

जिफ्टएलवीह लां महां, यं—

REGISTERED NO. DL—(N)04/0007/2003—19

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esa j[kk tk ldsA Separate paging is given to this Part in order that it may be filed as
a separate compilation.

MINISTRY OF LAW AND

JUSTICE

(Legislative Department)

New Delhi, the 11th January, 2019/Pausha 21, 1940 (Saka)

The following Act of Parliament received the assent of the President on the 10th
January, 2019, and is hereby published for general information:—THE RIGHT OF CHILDREN TO FREE AND
COMPULSORY EDUCATION (AMENDMENT) ACT,
2019

No. 1 OF 2019

[10th January,

2019.] An Act further to amend the Right of Children to Free and
Compulsory Education Act, 2009.

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

1. (1) This Act may be called the Right of Children to Free and Compulsory
Education (Amendment) Act, 2019.Short title and
commencement.(2) It shall come into force on such date as the Central Government may, by
notification in the Official Gazette, appoint.

35 of 2009.

2. In the Right of Children to Free and Compulsory Education Act, 2009 (hereinafter
referred to as the principal Act), for section 16, the following section shall be substituted,
namely:—Substitution
of new
section for
section 16.“16. (1) There shall be a regular examination in the fifth class and in the eighth
class at the end of every academic year.Examination
and holding
back in
certain cases.(2) If a child fails in the examination referred to in sub-section (1), he shall be
given additional instruction and granted opportunity for re-examination within a
period of two months from the date of declaration of the result.

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(3) The appropriate Government may allow schools to hold back a child
in the fifth class or in the eighth class or in both classes, in such manner and
subject to such conditions as may be prescribed, if he fails in the re-
examination referred to in sub-section (2):Provided that the appropriate Government may decide not to hold back a
child in any class till the completion of elementary education.(4) No child shall be expelled from a school till the completion of
elementary education.”

Amendment of

following section 38.

3. In section 38 of the principal Act, in sub-section (2), after clause (f), the
clause shall be inserted, namely:—“(fa) the manner and the conditions subject to which a child may be held
back under sub-section (3) of section 16;”.DR. G. NARAYANA
RAJU,
Secretary to the Govt. of
India.

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