

AS INTRODUCED IN THE RAJYA SABHA
ON THE 19TH AUGUST, 2011

Bill No. L of 2010

THE GIRL CHILD (FREE AND COMPULSORY EDUCATION)
BILL, 2010

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BILL

to provide for free and compulsory education to every girl child whose parents are living below poverty line and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Girls (Free and Compulsory Education) Act, 2010.

Short title,
extent and
commencement.

(2) It extends to the whole of India.

(3) It shall come into force on such date, as the Central Government may, by notification
5 in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires:—

Definitions.

(a) “appropriate Government” means in the case of a State, the State Government and in all other cases the Central Government;

(b) “education” means education of all types including technical, Medical and any higher education;

(c) “girl child” means a female who has not attained the age of eighteen years;

(d) “institution” means a technical educational institution or Medical educational institution or universities;

(e) “person living below poverty line” means a person whose income from all sources is less than rupees three thousand per month;

(f) “prescribed” means prescribed by rules made under this Act; and

(g) “school” means an educational institution imparting education.

Free and compulsory education to girl child.

3. (1) The appropriate Government shall provide free and compulsory education to every girl child whose parents are living below poverty line and are ordinarily residing in its territorial jurisdiction.

(2) The appropriate Government shall provide to every girl child born of parents living below poverty line, the following facilities:—

(i) free education up to all level including technical, Medical and all types of higher education;

(ii) free stationery items like books, note-books, writing material;

(iii) free school uniform;

(iv) free hostel facility and meal during school time; and

(v) stipend at the rate of one hundred rupees upto primary level, two hundred rupees up to middle level and five hundred rupees per month upto higher secondary level and to provide full financial help at technical, Medical and university level education.

Appropriate Government to establish and maintain schools.

4. The appropriate Government shall establish and maintain or cause to be established or maintained such primary, middle or higher secondary schools and technical institutions and Universities within its territorial jurisdiction as the appropriate Government may deem necessary for the purpose of carrying out the provisions of this Act.

Responsibility of parents.

5. It shall be the responsibility of every parent to get his girl child admitted to a school or institution for receiving education and the parent shall not in any manner restrain the girl child from attending the school or institution till she completes her education.

Girl child not to be employed in job.

6. No person shall employ a girl child in a job which prevents her from attending school for receiving education.

Penalty.

7. Any person including a parent, who for any reason prevents, restrains or otherwise obstructs a girl child from receiving education in a school or institution, shall be liable to simple imprisonment which may extend to one year.

Power to make rules.

8. The Central Government may by notification in the Official Gazette make rules for carrying out the provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

The ability to read and write is an essential element of human capability. Literacy is the first step towards acquiring tools of learning and opening the doors for knowledge and information. Education expands opportunity for girls, empowers them to resist oppression and to claim their right.

In our country, girls belong to weaker and vulnerable section of the society. Although many steps have been taken to improve their condition, however, nothing concrete, has been done. Even today, girls are not treated equally and are subject to discrimination by their parents. They are kept away from school and are forced to assist their mothers in household affairs and are deprived of childhood joys. In various states, child marriage is still in practice and parents are forcing girl child to get married as they feel that their girl child is not safe after attaining the age of ten.

It is appropriate time to take stock of the situation and to ensure that girls belonging to poor families are given free and compulsory education. They should also be provided with facilities like free stationery items, free uniform, writing materials, hostel facilities and transport facilities, etc. to encourage them to get education. This will not only help in eradication of illiteracy from the country but will also help the girls to grow and compete with their male counterparts and are not subjected to harassment.

Hence, this Bill.

DR. T. SUBBARAMI REDDY

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for free and compulsory education and other facilities to every girl child whose parents are living below poverty line by the appropriate government. Clause 4 provides for establishment and maintenance of schools and institutions by appropriate government. The Central Government will bear the expenditure incurred in respect of Union territories and the State Governments will bear the expenditure incurred in respect of their States out of their respective consolidated funds.

The Bill, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that an annual recurring expenditure of about rupees fifteen hundred crore per annum is likely to be involved.

A non-recurring expenditure of about rupees eighteen hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 of the Bill empowers the Central Government to make rules for carrying out the provisions of the Bill. As the rules to be made will relate to matters of detail only, the delegation of legislative power is of a normal character.

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(Dr. T. Subbarami Reddy, M.P.)