

**The Right of Children to Free and
Compulsory Education Act, 2009.
Declaration of grievance redressal
mechanism under the local authorities.**

**Government of Gujarat
Education Department
Resolution No.PRE-1112-GOI-29-K,
Sachivalaya, Gandhinagar.
Dt.30/04/2013**

Read :

- (1) Government of India, Ministry of Human Resource letter No.:F-1-18-2010-EE-4, Dt.14/2/2012
- (2) State Project Director, Sarva Shiksha Abhiyan letter No.SSA-RTE-2012-19959, Dt.15-5-2012.
- (3) Resolution No: PRE-1112-GoI-K, Dated 1-2-2013 of Education Department.
- (4) State Project Director, Sarva Shiksha Abhiyan letter No.SSA-MKM-13-8435, Dt.5-3-2013.

Preamble :

As per the provision under the Right of Children to Free and Compulsory Education Act, 2009, all the children in the age group of 6 to 14 year have a Right to Free and Compulsory Education .

2. As per section:3, resolution of education department Dt. 1-2-2013 RTE Act 2009, in this regard section:9 shows powers of local authority and section: 24(1) shows responsibilities of teachers as per the RTE Act section-32 (1) anybody can complain to local authority local authority is decided for related area. It is under consideration of the government to organize grievances redressal mechanism for the received complains at the local authority.

3. Provisions are as under section-32 of the RTE Act , 2009

- I. As per prescribed complain in RTE Act section: 31 anybody can do written complain to local authority.
- II. After receiving complain to local authority, they have to listen the parties within 3 months and take a decision in the regard to complain.
- III. Due to decision of local authority aggrieved person may appeal through State Commission for Protection of Child Rights.
- IV. State commission for Protection of child rights will take decision on appeal.

Resolution:-

Government has given careful attention by considering all the matter/ provision mentioned in the preamble and reference letters-resolutions state government has decide for grievance redressal mechanism of the area under related local authority under the RTE Act section-32(2).

(A) For Rural Area

Under related District Primary Education Committee

Sr. No.	Level	Grievance Redressal Mechanism
1	Rural Level	Gram Panchayat Office
2	Cluster Level	C.R.C. Office
3	Block Level	Taluka Panchayat Office
4	District Level	District Primary Education Officer / District Project Co coordinator Office

(B) For Urban Area

Under related town/local Primary Education Committee or related District Primary Education Committee related under Municipality.

Sr. No.	Level	Grievance Redressal Mechanism
1	Ward Level	Ward Office
2	Cluster Level	C.R. C. Office
3	Municipality Level	Municipality Office
4	Corporation Level	Administrative Office

2. What type of complains are to be done with above shown Grievance Redressal Mechanism, time duration of the authority for its disposal, the decision may be appealed to the, within how many days has the authority to dispose of the appeal etc. matter is stipulated and shown in schedule "A" and attached here with.

3. Complains received by local authority for the violation of the provisions under RTE Act are process as per the guidelines of GOI reference-(1) by the local authority under the below mentioned actions are decided in RTE Act section-32(1).

- (a) Local authority may accept any written complaint by any children or complaint on behalf of any children, post, fax or email in person. Local Authority has to decide the stipulated forms for this kind of a complaint.
- (b) Prescribed local authority may register their complaints as they received it, acknowledgement for it etc. and procedure will be scheduled.
- (c) Prescribed local authority may investigate the complaint whatever way they find it convenient to take decision on the complaint.
- (d) Decision must be given within 3 month by the stipulated authority after listening both the parties; Complainant and against whom the complaint is done and in the regard to decision reasoned order is to expose. Order shows under the RTE Act section-32(1) that appeal is to made at State Commission for Protection of Child Rights.

- (e) Must decide quickly to received complaints such as, access is ban to enroll a child in school; local authority must take a decision in a very short period of time. Local authority must provide help / guidance to the applicant to made FIR with police authorities.
 - (f) The complaints received by local authority in which decisions are to be made except authority in that case local authority must send those complaints to the concern authority system as quickly/early as possible.
 - (g) Stipulated authority has to maintain record of received complaint and decision for it. Every month information has to be submitted to the State government on no. of received complaint and disposal of that complaint by Director, Primary education and State Project Director, SSA.
 - (h) Stipulated local authority has to decide one day and time in a week to listen complaint and personal visit.
4. Provision under the RTE act 2009, section-32(2) concern local authority has to dispose (at both the stage; grievance redressal mechanism and internal appeal to appeal officer) of the complaint within three months of time period from the received date of the complaint.
5. Wide publicity of the instructions provide in this resolution shall be known to the public and information have to be display on the website of District Primary Education Officer, State Project Director, SSA and Education Department.
6. The orders are issued by the education department assent of the government Dt.16-4-2013 on the note of a same no. file.

By order and in the name of the Governor of Gujarat.

Sd/-

(Anant Patel)
Deputy Secretary (Primary
Education)
Education Department

To

- Principal Secretary to the Hon. Governor, Rajbhavan, Gandhinagar.
- The Secretary to Hon. Chief Minister, Gandhinagar.
- The Personal Secretaries to all Hon. Ministers / Ministers of State / Hon. Parliamentary Secretaries, Sachivalaya, Gandhinagar.
- The Personal Secretary to Principal Secretary (Education), Sachivalaya, Gandhinagar
- The Personal Secretary to the Secretary (Primary Education), Sachivalaya, Gandhinaga.
- All Departments of Secretariat, Gandhinagar.
- Commissioner, Mid Day Meal and Schools, Gujarat State, Gandhinagar
- Director, Primary Education, Gujarat State, Gandhinagar.
- State Project Director, Sarva Shiksha Abhiyan, Sector - 17, Gandhinagar
- Director, Continuing Education, Gujarat State, Gandhinagar
- Director, GCERT, Gujarat State, Gandhinagar
- Director, Gujarat State Board of School Textbooks, Gandhinagar
- Secretary, Gujarat Secondary and Higher Secondary Education Board, Gujarat State, Gandhinagar
- All Municipal Commissioners
- All District Development Officers
- All District Primary Education Officers / Education Officers
- All Administrative Officers, Municipal Corporations, Municipalities and Nagar Panchayat
- Accountant General, Rajkot / Ahmedabad
- Director of Information, Gujarat State, Gandhinagar. For publication in prominent Daily Newspapers of State.
- Computer Cell, Education Department, Secretariat, Gandhinagar .
- All Officer in Education Department, Education Department, Sachivalaya, Gandhinagar.
- All Branches in Education Department , Sachivalaya, Gandhinagar.
- Select file