right to education.
21. Medical and dental inspection of children.
22. Education Advisory Council.
23. Awards.
24. No Advertisement without Registration.
25. Inspections and directions.
26. Prosecution of the offences.
27. Protection of action taken in good faith.
28. Repeal.

29. Powers to make rules.

THE RIGHT TO FREE AND COMPULSORY EDUCATION ACT, 2012

ACT NO. XXIV OF 2012

An Act to provide for free and compulsory education to all children of the age of five to sixteen years

WHEREAS it is expedient to provide free and compulsory education to all children of the age of five to sixteen years in schools established by the Federal Government and Local Government in Islamabad Capital Territory;

It is hereby enacted as follows:-

1. Short title, extent and commencement.—(1) This Act may be called the Right to Free and Compulsory Education Act, 2012.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force on such date and in such areas, as the Federal Government may, by notification in the Official gazette, appoint.

2. Definitions. In this Act, unless there is anything repugnant in the subject or context,—

(a) "Appropriate Government" means,—

(i) in relation to a school established, owned or controlled by the Federal Government, the Federal Government; and

(ii) in relation to a school established, owned or controlled by the Local Government, the Local Government;

(b) "capitation fee" means any donation, contribution or payment, by whatever name, other than the fee notified by the school or the appropriate government;

- (c) "child" means a child including a child with special education needs, male or female, of the age of five to sixteen years of age;
 - (d) "disadvantaged child" means a child who belongs to a socially and economically disadvantaged class, or group or belongs to such parent whose annual income is lower than the minimum limit specified by the appropriate Government, by the notification in the Official gazette;
 - (e) "education" means the prescribed education for a child by the academic authority, notified by the government;
 - (f) "Education Advisory Council" means the Education Advisory Council established under this Act;
 - (g) "free education" means education free of any education related costs including expenditure on stationery, school bags, and transport;
 - (h) "notification" means a notification published in the Official gazette;
 - (i) "parent" includes a person having the care and custody of a child and includes a natural guardian or legal guardian so appointed or declared by a court;
 - (j) "prescribed" means prescribed by rules made under this Act;
 - (k) "School" means any registered school imparting prescribed education and includes a,—
 - (i) A school established, owned or controlled by the appropriate Government;
 - (ii) A school receiving aid or grants from the appropriate Government to meet the whole or part of its expenses; and
 - (iii) A school not receiving any kind of aid or grants from the appropriate Government to meet its expenses;
 - (l) "screening procedure" means the method of selection for admission of a child, in preference over another, other than a random method; and
-

(m) "special education" means educational programmes and practices designed for students as handicapped or gifted students, whose mental ability, physical ability, emotional functioning, etc., require special teaching approaches, equipment, or care within or outside a regular classroom.

3. Right of child to free education.—(1) Every child, regardless of sex, nationality or race, shall have a fundamental right to free and compulsory education in a neighbourhood school.

(2) No child shall be liable to pay any kind of fee, charges, expenses, etc., which may prevent him from pursuing and completing the education.

(3) It is the obligation of the appropriate Government to,—

(a) provide free education to every child;

(b) ensure admission of children of migrant families;

(c) ensure compulsory admission, attendance and completion of education;

(d) ensure safety of travel of the child and the teacher to and from school;

(e) ensure availability of a neighbourhood school;

(f) ensure that the disadvantaged child is not discriminated against and prevented from, on any grounds whatsoever, pursuing and completing education;

(g) provide infrastructure including school building, playgrounds, laboratories, teaching learning material and reaching staff;

(h) monitor functioning of schools within its jurisdiction;

(i) decide the academic calendar;

(j) provide all training facilities for teachers and students;

(k) ensure good quality education conforming to the prescribed standards and norms;
