

CHAPTER-6

Conclusion

The Way Ahead

By inserting various provisions we may have won the battle but still we need to fight a war in order to implement the RTE Act in letter and spirit. Though the Right to Education has become the fundamental right but the thing is that: Are we in a position to enforce this Fundamental Right in the existing scenario where problems like: absence of appropriate numbers of schools and teachers, qualitative education, lack of infrastructure, complex curriculum, etc. found at every corner. The present Right to Education Act, 2009 needs the support of both governments at the level of State and Centre in order to implement the Act in a smooth manner. So many constraints, like in the form of finance, lack of infrastructure, shortage of teachers, etc. are bound to come in the way of implementing this Act, which needs to be discussed.

Private bodies, big corporate houses and non-government organizations need to come forward and to take part in the government led mechanism in order to comply with the Constitutional mandate of free and compulsory education to children of six to fourteen years of age. Here this government led mechanism need to take care of the salary and perks to be given to teachers of private school so that they can be put at par with the government schools teachers.

Provision of 25 per cent reservation for disadvantaged and weaker section of the society is seems to be an admirable step taken by the policy makers provided it is backed by the unaided recognized public schools. India has been witnessing an on-going debate on the 25 per cent reservation for disadvantaged and weaker section's child in recognized private schools by the concerned schools, which is not everything about RTE Act, 2009, rather one amongst various provisions.

In today's India, a large chunk of the parents send their wards for pre schooling as early as in the tender age of 2-3 years. Up to the age of six years, their wards are much ahead as compared to marginalized or subaltern. Further, the RTE Act also provides for the education for children who are above six years of age, to the classes

appropriate to his or her age. How could this distance be bridged by special training?⁹⁷ It really needs to be contemplated. Though the RTE Act expresses interest in taking necessary steps in providing free pre-school education for children above three years of age, leaving out this critical segment of the child population (particularly 3 to 6 years of age) from the definition is worrisome.⁹⁸ Not only does the act fail to cover all children, it does not provide definite timelines for many provisions which render the journey far ahead to reach.

What after passing eight standards; for which RTE Act, 2009 guarantees? Among the many concerns, it is unclear what children from the weaker sections will do after they complete their free elementary education in elite schools.⁹⁹ In this prospective situation, there is likelihood of psychological traumatic upon reverting back to schools of questionable standard.

If India can face a stir in the case of FDI in retail by the neighborhood *kiryana* stores as FDI poses a threat of shutting down their business then the hue and cry by the unrecognized schools in case of their closer is quite obvious.¹⁰⁰ The RTE Act, 2009 provides for time bound compliance for various provisions like in cases of recruitment of quality teachers, infrastructure and playground etc.¹⁰¹ RTE Act, 2009 seem to have taken one stride towards quality education by putting quality measures or parameters for schooling, but at the same time, it is responsible for taking two steps back as instead of increasing the number of schools, there is likelihood of shutting down one fifth of total twelve lakh schools for being unrecognized up to March, 2013.

The goal of the RTE act, 2009 was universal retention of children, reduction in dropout rate and completion of school infrastructure targets **by March 31, 2013**. We are on the door of deadline date but with empty hands and certainly the deep rooted problem of adjournment will be soon taken by the government which will swept the present goal under the carpet.

⁹⁷ The proviso of section 4, RTE Act, 2009 provides that: ‘where a child is directly admitted in a class appropriate to his or her age, then, he or she shall in order to be at par with others, have a right to receive special training, in such manner, and within such time-limit as may be prescribed.’

⁹⁸ See Praveen Jha, Pooja Parvati (2010), “Right to Education Act 2009: Critical Gaps and Challenges” *Economic & Political Weekly*, Vol xlv no 13, March 27, 2010.

⁹⁹ Abdul Khaliq (2012), “An Education Act with more wrongs than rights” *The Hindu*, July 27, 2012.

¹⁰⁰ Deliberation of Prof.Mool Chand Sharma on the topic

¹⁰¹ Sections 18, 19, RTE Act, 2009

Further, it is equally true that before passing the RTE Act, 2009, education was more an enabling provision and always used to receive a half-hearted approach. Education being a soft subject, though of paramount importance, got the much needed attention of the policy makers in the enactments of 86th constitutional amendment, 2002 and RTE Act, 2009 by adopting a right based approach. These enactments can rightly be said as revolutionary steps taken by the government of India. In India, evolution of education as a right has shown a path towards the new journey of playing a greater global role, which can only be travelled through an inclusive and holistic approach by the State, parents, schools, local authorities and others stakeholders.

In the context of globalisation, education assumes greater meaning. Greatness of a nation should not be measured by its ranking in global economic order, but by its ability to provide quality education. The last two decade have shown enormous improvement in the literacy scene in the country as reflected by the average literacy figures. Education is perhaps the most vital requirement for inclusive growth, empowering individual and society, opening up opportunities and promoting true public participation in the development process. It is an important factor that fuels both social change and economic growth.

How much education does India need, and for what purpose? We can readily agree that universal good quality basic education is a requisite and moral requirement of all modern societies, for the sake of social equity, cultural values, and economic functionality. India is actively pushing forward with its agenda for revamping and restructuring education in the country. It is submitted that though the judiciary has made education as a fundamental right yet it is for the State to secure it for all people. It is beyond any doubt that education is of fundamental significance to the life of an individual and the nation.

We have seen in this study Right to Education is now a Fundamental Right for all children in the age group of 6 to 14 years. In simple word, it means that the Government will be responsible for providing education to every child up to the eight standards, free of cost, irrespective of class and gender. Part III of the Constitution of India gives all force to every child to get free and compulsory education through Art.21, and insertion of Art.21-A by 86th Amendment is also a landmark in this

respect. Thanks to scheme like SSA that main vehicle of RTE and MDM, which are providing almost all necessary requirements to the ‘Future of India’ Enrolment rates in schools have gone up, as the number of schools is rising through these scheme. The progress rate in rural literacy is also rising through the initiative of SSA. The SSA, initiated to universalize quality education, has brought about positive changes by increasing accountability of schools to the community through greater involvement of school management committees and parent-teacher associations. In primary schools especially enrolment and attendance of girls is increasing. The MDM Scheme is helping in taking care of nutritional needs of the students. This is not only affecting positively the health of poor students but also improving learning outcomes by ending ‘school hunger’.

Despite everything is going upward in the right direction, there are so many instance as we have seen in the draw backs, though SSA is performing well, corruption is also involved, funds are misused. The quality of foods in the MDM Scheme is not so good. Calories and nutrients in MDM are insufficient. There is also news that children are more interested in meal only not in education. The shortage of teachers is one of biggest problem in implementation of such schemes, and teachers involved in schemes are less experienced and untrained. Child labour is also a major problem.

However, realization of the objective of ‘Education to All’ is not going to be very easy- not when the school system in the country, especially those rural areas continue to be plagued by problems of poor infrastructure, shortage of teachers, their lack of training motivation besides poverty and livelihood issues that are responsible for the huge drop out of rates. It is estimated that there is a shortage of nearly five lakh teachers, while about three lakh of them are untrained at the elementary school stage. Over 50% of schools have a student teacher ratio much poorer than the 1:30 prescribed under the RTE Act. About 46% schools do not have toilets for girls, which is another reason why parents do not send girl children to schools.¹⁰²

¹⁰²SYA Seminar on “Education: Right To Education (RTE) Act, 2009 – The Way Forward”

Though, the programmes are implemented in right directions and there are some inconsistency regarding implementation, I want to suggest some idea for better results and strengthening RTE through SSA.

Suggestions

Here are some of my (not so complete) ideas for effectiveness of Right to Education:

1. Compulsory free education should be made available till Class X.

The state and central governments should completely absorb the cost of providing free education till 10th standard to every child, irrespective of caste, religion and economic status. This should cover not just school fees, but also free books, food if necessary, uniform clothing and even a place to stay if the parents cannot afford that to their children. Those with money can always opt for their favourite private school, and feed their own children. Alternately, some rich may decide to send their children to the govt. schools.

2. Govt. schools should be run by private entities/entrepreneurs. It is very doubtful if the government can manage hiring qualified teachers and provide quality education to children. Like in the USA, the government can opt for building the schools and make them available to private companies on a long-term lease, based on auction. The organization that comes up with the lowest bid and agrees to maintain the best quality education would be chosen to run each school in each locality.

3. There should be some amendments in the Right of Children to Free and Compulsory Education Act, 2009 as it is provisioned that “No child shall be held back, expelled, or required to pass a board examination until completion of elementary education” because without having proper ability and knowledge, no child will be able to survive in next class.

4. In villages the Panchayat members can play important role in promoting education. The school management committees should not be an ad hoc project arrangement and should be permanent.

5. There should be a teacher and parent interaction because a frequent parent and teacher interaction will enhance student enrolment and attendance rate.
6. The incentives like books, uniforms etc. available to the students must be made at the beginning of session.
7. The quality of MDM needs to be improved, which will attract children of the weaker sections of the society.
8. School management committees must be formulated so that they will monitor the enrolment and student absenteeism.
9. More Acts like Mahatma Gandhi National Rural Employment Guarantee Act should be started because only those parents who employed think about not to employ their children in any labour work.
10. The goal of 100% female education can be achieved by creating community awareness for girls education at all levels.
11. Improvement in the infrastructure like availability of water, sanitation and toilets in schools should be done on priority basis.
12. Proper training for teachers and staff should be provided.
13. Training for teachers and staff at the residential schools will be coordinated by the District Institutes of Educational Training, Block Resource Centres and the Mahila Samakhya Resource Groups.
14. That is, free education until secondary; but paid-for education after that. Those who can't afford to pay for this higher education get low-cost and lenient loans. These kind of comfortable educational loans are made available to students in USA.

Though the state has the primary obligation to provide education for all children but non-governmental organizations and other civil society partners can make a vital contribution to education by mobilizing public demand and expanding participation.

So, the government needs to build effective partnerships with all organizations and institutions that have an impact on children’s education.

I do not claim that these suggestions, if implemented, will remove all problems we have in our education sector. However I am hopeful that they can alleviate the problem considerably. Although there are above and various shortcomings in the way SSA-RTE such as Non utilization of released funds, Violation of guidelines as well as the norms fixed for the implementation of Programme, Lack of timely supply of free text books to the targeted students, Civil works were not executed as per the requirement, Record relating to monitoring was not maintained, Lack of co-ordination between the members of Panahayati Raj Institutions and school teachers in execution of various activities of SSA, Lack of appropriate, qualitative and effective teaching learning material and teacher training. There is no doubt about these cited problems but we are marching ahead since the scheme and act acted in the country and state, centre and private institution are doing very well in this area.