



PROBLEMS IN IMPLEMENTING THE RTE ACT

Amitkumar S Gagare
Assistant Professor,
Department of Education
S.G.M.College, Karad

INTRODUCTION

India is a young country that dreams for its youth. This country achieved Independence 64 years ago after being under colonial rule for hundreds of years. It has great potential, its citizens are hard workers and education and innovation will drive them forward as they move deeper into this millennium. The legislators passed a law — the Right to Free and Compulsory Education Act (RTE) — in 2009 addressing access to education for every child. This law ensures the citizens that no child will be left behind and every child will have access to a free and compulsory education.

India is the world's largest democracy with over 300,000,000 children between the ages of six and 14 years.

India with Mahatma Gandhi at the lead, gained its independence from the British rulers in 1947. Education was seen as one way out of the darkness and into modern independent statehood. Between 1950 and 1990, Indian legislators made several attempts to define educational scope and responsibilities for the national and state governments. Each move brought them towards comprehensive and inclusive programs but was still mired in oblique language. As the country's industrial development increased, there was a need for a more educated and skilled work force. To highlight India's drive towards modernity and recognition, India became one of the countries to ratify the UN Convention on the Rights of the Child. The Indian Supreme Court also declared that education should be treated as a fundamental right. These are important precursors for the next step.

Introducing the RTE Act in Parliament, Prime Minister Manmohan Singh said: "We are committed to ensuring that all children, irrespective of gender and social category, have access to education — an education that enables them to acquire the skills, knowledge, values and attitudes necessary to become responsible and active citizens of India."

According to this new law, every child has a right to life, shelter, and education in India. The law's significance lies in the fact that it is not just a recommendation, it is a legal right. Some of the provisions include the specific ages that the law encompasses, and the stipulation that no fees or charges will be incurred by the child's family. This is important because India is a country where there are more people in poverty than in all of sub-Saharan Africa combined.

PROBLEMS

1) Out-of-school children

According to the 2001 census, 8.5 crore children are out of school in India. However, latest figures from the Human Resource Development Ministry put the number at 80 lakh. This disparity is because the government has been trying to divide the children into two sections.



According to the National Crime Records Bureau, every year around 65,000 children fall victim to trafficking. Only 10% of such cases are registered with the police. Officially, therefore, only 6,500 children are trafficking victims. Besides this, around 1.20 crore children are involved in child labour (2001 census), keeping them out of school.

One of the sections into which the government has tried to divide out-of-school children is those who have never enrolled in school. But here the question arises: if these children have never been enrolled in school how have they been counted? By which agency? And what was the methodology adopted?

The second section includes children who have dropped out of school. Children who do not attend school for three months are considered to have dropped out. In some states the period is 15 days; in others it's one month.

Taking these two sections together, the total number of out-of-school children is around 80 lakh. Nevertheless, the disparity between the figures of the two departments -- a drop from around 8 crore to 80 lakh -- is nothing short of magic! And even if the 80 lakh figure is correct, it's still a huge number and the children are not out of school because of choice. To believe that the RTE Act will magically put all such kids into classrooms would be naïve.

Some states have claimed that there has been a jump of 120% in school admissions. This has to be taken with a pinch of salt. The 2011 census will make the picture clearer.

A recent survey under the Sarva Shiksha Abhiyan programme in Rajasthan found that 12 lakh children were out of school. Of these, 7.13 lakh children were girls and the rest were boys. Other states must carry out similar studies.

Every other day we see children working at roadside restaurants, in people's homes, on the roads and in tea stalls. To pick these children up and put them in school is hardly as easy as it sounds. To begin with, rescue of child labourers and punishing the employer is the work of the Labour Ministry and the police. The responsibility of bringing children to schools and providing them quality education is the work of the Human Resource Development Ministry. Then again, monitoring implementation of the RTE Act is the responsibility of the child rights commissions in each state, which are under the Women and Child Development Department. As of now, not all states have even notified the RTE rules. It is crucial therefore that the efforts of all these agencies are coordinated for the larger goal of providing education to all children to become a reality.

VARIOUS KINDS OF SCHOOLS

It's a strange irony that while on the one hand the government wants to provide quality education to all children, across all barriers, on the other hand it recognises four kinds of schools under the Right to Education Act.

Government schools, Government-aided schools, Special schools recognised by the government such as kendriya vidyalayas, navodaya vidyalaya and sainik schools. There are others at the state level too.



PRIVATE SCHOOLS.

With such a variety of schools, it is only natural that quality of education varies. Once again it boils down to the rich being able to afford better quality education and the poor having to compromise with something inferior.

BUDGET

The budget for implementation of the RTE Act throughout the country is just half of the amount spent on the 2010 Commonwealth Games, so funds are scarcely the problem. Why is there a resistance to complete implementation of the Act from states, centre and civil society?

So what is the need of the day?

- For quality education to truly reach every child in the country, it is necessary that the following steps are taken:
- Each state should prepare a set of model rules for implementation of the right to education, with the participation of the community and other stakeholders.
- Although the RTE Act puts the applicable age-group at 6-14, it has been left to the states to decide whether they want to widen this group, say from 0-18 as Kerala has done. States should think about including more children under the Act's ambit.
- With the Act coming into effect, it has been found that there is a shortage of 12-13 lakh teachers in schools. The states must take steps to employ more teachers and not rely on para-teachers to provide children with quality education.
- The government should ensure that all government schools are well-equipped to take in students, so that they are not left with the sole choice of going to private schools.
- School management committees should take it upon themselves to spread awareness about the Act at the community level, in panchayats, so that people are encouraged to send their children to school.
- School management committees should be provided the necessary financial and other support by the state to go about their duties.
- For effective implementation of the RTE Act, states should give some sort of judicial power to the education department.
- The public private partnership (PPP) model in primary education should be avoided at all costs so that there is no commercialisation of education.
- There is a conflict between the child labour law and the Right to Education Act, although both deal with related issues and promote the overall development of children. It is important to bring them in step, to avoid confusion.
- To effectively implement the RTE Act, the Human Resource Development Ministry, Labour Ministry, Women and Child Development Ministry, Panchayati Raj Ministry and Rural Development Ministry have to work together. There should be an umbrella body that brings all these agencies together to work towards a common goal.
- The government must make every effort to become self-sufficient by using the education cess and other taxes to effectively implement the RTE Act. It must not always beg from the private sector.



- In rural areas, education is not prioritized. In this agricultural society, most families are farmers and their children serve as manpower. A family that needs to feed itself with the meager profits from their harvest cannot afford to free their child to go to school.
- Two years after RTE Act, there is the will, but there are challenges in the resources to implement such an ambitious legislation.
- Infrastructure, lack of funding, shortage of teachers and great diversity of citizenry all make complete implementation of RTE Act very difficult. There are some areas of the country, especially large urban sections, where almost every child goes to school until at least fourth grade, and yet many other parts of the nation where less than 25 percent have access to schooling at all.
- As commercialism in education is growing in the country, the lofty goals of RTE Act under the government system have become a challenge. Private schools are mushrooming. Almost every father wishes to send his children to a private school. Why? The tuition often covers the needed materials and the salary of the teachers. The curriculum is monitored and in the end, there is a sense that if I pay for it, it must be good.

CONCLUSION

There are private schools at the Rs.10,000 a year level and there are private schools at the Rs.100,000 level. The majority of the citizens still live within \$1 a day, yet India also has many of the world's billionaires. And their children go to schools that many Americans could not imagine sending their children to such schools in the United States. Elementary schools with Olympic size swimming pools, 80-acre campuses, and beautiful classrooms and computers, are some of the resources money is able to buy for the children of the very wealthy in India. There is great demand for education from every area of the land and also a incredible disparity between SES. This has led to the growth of private, tuition-based schools at every socio-economic level. Instead of investing in government schools, citizens are flocking to private schools. The commercialism of schooling is one major unintended consequence of RTE Act. Whether this competition will spur the improvement of government schools is yet to be seen.

Though the Right to Education Act is a great start, government officials are now beginning to understand the challenges they face in implementing it. They are searching for resources and partnerships to support the goals of the Act. Teacher development and trainings are being investigated and pursued. The future is bright in India in many areas and education can certainly be one of them

REFERENCES

1. http://www.indiatribune.com/index.php?option=com_content&id=7659:hurdles-in-implementation-of-right-to-education-act-in-india-&Itemid=460
2. <http://infochangeindia.org/education/backgrounders/challenges-in-implementing-the-rte-act.html>