



IMPACT OF THE RIGHT TO EDUCATION

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The Right to Education (RTE) Act has been one of the country's most defining moments. Like all momentous decisions, the decision to bring about this legislation was also the culmination of deep thought and earnest attempts over a number of decades, to usher in universal education. We have come a long way from 1910 when Gopal Krishna Gokhale demanded 'Free and Compulsory Primary Education' in India to 2002 when the Article 21-A was inserted in the Constitution of India which declared that "The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine."

Just like human beings, nations too, have their own chequered stories to tell. India's story has been particularly interesting: from a glorious past to a tiresome colonial struggle to finally becoming an independent, aspirational nation with potential to become a global superpower. In this eventful journey, the passing of the Right to Education (RTE) Act has been one of the country's most defining moments. Like all momentous decisions, the decision to bring about this legislation was also the culmination of deep thought and earnest attempts over a number of decades, to usher in universal education. We have come a long way from 1910 when Gopal Krishna Gokhale demanded 'Free and Compulsory Primary Education' in India to 2002 when the Article 21-A

was inserted in the Constitution of India which declared that "The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine."

Given that a dismal 18 per cent of Indians had basic literacy at the dawn of independence and the transformative value of education in empowering entire generations, this law is a huge landmark that demonstrates India's serious intent to invest in building a bright future for its citizens.

Main features of the Act:

It is important to be familiar with the provisions of the RTE if we are to fully comprehend its intended and actual impact. The Act makes

education a fundamental right of every child between the ages of 6 and 14 years and specifies minimum conditions or input criteria that have to be met in all elementary schools. It mandates all private schools to reserve 25 per cent of seats, absolutely free of cost, for children belonging to disadvantaged categories, which is to be reimbursed by the State. It prohibits all unrecognised schools from practice, and also states that provision for donation or capitation fees is not permissible as well as that no child or parent should be required to appear for interviews prior to admission.



In addition, the Act recognises the large number of children who have had to drop out for financial and/or other considerations and provides for their mainstreaming in schools through special training so as to bring them at par with their peers in school. The RTE Act also requires surveys that will take stock of the education situation in all neighbourhoods, identify children who should be getting an education in school and set up facilities for providing it. The Act also states that necessary provisions such as teacher-student ratio, minimum infrastructure (drinking water, separate toilets for girls and boys, libraries, playgrounds, classrooms, ramps, boundary walls, etc.) shall be made available in all schools.

Quality of education in school has also been given a top priority in the RTE Act. Section 29 of the Act provides for curriculum and evaluation procedure in elementary schools. State Governments are required to prescribe the academic authority to lay down the curriculum and evaluation procedure. In doing so, the academic authority must ensure adherence to the following eight factors as stated in the RTE Act:

1. Conformity with Constitutional values;
2. All round development of the child;
3. Building the child's knowledge, potentiality and talent;
4. Development of physical and mental abilities to the fullest extent;
5. Learning through activities, discovery and exploration in a child friendly and child-centred manner;
6. The child's mother tongue serving 'as far as practicable' as the medium of instruction;

7. Making the child free of fear, trauma and anxiety and helping the child to express views freely and
8. Comprehensive and continuous evaluation of the child's understanding and knowledge and the ability to apply it.

The aforementioned factors provide comprehensive coverage of the indicators of child-centred curricular policy for the elementary stage of education spelt out in the National Policy on Education (NPE), 1986/92 and elaborated in the National Curriculum Framework, 2005.

Notification of teacher qualifications under section (23) of the RTE Act and the prescription of a Teacher Eligibility Test (TET) by the National Council for Teacher Education (NCTE) are other significant developments to improve the quality of education in schools and pursuant to the RTE Act becoming operative in the country.

The policy initiatives under the Act have contributed to a new vibrancy, meaning and urgency in the country's efforts to universalise elementary education, and are expected to infuse new energy in the schooling system in the years to come.

Why does the RTE stand out?

The Indian school education landscape is of global significance with approximately 1.5 million schools, 259 million students, and 9 million teachers. There are many reasons why the RTE is considered as a breakthrough in this landscape and has garnered applause even from governments of highly developed and educated countries. To

quote the Sam Carlson, Lead Education Specialist for the World Bank in India: "(This) is the first legislation in the world that puts the responsibility of ensuring enrolment, attendance and completion on the Government (whereas) ...It is the parents' responsibility to send the children to schools in the US and other countries."

Let us briefly pinpoint what places the RTE notches above similar legislation in many other countries.

First of all, "free" education does not merely mean waiving off tuition fees. It excludes any charge that may hinder a child's pursuit of her elementary education in a school of her choice. It, therefore, alleviates the burden of school expenses by encompassing provisions of textbooks, uniforms, stationery, special educational material and/or teaching/learning material and requisite aids and appliances for children with disabilities. *Secondly*, it looks at learning and education as a process and prescribes quality principles for the same. *Thirdly*, by making it a Fundamental Right, that is, by enshrining it in the fundamental law of the land, it makes it the duty and obligation of the government towards its people. This is a giant leap ahead from Article 45 which was merely a Directive Principle and hence not justiciable in a court of law. Such legislative design, therefore, plays a chief role in its potential as an agent of inclusive growth. *Fourthly*, an external constitutional body is necessary to monitor the implementation of the Act which brings in transparency and accountability; both are hallmarks of good governance. *Finally*, by requiring that psychological and emotional issues of children are addressed, the Act becomes a holistic and exemplary model for revamping the education sector in India and in countries with a similar milieu, especially in the context of education.

The RTE: A Great Leveller

The June 2014 Report published by the Ministry of Human Resource and Development (MHRD) shows that the Central Government has achieved a reasonable degree of success in ensuring that the policies outlined in the RTE have been implemented in many states. Increase in enrolment has been one of the most significant achievements under the RTE. In 2016, only about 3 per cent of children in the 6-14 years of age

were out of school. Enrolment in schools is the very first step to overcome the malaise of illiteracy. A crucial factor that merits mention here is the Swachh Bharat-Swachh Vidyalaya campaign which has been responsible for creation and maintenance of hygienic sanitation and drinking water facilities in schools. This has resulted in a large number of female students not only enrolling but also staying on in schools up to higher grades than before.

The 2015 Annual Report of the MHRD also suggests that most states have adopted the curriculum mandate under the RTE Act. About 80 per cent government teachers are professionally qualified as per the prescribed norms, which is a positive indicator for quality of teaching.

The same Report also shows a significant improvement in measures of social infrastructure as mandated by the RTE. Apart from gender-sensitive sanitation as mentioned before, there has been a substantial increase in number of ramps for the disabled, playgrounds, boundary walls and kitchen areas.

The goal of 'access to education' is more or less considered to be achieved at elementary level and the focus is now shifting to Secondary and Higher Secondary level. However, considering the challenges in actual realisation of the RTE objectives, high dropouts and residual (disadvantaged) children remaining out of school, there is a demand of continuous efforts at elementary level also.

Identifying and Correcting Some Implementation Gaps

Ultimately, the true value and transformative potential of a policy can be realised only when those responsible for implementing it, do so effectively and conscientiously. The RTE, too, is path-breaking in the sphere of education reforms in India; however, there do exist certain areas which have not had lived up to their intended expectations and are, therefore, focus areas for remedy and improvement.

Section 12(1)(c) of the Act has been the subject of much research in the education policy space. It is this section that mandates non-minority private unaided schools to reserve 25 per cent of their entry-level seats for children belonging to

disadvantaged categories to create a more socially integrated and inclusive schooling system. It is also the most noteworthy feature of the Act as it makes the RTE one of the largest programmes in the world that combines public funding and private service delivery in education. However, the MHRD reports says that only 5-6 lakh seats annually are being filled under this provision. This means that there is a massive untapped enrolment potential with respect to children from disadvantaged categories. Delays or non-payments of dues to schools by the respective State Governments are a major reason for private schools refusing to admit students under the RTE provision. The State and Central Government needs to ensure implementation of this Section in letter and spirit.

The MHRD reviews and monitors implementation of the Act regularly with the States and UTs at different fora, such as the State Education Ministers' Conference, Conference of the State Education Secretaries, Project Approval Board meetings, etc. During these conferences/meetings, RTE implementation is also touched upon. However, there is a need to discuss all the RTE provisions and their compliance by the States in a regular fashion. The Ministry may also continue and strengthen its engagement with dedicated non-profits which work hard to ensure that this seminal Act is monitored closely at the local level.

An IIM Ahmedabad report suggests a number of vital measures needed for the RTE's Section 12(1)(c) to be realised in letter and spirit. These are: "Clarity and enforcement (of rules regarding admissions, eligibility criteria, free entitlements), building a robust Management Information System to manage expenditure and reimbursement effectively, creation of school profiles, awareness campaigns, availability of alternate mode of application (other than the online mode), RTE cell and help centre, active participation of officials, judiciary, and private stakeholders and training and capacity building."

Another issue is India's historically conservative spending on education. The reforms envisaged through the RTE and Draft New Education Policy, 2016 would require substantial increase in public expenditure on education as well as support through CSRs and CSOs. Fortunately, the recent budget announcements have not only increased the outlays but also

highlighted ways to strengthen education quality and reduce inequalities by extending ICT-enabled learning particularly in Educationally Backward Blocks. Further, conducting annual learning level assessments is other crucial decision.

Looking Ahead

Qualitative improvement in education is a much-needed outcome for India to remain competitive in the global sphere. This would require education policy to acknowledge that quality spans on a wide range of aspects ranging from the size of the school system, financial capabilities, strength of teachers' unions, existing teacher capabilities and variability in performance across the State. It also needs to account for transparency in decision-making within the State. These intricacies inform the implementation of interventions for an educational transformation to be successful.

The Central and State Governments should partner with international agencies for providing technical strengthening support in the education sector. International development partners like the World Bank, DFID, ADB, etc., not only contribute through additional funding but also bring in their rich international experience and practical knowledge of best practices. These same organisations could also contribute by designing tailor-made technical assistance and capacity building programmes.

It goes without saying that the big leap towards skills development may not be successful unless it is accompanied by concerted efforts to raise the learning levels of rural and marginalised students for promoting equitable basis for employment and inclusive growth. Most importantly, no other quality intervention can succeed that of improvement in the quality of teachers when it comes to creating a better future for our students.

Focus should be on improving quality by developing bespoke solutions instead of a standard straitjacketed programme design. "Education for All" should not imply "One Programme for All". This thwarts innovations which should devise local solutions to local problems.

During the last decade or so, the enrolments of all categories of students (including girls, SCs, STs and other disadvantaged categories) have

gone up. A major contributor to this increase in enrolments is children from disadvantaged categories and first-generation school-goers. These children bring in much-needed diversity in the classrooms. However, the schools' and teachers' response to these children has been far from adequate. Teachers are hardly trained/re-trained/provided much-needed support to handle this diversity in the classrooms. It is necessary that they be adequately sensitised and trained in a way that students from various backgrounds become one cohesive and happy entity, which is what the RTE aspires to do.

Another praiseworthy aspect of the Act is that it demands that the School Management Committee (SMC), the Local Authority and the Education Department have concurrent responsibilities rather than concentrating responsibility on a single unit. The SMCs could play a vital role at the local level by developing a robust and feasible School

Development/Improvement Plan. In the initial days of the RTE, there was much talk about creating and strengthening these but the enthusiasm and focus has since, died down.

The RTE is not just any other Act. When an uneducated, rural woman proudly saying that her daughter now goes to a school she never thought she could afford, that she can now dream for her to have a flourishing career—we grasp just how far-reaching and profound this legislation is. We sincerely hope that we as a society work steadily towards implementing the RTE and that India can, in the near future, reap the rich dividend that the Act promises her.

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MHRD Announces National Educational Alliance for Technology Scheme

Ministry of Human Resource Development has announced a new PPP Scheme, National Educational Alliance for Technology (NEAT) for using technology for better learning outcomes in Higher Education on 19th September 2019.

The objective is to use Artificial Intelligence to make learning more personalised and customised as per the requirements of the learner. This requires development of technologies in Adaptive Learning to address the diversity of learners. There are a number of start-up companies developing this and MHRD would like to recognise such efforts and bring them under a common platform so that learners can access it easily. Educating the youth is a National effort and MHRD proposes to create a National Alliance with such technology developing EdTech Companies through a PPP model.

MHRD would act as a facilitator to ensure that the solutions are freely available to a large number of economically backward students. MHRD would create and maintain a National NEAT platform that would provide one-stop access to these technological solutions. EdTech companies would be responsible for developing solutions and manage registration of learners through the NEAT portal. They would be free to charge fees as per their policy. As their contribution towards the National cause, they would have to offer free coupons to the extent of 25 per cent of the total registrations for their solution through NEAT portal. MHRD would distribute the free coupons for learning to the most socially/economically backward students.

AICTE would be the implementing agency for NEAT programme. The scheme shall be administered under the guidance of an Apex Committee constituted by MHRD. Independent Expert Committees would be constituted for evaluating and selecting the EdTech solutions. MoUs will be signed with the shortlisted EdTech companies. Awareness programs would be taken up by MHRD to create awareness of the NEAT solutions to teachers and students.

MHRD proposes to launch and operationalise NEAT in early November 2019.

Source: PIB