

RIGHT TO EDUCATION (RTE) IN PARISHADIYA VIDYALAYAS

Santosh Pal¹, Sunil Kumar Sahani²

Research Scholars
Department of Education
University of Allahabad
Allahabad, Uttar Pradesh, India

Abstract: The importance of education cannot be denied in one's life. It sustains the human values which contribute to the individual and collective well-being. The Right to Education Act (RTE), 2009 is undoubtedly one of the landmark regulations in the education sector in republic India. It aimed at providing momentum to India's vision of making education compulsory for all. The RTE Act attempts to provide every child, between the age group of 6-14 years, the right to quality and equitable elementary education in a formal school. It focuses on educational inputs – infrastructure, teachers, and books etc. It is related to public interest so attention needs to be paid to assessing its impact on learning outcomes. This study attempts critical appraisal of the implementation of RTE Act 2009 in Parishadiya Vidyalayas of country. The study will also explore the steps taken by states for implementation of RTE Act, 2009 so far and their difficulties in proper implementation of the Act. The key points and findings of study are: Non availability of special administration. Causes of drop out and low enrollment in Parishadiya Vidyalays. The appointments of teacher in Parishadiya Vidyalayas.

Keywords: Right to Education, Parishadiya Vidyalayas, Problems, Solutions

Introduction

“Education is a human right with immense power to transform. On its foundation rest the cornerstones of freedom, democracy and sustainable human development”

Kofi Annan

Mahatma Gandhi had visualized education as a means of awakening the nation's conscience to injustice, violence and inequality entrenched in the social order. It is like a life- long insurance for the transformation of an individual. In fact, education is an essential and most influential instrument invented and developed by the mankind to shape and mold him in a socially desirable manner (Sharma, 2016). The democratic countries can achieve their democracy only after indoctrinating democratic principles in their citizens which can be merely done by imbibing democratic values in them. For this purpose, education is the only instrument which can materialize this.

After Independence, the concerns of education articulated during the freedom struggle were revisited by the National Commissions — the Secondary Education Commission (1952 - 53) and the Education Commission (1964 - 66). Both Commissions elaborated on the themes emerging out of Mahatma Gandhi's educational philosophy in the changed socio-political context with a focus on national development. India is the biggest democratic country in the world and it cannot even think about maintaining its democracy if it does not give its rightful recognition and place to education. The passing of the RTE Act in 2009 marks a historic moment for the children of India. This act serves as a building block to ensure that every child has his or her right to get a quality elementary education and they can fulfill this obligation with the help of the state, families and community (Kalyani 2014). The Right to Education Act, 2009 was enacted to make good on the constitutional promise to provide free and compulsory education to children between the ages of six and fourteen. The right to education is essential for economic, social and cultural rights. Achieving it and implementing it to the fullest extent is one of the major challenges of the present times. It is important that right to education in its various dimensions is incorporated by letter and spirit. Thus, right to education is a defined feature of democracy and a necessity for the future of the country. Thus right to education is crucial for the development of the country and it is a basic human right. The significance of education for social and national development is reflected in its recognition as a human right. The child's right should be extended to ensure quality education i.e., without discrimination on the ground of child's social, economic and cultural background and should not be restricted only to free and compulsory education. The right of child to free and compulsory education has now become a part of the fundamental rights under Article 21 (A) of the Constitution of India. It mandates free and compulsory education of all children of 6-14 years age until they complete elementary education in a neighborhood school. There is also a reference of children with disabilities who are to be given elementary education in the age range of 6-18 year of age as defined in clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection and Full Participation) Act, 1996 in accordance with the provisions of Chapter V of the said Act. The Act also has a provision for every child, who is above six years of age and has not yet been admitted to any school or could not complete his/ her elementary education due to any reason, to be admitted in a class appropriate to his or her age. The child admitted under age appropriate admission has a right to receive special training or additional instruction in order to be at par with other children of the class. Current study was taken up to find out the status of implementation of various provisions of RTE Act

2009 in states and UTs for children with disabilities and disadvantaged children, and also concerns and problems of states/UTs to implement the Act. The study has explored the steps taken by states/UTs for implementation of RTE Act, 2009 so far and their difficulties in proper implementation of the Act.

Implementation of RTE

According to R. W. Emerson, "Not gold but men can make a people great and strong." It directs the importance of men-power for a country. Education is the backbone of a nation. It is the key to national human resource development. An intelligent society will always invest in quality education for its children. Though the government has provided free and compulsory education, the quality of this education in government schools is poor (Vendhan, 2014). Four years after the Right to Education Act was enacted in India, discrimination remains a major factor affecting access to education for children from marginalized communities, says a report released by Human Rights Watch (HRW). Ramya (2014) in his study found that discriminatory behavior contributes to increased truancy. Several children in a dalit neighborhood in Bihar and Uttar Pradesh said that they do not go to school regularly because they felt unwelcome. The report also added that weak implementation of education policies is encouraging child labor. In the implementation of the RTE act, 2009, the role of the teacher is indispensable (Madire: 2014).

Challenges before RTE

To quote Swami Vivekanand, "Education is not the amount of information that we put into your brain and runs riot there, undigested, all your life. We must have life-building, man-making, character-making assimilation of ideas. If you have assimilated five ideas and made them your life and character, you have more education than any man who has got by heart a whole library..... If education is identical with information, the libraries are the greatest sages of the world and encyclopedias are the greatest Rishis." The statement of Swami Vivekanand assumes much greater significance with the advent of internet and ever expanding digital connectivity.

A serious crisis has developed in the Indian educational system. This crisis is marked by the failure to remove illiteracy among the majority the Indian people, the limited number of children enrolled in schools and the low standard of instruction, and the serious difficulties that university education has run into, beset with the problems of falling standards, wastages, unrest and 'indiscipline' among students, unrest among teachers who are inadequately paid, and the growing tensions among the ever-increasing army of educated unemployed. Even after two decades independence, merely less than a third of the people are illiterate. The UNESCO global education report released in April 2015 reflects that India has made a significant progress and has reduced the OOSC by over 90 per cent and has achieved the target of 'universal primary education'. Though enrollments are increasing, school infrastructure is improving, access to schools is becoming easier, learning outcomes among children are not improving. Therefore, despite the progress and improvement in the statistics in the four broad areas as mentioned above, which can be termed as some of the success that the RTE Act has achieved, the quality of education in the country is still not at par with the expected standards of quality education.

Access and Participation

Research from around the world highlights the importance of early childhood education. However, participation in pre-school education remains low. Expanding access to early childhood education to provide equal opportunity to all children to prepare them better for formal schooling emerges to be a high priority task.

Nationally the percentage of out-of-school children aged 6-13 years has declined significantly since 2000. However, the absolute number of out-of-school children remains high. The relatively lower enrolment rates in upper primary and secondary education as compared to primary education are also a matter of concern. Ensuring upward transition/mobility of students from elementary to secondary to achieve universal secondary education and from secondary to higher secondary and tertiary education continues to be a challenge.

India has the second largest higher education system in the world. Although the Indian higher education has already entered a stage of massification, the Gross Enrolment Ratio in higher education remains low at 23.6 percent in 2014-15. The current target is to increase GER to 25.2 per cent in 2017-18 and further to 30 per cent in 2020-21.

Quality Issues

"Of all the different factors which influence the quality of education and its contribution to national development the quality, competence and character of teachers are undoubtedly the most significant."

-Indian Education Commission (1966)

The biggest challenge facing school education relates to the unsatisfactory level of student learning. The findings of the National Achievement Surveys (NAS) covering Grades III, V, VIII and X suggest that learning levels of a significant proportion of students do not measure up to the expected learning levels. Poor quality of learning at the primary and upper primary stages affects student learning at the secondary stage. Poor quality of learning at the secondary stage spills over to the college/university years, leading to poor learning outcomes in the higher education sector.

Skills and Employability

India is one of the youngest nations in the world with more than 54 percent of its total population below 25 years of age. This necessitates that the youth in the country are equipped with the skills and knowledge to enter the workforce through education and training. However, the institutional arrangements to support technical and vocational education programmes remain quite inadequate. Formally linking the development of skills in vocational fields, and bringing an academic equivalence to vocational accomplishments with avenues for horizontal and vertical mobility of students has been attempted only recently. Fostering dignity and social acceptability to high quality vocational training needs increased attention.

A large proportion of the products of the education system are found to lack employable skills. This has substantially lowered the credibility of the higher education system. The utility of higher education in assuring employment remains questionable. Many graduate and post-graduate students do not get jobs in their respective fields. The task of enhancing the employability of the products of the education system ought to be accorded high priority.

Curriculum and Assessment

There is a growing realisation that there exist serious disconnects between the existing school and higher education curricula and the curricular thrusts that are needed for promoting the acquisition by students of relevant skills required for decent work and a better life in a rapidly changing world. A key challenge in this context is expanding opportunities for acquiring relevant skills, including skills needed for work and entrepreneurship; skills and competencies that allow learners to be more creative and innovative, to think critically, to communicate effectively, to solve problems independently; and life skills that enable individuals to grow as responsible citizens and embrace cultural diversity, live and work together harmoniously, etc.

Information and Communication Technology (ICT)

Information and Communication Technologies (ICT) have made rapid strides in the past couple of decades. Many experiments have taken place in the country, and a large body of knowledge has accumulated in regard to the use of ICT in education. However, the potential of ICT in education has not been fully harnessed. The use of ICT in education remains limited and there is a need to accelerate efforts to use ICT for fostering quality education.

Teacher Development and Management

“No system of education, no syllabus, no method or, no text book can rise above the level of its teachers. If a country wants to have quality education it must have quality teachers”.

Mathews

In spite of the continued efforts for improving teacher quality and performance, the system for initial professional preparation and continuing professional development of school teachers continue to be characterised by several deficiencies. The current teacher education and training programmes are considered inappropriate in terms of equipping the teachers with the competencies required to cope with the new profile and roles expected of teachers and to enable them to carry out their duties in diverse social, economic, cultural and technological environments. Chandra Sekhar (1997) in his study on “Primary School Teacher Education Programme” found that

1. The present day teacher education curriculum is out-dated and it should be restructured and reorganised keeping in View the present day needs and aspirations of the young trainees.
2. Teaching profession is not well recognised for which student teachers are unhappy.
3. The DIETS are ill-equipped with regard to the physical and academic facilities.
4. There is deterioration of standard in teacher education.
5. Diets have not conducted workshops to improve primary school curriculum.

Equity Issues

Though substantial progress has been achieved in increasing enrolment in pre-school education, children from disadvantaged population groups still lack access to pre-school education. Children from economically disadvantaged groups are more likely to receive less opportunity to participate in pre-primary education.

Despite considerable progress, enrolment rates in upper primary and secondary education in some states remain well below the national average. While there has been a rise in the demand for secondary education and increase in the number of secondary schools, the spread of secondary education throughout the country remains uneven. Regional disparities continue, as do differences in access depending on the socio-economic background of students.

Though the number of out-of-school children (OOSC) has declined significantly since 2000, the number and proportion of out-of-school children remain much higher than the national average in some states. The proportion of OOSC has been higher than the national average for SC children, ST children and Muslim children. This indicates that these children need greater and focused attention.

Regional disparities in Gross Enrolment Ratio (GER) in higher education are large. In 2011-12 GER in higher education ranged between 8.4 percent in Jharkhand and 53 percent in Chandigarh. Similarly, the variations among the social groups too are considerable the Gross Enrolment Ratio in higher education remains low at 23.6 percent (24.5% for boys, 22.7% for girls; 18.5% for SCs and 13.3% for STs) in 2014-15. One of the challenges faced by the higher education sector in India is to harmonize the expansion requirements with equity considerations.

Children with disabilities and children with special needs constitute a significant proportion of out-of-school children. This situation highlights the needs to equip schools to address the challenging needs of children with disabilities who are both socially and educationally disadvantaged.

The relatively higher gender gaps in youth and adult literacy rates remain a principal challenge. India continues to be characterized by higher level of gender gap (8.2 percentage points) in youth literacy rate, with the youth literacy rates for male and female population (age 15-24 years) in 2011 being 90 per cent and 81.8 per cent respectively. India also continues to be the country with higher level of gender gap (19.5 percentage points) in adult literacy, with adult literacy rates for male and female

population (age 15 years and over) in 2011 being 78.8 per cent and 59.3 per cent respectively. It is clear that major efforts are needed to raise the literacy levels of girls and women.

System Efficiency

Even though the drop-out rates at elementary and secondary stages of education have been declining, large numbers of children continue to leave the school before completing elementary education. In 2014-15, the retention rate at primary level was 83.7 per cent and it was as low as 67.4 percent at the elementary level. This indicates that roughly, four in every 10 children enrolled in grade I leave the school before completing grade VIII. Dropout rates in secondary education continue to be high, especially for socially and economically disadvantaged groups of learners. Though the dropout rate is a matter of concern in the case of all categories of students, drop-out rates among socially and economically disadvantaged groups, especially for girls from these groups, remain higher than the national average. This brings into focus the need to undertake measures to improve retention in schools of children from socially and economically disadvantaged communities. Ensuring completion of elementary, secondary and higher secondary education by all enrolled pupils emerges to be high priority task.

Governance and Management

Several studies have reported the challenges in education governance exemplified by teacher absence, delayed fund flows to schools/colleges/universities and administrative capabilities. Capacity constraints relating to effective programme planning and implementation continue to be a key issue. Consequently, the progress of implementation of planned programmes remains uneven. The governance and management of education system and institutions, especially at the tertiary education stage, has assumed complexity with the advent of a multiplicity of providers, programmes and modes of financing.

Commercialisation is rampant both in school and higher education sub-sectors as reflected in the charges levied for admissions in private educational institutions. The proliferation of sub-standard educational institutions has contributed to the diminished credibility of the education system.

No detention policy

The 'no detention' policy, which states that no child until class VIII can be held back or expelled from school, was introduced as part of the RTE Act with the ambitious goal of providing an environment for the stress free and holistic development of a child, has come under severe criticism by the states. It is critiqued by many that policies like these work only on paper, as policy makers fail to envision the ground realities and hurdles in their implementation.

Budgetary constraints

Insufficient financing of education continues to constrain efforts to expand access to education and foster quality education. Several studies have reported the challenges in education governance exemplified by the delayed fund flows to schools/ colleges/ universities. The earlier education policies had endorsed a norm of 6 percent of GDP as the minimum expenditure on education. However, this target has never been met.

Disciplinary issues and the lack of motivation

With children coming from diverse backgrounds in schools, disciplinary issues arise which hampers the learning and progress of other children because they have **inferiority complex**.

Emphasis on age and not on intellectual growth

One of the provisions in RTE says if a child above six years of age has not been admitted in any school or though admitted has not been able to complete his or her elementary education, they must be admitted in a class appropriate to their age (Chapter II, 4).⁰³ This provision needs modification as it lays emphasis on age and not on the intellectual growth and capabilities of a student. For example, if a 10 year old student approaches a school, then he/she would be admitted in class V as per the clause of 'appropriate to their age', even if the child has not studied for previous four years.⁰⁴ This would directly have an impact on the learning outcome, adversely affecting the teachers as they will have to put in a lot of extra effort and this might also impact the learning process of other students in the class.

Increasing pressure on teachers

Teachers find it extremely difficult to teach students from such varying background in the same classroom. It requires a lot of emotional, mental and physical investment from both the teachers as well as the school authorities.

Learning outcomes

The ASER 2014 is based on the survey in 577 rural districts and 16497 villages covering 341070 households and about 569229 children in the age group of three to16. The report reiterates the fact that we have achieved close to 96 per cent or above enrollment ratio in elementary schools. Hence, India has been able to institutionalise the policy of compulsory and free elementary education for every child, and the GER ratios are at par with the developed economies of the world.

However, when it comes to learning outcomes, the report brought out some stark realities.

- Seventy five per cent of all children in Class 3 were not able to read a Class 2 textbook fluently.
- Sixty per cent of all children in Class 3 were not able read a Class 1 level textbook.
- Fifty per cent all children in Class 5 were not able to read a Class 2 textbook fluently.
- Twenty five per cent of Class 8 students were not able to read a Class 2 level textbook.
- Mathematics is an area where a majority of the students were below the standard.
- About 19.5 per cent of all children in Class 2 were not able to recognise numbers up to nine.
- Close to 75 per cent of Class 3 children could not do two digit subtractions.

- Close to 74 per cent students in class 5, were not able to do division.

Global Commitment

The global Sustainable Development Goal 4 (SDG 4) within the Agenda 2030 seeks to 'Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all'. The EFA agenda initiated in 2000 remains unfinished, particularly those relating to youth and adult illiterates, out-of-school children, low access to Early Childhood Care and Education, inadequate opportunities for skill development and unsatisfactory quality of education and student learning levels. The NEP will, therefore, pursue both the unfinished EFA agenda and the targets associated with SDG4.

The challenges being faced by the education sector call for innovative approaches and sustained efforts to foster education development in general, and quality education, in particular without compromising on access and equity. The main thrust will be to devise effective strategies to address the divergent challenges for the growth of education in India and realising the potential of the country's 'demographic dividend'.

Solution

It has been stated earlier that primary education should be for a duration of 7 years. All children of the age group 5-12 are to undergo this education. They are to receive: a) a good vwo king knowledge of their mother tongue; b) an elementary knowledge of arithmetic and some rudiments of modern mathematics; tary knowledge of arithmetic and some rudiments of modern mathematics; c) the history of the countly-tie condition of Indian society through diffe rent eras, the evolution of productive forces, t[ie relation between State and social-cultural systems, less attention to kings andcl rllers, and more to the people. Indian histoiy is also to be so taught as to inculcate feelings of solidarity of the workling people witliin India and internationally; d) elementary geography of the State concerned and India in general, in the background of the world and its broad geophysical divisions; e) general elementary science; f) instruction in fiee arts like music, painting, etc, sports alncl physical exercise which will help to make complete man of the student; g) elementary civics-rights acnd responsibilitics as citizen of the coulltl; i) elementary llygeine and hhealthi habits; j) work experience: ttle objective of special classes for work experience is to in- stil in the minds of students tile value and respect for manual labour. In the early years, children may be encouraged to part:cipate in manual work such as watering plants, feeding animals, making toys, cleaning dormi- tories, arranging books on shelves, etc. As the cliillden's ability and maturity grow, they may be asked to handle some tools. Children may also be taken to factories and fields, where manual work takes place. Certain periods should be introduced as part of the syllabus. All those who complete primary education will have to be provided with vocation schooling of 2-3 years or full secondary education for three years. Those children who complete vocational schooling of 2-3 years will be provided with jobs. For those who wish to complete the secondary education, all facilities should be provided, on half work-half study pat- tern or on the basis of 'after work' class pattern, so that they too complete their general secondary education. All this education is to be free, and the State should make pro- visions and bear all expenses for it. Secondary Education The secondary course will be of three years' duration in which the following subjects will be taught : 1) mothertongue; 2) a second language at his option, but not as compulsory part of the syllabus; 3) mathematics; 4) physical

Parents play a very important role in determining the success of a child's education. They have a shared responsibility with schools to provide an enabling environment that is conducive to learning and which motivates the child to achieve their full potential. The Framework will provide opportunities for schools to empower parents to contribute to the learning outcomes for their children and to be engaged at all tiers and levels of basic education.

Should have a competency based curriculum

1. *Learner-focused*: Responsive and relevant to learners and enable flexibility for teachers – who are designers of learning opportunities – to enable them to meet the diverse needs of the students.
2. *Focus on Competencies*: More focus should be directed to competencies and less on content. The goal should be the appropriate application of knowledge, and not necessarily just its acquisition.
3. *Opportunities for Local Decision Making and Greater Depth of Study*: The goal is to enable greater flexibility at the local level. Teachers will have autonomy in implementing the curriculum while teaching.
4. *Balance between Formative and Summative Assessment*: Too much focus on summative assessment should be avoided. A range of assessment that focuses on the development of student learning outcomes, cross-curricular competencies, and literacy and numeracy should be adopted.
5. *Digitally Based*: The design of the curriculum within a collaborative digital application enables it to be improved continuously and supports learning with flexible timing and pacing through a range of learning environments.
6. *Collaborative and Co-development Models*: Co-creation of the curriculum with partners and stakeholders taps into local expertise to enhance its design and development. Content delivery will be flexible and exploratory.
7. *Synchronous Development*: Sequential development needs to be replaced with synchronous development. An integrated approach to develop programmes of study, assessments, and learning and teaching resources supports a common approach that encourages interdisciplinary learning.

- connecting knowledge to life outside the school,
- ensuring that learning is shifted away from rote methods,
- enriching the curriculum to provide for overall development of children rather than remain textbook centric,
- making examinations more flexible and integrated into classroom life and,
- nurturing an over-riding identity informed by caring concerns within the democratic polity of the country.

Parishadiya Vidyalays should not be a factory they must be a place of learning and facilitator of learning. They must help inculcate key qualities and attitudes like regularity and punctuality, cleanliness, self-control, industriousness and a spirit of

entrepreneurship, sense of duty, desire to serve, responsibility, creativity, sensitivity to greater equality, respect towards women, care for the elderly, a democratic temper and an obligation to preserve the environment.

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