



## IMPLEMENTING RIGHT TO EDUCATION: ISSUES AND CHALLENGES

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### ABSTRACT

*'Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. This UN recommendation has been reinforced in the provisions of the Right of Children to Free and Compulsory Education (RTE) Act (2009), which came into effect in India on 1 April 2010, enshrining in law for the first time the rights of all Indian children aged between six and 14 years to free and compulsory elementary education regardless of caste, class, gender, etc. The RTE Act, though deserves due credit for laying down in fairly specific terms state's responsibility towards education, it would be appropriate to examine the status and awareness on the part of schools and concern authority to provide free elementary education to the children aging between six to fourteen years of old. Two years have already passed since implementation of the RTE Act in Haryana but so far there has been some progress only in terms of enrollment/basic infrastructure but towards guaranteeing quality education in terms of student learning the state has not achieved much.*

### INTRODUCTION:

Till the nineteenth century, education in India was an exclusive right available only to a small section of society. Under British rule, in spite of compulsory education laws, not much progress was made in this direction. "The State shall endeavor to provide within a period of 10 years from the commencement of the Constitution, free and compulsory education to all children until they complete the age of 14 years" . But nothing much happened towards universalization of elementary education.

In the review of the policy in 1990, it was recommended to include Right to Education as a fundamental right in the constitution, on the basis of which National policy on Education 1992 was formulated. Thus, right to education, understood ,(a) every child/ citizen of this country has a right to free education until he/she completes the age of fourteen years and (b) after a child / citizen completes 14 years, his/her right to education is circumscribed by the limits of the economic capacity of the State and its development".

### THE HARYANA RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION RULE, 2010

Exercising the power granted by section 38 of the Right of Children to Free and Compulsory Education Act, 2009, the Government of Haryana formulated and implemented "The Right of Children to Free and Compulsory Education Rule, 2010". It came into force in



Haryana on 1 November, 2010. The rule consists of eight parts. Part. I of the rule is preliminary and defines various terms used in the said rule. Part II of the rules discusses about Right of Children to Free and Compulsory Education. Part III mentions duties and responsibilities of government, local authority etc. Part IV tells about responsibilities of schools and teachers. Part V deals with school management committee. Part VI tells about teachers' qualification and related issues. Part VII discusses about curriculum and completion of elementary education. Part VIII deals with protection of right of children. In fact, the spirit of the Government of Haryana rule as regards to free elementary education is same like that of the Right to Education Act, 2009. It includes issues in relation to implementation of rules in local conditions.

### **PURPOSE OF THE STUDY**

The Indian elementary education system has been successful to some extent in achieving higher levels of funding, access, enrollment and infrastructure. However, high drop-out rates, low attendance, universal, equitable and quality elementary education for all continue to be a challenge<sup>10</sup>. The RTE Act is a path breaking Act in the history of Indian Education towards providing quality elementary education to all, it is not without loopholes. The purpose of this research study is to reveal the status of implementation of RTE in rural government schools in Haryana and to examine awareness and understanding of the provisions of RTE amongst teachers, parents and children. The investigator was attached to a government school in rural Haryana as a part of NCERT's field experience programme for a period of three months. The present study findings are based on the field experience of the investigator in the school and observation/interaction with the teachers, parents and children in nearby government schools. The observations and opinions of the teachers, parents and children on various provisions of RTE Act helped in examining the awareness and understanding of the provisions of RTE.

### **RESULTS AND DISCUSSION**

#### **PHYSICAL INFRASTRUCTURE AND OTHER RESOURCES**

The Act says that school building should be an 'all weather' structure, and should include an office cum store for the head teacher, separate toilets for boys and for girls, a kitchen for cooking the free mid day meal that children are provided, have access to safe drinking water, a library, a playground, and barrier free access.

Two schools reported that earlier when mid day meal was cooked in the school they did not have kitchen in the school and therefore were cooking in the school premises itself. The Head teachers shared that some days back they got instruction from their education office to get kitchen constructed in their respective schools. The kitchens were not required now in the schools because mid day meal is been provided in these government schools nowadays by a private agency ISKON but they were forced to get the kitchen constructed as it was required as per norm. As per the RTE Act, even though every school need to have access to safe drinking water and a library the investigator found that most of the schools have no access to safe drinking water and library. The investigator observed that one newspaper used to come in the school but students were not allowed to read this and were



seldom read by teachers. When investigator asked about the facility of library, the head teacher shared that their '*school receives some books from the government but lending these books to students are not done because students do not use them properly*'. The library in rural schools plays a significant role in the school curriculum'. School library resources play an important role in informing, educating, entertaining, and enriching students. When students are able to explore meaningful information they want, they learn faster and their literacy skills also grow rapidly; they learn how to learn.

### **AGE APPROPRIATE CLASSROOMS**

Act provides children above six years, who have never been admitted to any school or, having been admitted have not completed elementary education and have dropped out, the right to be admitted to a school in a class appropriate to his/her age for completing elementary education. The Act facilitates a child admitted to an age appropriate class to be given Special Training to enable him/her to be at par with other children. The RTE Rules also states that children admitted after six months of the beginning of the academic session may be provided Special Training as determined by the Head Teacher of the school to enable him/her to complete studies.

### **QUALITY OF TEACHERS**

Quality is an integral aspect of the RTE Act. Part V of the RTE Act<sup>8</sup> clearly specifies those terms, under which the quality of elementary education is to be ensured, which include a comfortable teacher-student ratio, curriculum reform and improvement in evaluation methods. But the success of these measures largely depends on teachers, and that is where the system is facing problem. The teacher student ratio in these schools follows RTE norms. But with regard to the curriculum reform and improvement in evaluation there is little awareness. The investigator observed teachers still following the traditional pattern of making students read chapters and then write some questions from the textbook or the guidebook. Students in all schools use guidebooks suggested by their teachers. Guidebooks have turned out to be reference books for students. Though teachers did not admit of suggesting students to use these guidebooks but in informal talks they submitted that the guidebooks are quite detailed so students are able to understand the topic from these guidebooks better than the textbook. Haryana has developed workbooks in different social science subjects. These books have all sorts of questions-small, long, map work, multiple choice as well as questions on pictures but students were hardly observed using this workbook. This workbook is meant to be done in the classroom but as children shared with the investigator their teachers told them to do it at home. With regard to the evaluation methods the investigator found out that schools were following CCE as they understood it. The methods adopted for the continuous evaluation were monthly unit tests, half-yearly examination and annual examination etc. No school has made it mandatory to pass any examination for going to the next higher class. Not all, but some schools have got profile books for every student where a teacher can record things about the individual student. In these profile books several things are mentioned covering different subjects and areas which are required for assessment.

## TEACHER TRAINING

The Act8 demands for qualified teachers and also makes way for teachers to receive in service training to enable them to acquire the requisite certifications within a period of 5 years. Research22, 23 shows that teacher qualification, preparation of teaching and learning, content knowledge, and experience, are important factors contributing towards teacher effectiveness. The in service teacher training helps the teachers to be more systematic and logical in their teaching style24. The investigator observed that though, most of these government schools had qualified teachers, they had little information about advances in different subjects and they were not equipped to take corrective action as the law prescribes regarding CCE.

## SCHOOL MANAGEMENT COMMITTEES

To encourage parent and broader community participation in school monitoring and decision-making the ACT makes provision8 for schools to form a School Management Committee (SMC) with at least 75% of parents of children in the school of which fifty percent are to be mothers. SMC's are empowered to monitor the performance of schools and the use of government grants, to prepare school development plans and to fulfill other functions prescribed by state governments. During three months study the investigator did not find any parent teacher meeting or meeting of SMC members. The Head teacher and other school teachers in their informal talks shared that '*parents are not interested in coming to school because for them coming to school simply means losing a day's salary*'. So provision of SMC does not have any meaning for these schools where children are first generation learners and where parents are daily wage manual labourers.

## EXERCISE OF RIGHTS

The rights of pupils to education include right in education and in the classroom. This Act not only bans the corporal punishment of children but has also made it an offence to subject them to mental harassment. The Act makes provision of the establishment of the National/ State Commissions for Protection of Child Rights. In Haryana, Right to Education Protection Authority has been set up as an interim measure. One of the most important observations is that physical punishment or mental harassment is not a practice in any of the school. But the investigator did not observe any designated authority at the habitation level where violations of the Act can be registered, investigated and responded within a definite time frame.

## PERCEPTION OF CHILDREN

The investigator observed that most of the children are not aware of the benefits of the RTE Act. It is important to note that majority students are dissatisfied with the cleanliness of the schools; boring teaching methods followed in the schools; attention given by the teachers to the children; regularity of classes. They also shared that principals and teachers do not motivate children in the schools. In one of the schools while talking to students about their aspirations the investigator found one girl with tears in her eyes saying, '*ye log hausla nahi dete*'. This reminds the investigator of famous lines, '*manzil na de chirag na de hausla to de*'



. In schools of Haryana students use NCERT textbooks published by their state and in these NCERT books there are many activities and questions which promote critical thinking. But the investigator observed that many such questions and activities were not done with students and when the investigator discussed the content of these textbooks, raised questions, conducted quiz, role play and other such action oriented exercises, students found the subject to be very interesting. Workbook activities were done by students regularly during the study period and for all this a few words of appreciation-motivation was required. As teachers, we know that if our students are motivated to learn, our work becomes a pleasure.

### RECOMMENDATIONS

As per the Act, existing schools were required to make basic infrastructures available within three years of enforcement of the Act. Two years have already been passed after enforcement of the Act but still most of the schools in Haryana are lacking requisite infrastructures. Government should immediately take action to ensure all the basic facilities in the school like safe drinking water, library etc.

It is observed that head masters are not very clear about the procedures for admission laid down in the Act, such as, how to give admission to a child who is above six years and so far not enrolled in the school; how to give special training to such students etc. Thus, an orientation programme should be organized for the head masters and the senior teachers who are in charge of admission or usually are given charge in the absence of a head master.

As stated by most of the parents and children, teaching should be activity oriented and students should be given basic knowledge of computers. Most of the students in these schools come from lower economic group, at times it becomes difficult to make them understand the subject. So pre-nursery or classes before Class should be arranged for these children by the government. This will help them to grasp the teaching easily. As observed SMCs do not play their required roles in these schools. The head teacher and other teachers shared their difficulty in dealing with uneducated parents of most of the children who are not bothered about their children's education. So something should be done to orient parents also so that they become aware of their roles and responsibilities. Government should instruct head masters to strengthen activities of school management committee. It should be actively involved in the preparation of school development plan and monitoring of working of the schools. The head masters and teachers should be involved in motivating the non-enrolled children to join in the schools.

### CONCLUSION

Government has enacted and implemented the Act in the right spirit towards providing quality elementary education to all. Most of the investigated schools are able to fulfill basic infrastructure except a few but with regard to curriculum, assessment, teachers training and other related issues they are lagging far behind. The observation and findings from the interview and questionnaire show a wide gap between what was expected and what has so far been done. The findings show that so far there has been some progress only in terms of enrollment/basic infrastructure but towards guaranteeing quality education in terms of student learning the state has to go a long way. Further, from the findings of the study, it



can be concluded that most of the parents are aware about the free education provided to the students of elementary schools. But, many of them are not aware of the benefits provided to the children. Similarly students are also not aware of their rights. Therefore, as per the findings parents and children should be made aware about the benefits and provisions provided in the Act.

#### REFERENCES

1. Aradhya N. and Kashyap A., The 'Fundamentals' of the Fundamental Right to Education in India, Books for change, Bangalore (2006)
2. MHRD: National Policy on Education (New Delhi, MHRD), para 4(4) (1968)
3. Model Rules under the Right of children to free and compulsory Education Act (2009)
4. Rules for Haryana state under the Right of children to free and compulsory Education Act (2010)
5. Right to Education Act: Key Gaps in Policy and Implementation, Azim Premji Foundation (2011)