

## RTE, 2009: Implications in Indian Education System

Goutam Banerjee<sup>1</sup>, Dr.Ratan Kumar Barai<sup>2</sup>

<sup>1</sup>Research Scholar, Department of Education, Sri Satya Sai University of Technology and Medical Sciences, Bhopal, Madhya Pradesh, India

<sup>2</sup>Principal, Dr.B.R.Amdekar PTTI College, Bethuadahari, Nadia, West Bengal, 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. It forms the basis for lifelong learning and inspires confidence to face challenges. It provides the skills to individuals to become more self reliant and aware of right opportunities. It also enhances the ability of individuals to act more responsible and more informed citizens and have a voice in politics and society, which is essential for sustaining democracy. It is essential for eradicating poverty and it allows people to be more productive and playing greater roles in economic life and earning a better living. The education is the key which allows people to move up in the world, seek better jobs, and ultimately succeed in their lives. So education is very important, and none should be deprived of it. The importance of primary education has been neglected by India since independence knowingly or unknowingly. However, Government of India now is willing to improve primary education by bringing legislation i.e. Right to Education. The paper tries to bring out the meaning of much awaited Right to Education (RTE) 2009, act and tries to bring out the critical appraisal of the Act after three years since its passage.**

**Index Terms – Education, Right to Education Act, promises of the act, consistent political will and attention.**

### I. INTRODUCTION AND LITERATURE REVIEW

Education is now widely valued not only for its intrinsic value in enriching the lives of individuals but also for its functional value in the development of the human capital of a nation. Educational investments in children have been shown to have high private and social returns. The private returns are associated with increased productivity and earnings in adulthood, and with further non-pecuniary gains arising from the greater efficiency with which educated individuals are

able to acquire and process information (Rosenzweig 1995). The social premium to education over and above the private value includes further productivity increases arising from knowledge spillovers, gains in health for one generation that flow from gains in education for the previous, and the improved functioning of civic society and democracy. These examples illustrate that widespread education not only helps growth through productivity effects but is also crucial to distribution of the gains from growth. Growth in a society in which most people have a basic education is most likely more pro-poor than growth in a society in which the educated are the elite few. Also, there is widespread evidence of an inter- generational correlation in educational attainment (Becker and Tomes 1986), at least some of which is thought to be causal (e.g. Lleras-Muney 2001, Chevalier 2004). To the extent that the impact of parental education on child education is causal, there are significant knock-on effects of public investment in education. In other words, they payoff to policy immediately goes up because investments in education at any one time have a multiplier effect, yielding additional benefits in the future. In summary, education is a powerful tool for reducing poverty, unemployment and inequality, improving health and nutrition and promoting sustained human development led growth (World Bank (2004), p.69). One of the Millenium Development Goals (MDGs) agreed in September 2000 at a UN summit of world leaders is the achievement of universal primary school Attendance for boys and girls, this, of course, implies a complete closing of the gender gap. It also requires a 100% primary school completion rate, that is, that all students entering grade 1 are retained until grade 5. The MDG couched in these terms reflects recognition

of the importance of basic (primary) education. This is particularly pertinent in India where primary education has historically been neglected by the state, with educational expenditures being concentrated on the tertiary sector (e.g. Dreze and Sen 1995). As a result, there are vast inequalities in educational attainment in India, a remarkable degree of illiteracy coexisting with frontier research in science and technology. India is also marked for being one of the group of countries in South Asia and Northern Africa where outcomes tend systematically to be better for boys than for girls, suggesting gender discrimination or at least undesirable gender differentiation. A further reason that India offers an interesting case study is that it exhibits striking diversity in educational indicators across its states that, in further work, we will exploit to consider more carefully the sorts of policy interventions that are likely to be effective. With India being such a large country, sample sizes available for statistical analysis are large, allowing more general pursuit of heterogeneity in the data- for example by religion (Muslims have lower educational attainment than Hindus) or by caste (scheduled castes and tribes exhibit lower educational attainment than the higher-castes).

#### Right to Education Act: Background and Meaning

Every child between the ages of 6 to 14 years has the right to free and compulsory education. This is stated as per the 86th Constitution Amendment Act added Article 21A. The right to education act seeks to give effect to this amendment. The government schools shall provide free education to all the children and the schools will be managed by School Management Committees (SMC). Private schools shall admit at least 25% of the children in their schools without any fee. The National Commission for Elementary Education shall be constituted to monitor all aspects of elementary education including quality.

December 2002

86th Amendment Act (2002) via Article 21A (Part III) seeks to make free and compulsory education a Fundamental Right for all children in the age group 6-14 years.

October 2003

A first draft of the legislation envisaged in the above Article, viz., Free and Compulsory Education for Children Bill, 2003, was prepared and posted on this website in October, 2003, inviting comments and suggestions from the public at large.

2004

Subsequently, taking into account the suggestions received on this draft, a revised draft of the Bill entitled Free and Compulsory Education Bill, 2004.

June 2005

The CABE (Central Advisory Board of Education) committee drafted the „Right to Education“ Bill and submitted to the Ministry of Human Resources and Development (MHRD). MHRD sent it to NAC (National Advisory Council). NAC sent the Bill to Prime Minister for his observation.

14th July 2006

The finance committee and planning commission rejected the bill citing the lack of funds and a model bill was sent to states for the making necessary arrangements. (Post-86th amendment, states had already cited lack of funds at State level) July 19, 2006 Campaign against Child Labor (CACL), National Alliance to Fundamental Right to Education (NAFRE), CABE invited Indian Literacy Project (ILP) and other organizations for a Planning meeting to discuss the impact of the Parliament action, initiate advocacy actions and set directions on what needs to be done at the district and village levels.

Present

The present Act has its history in the drafting of the Indian constitution at the time of Independence. However, are more specifically to the Constitutional Amendment that included the Article 21 A in the Indian constitution making Education a Fundamental Right. This amendment, however, specified the need for a legislation to describe the mode of implementation of the same which necessitated the drafting of a separate Education Bill. The rough draft of the bill was composed in year 2005. It received

much opposition due to its mandatory provision to provide 25% reservation for disadvantaged children in private schools. The sub-committee of the CAGE which prepared the draft Bill held this provision as a significant prerequisite for creating a democratic and egalitarian society. Indian Law commission had initially proposed 50% reservation for disadvantaged students in private schools. The government drafting this piece of legislation, however lost the elections, and the new government came up with its own version. This passed the approval of the cabinet on November 1, 2008, was tabled in Parliament in 2008 and passed in 2009.

## II. RESEARCH METHODOLOGY

The study is based on Primary and Secondary data. Various techniques of data collection such as observations, interviews and online questionnaires were administered. The random sample of 200 people mainly educational administrative authorities, principals, teachers of primary schools was interviewed. Online questionnaires were administered on the service class people. The sampling used is random and convenient sampling. Published reports, news reports of news channels, articles in journals and newspapers, websites, blogs were used.

## III. FINDINGS

1. Age Group in RTE: RTE talks about the age group which starts from the age 6. However, in India the elementary education starts with the age of 2 and half years of age. The schools take the kids in pre-nursery if they are three years of age. A child who has an early schooling since the age of 3 will be far ahead from the child who enters the school at the age of 6. Therefore, the act does not take care of the age below six. The age taken can not be justified and right. The act should be reviewed again and the age should be revised in this regard.

2. Promises of RTE: RTE promises a lot as said before, however the challenges to achieve the objectives and promises are many. Some of the main challenges brought forward are as follows:

**Financial Challenges:** Government of India is already beset with various financial hurdles and challenges because of the implementation of RTE. According to Act the fiscal burden has to be shared between the center and the states in the ratio of 55:45 and 90:10 for the North-Eastern States. This project involves funds to the tune of Rs. 15,000 crore. Many states of India like Bihar, Uttar Pradesh and Punjab have already expressed their incapability to mobilize funds that they would not be able to implement the Act in the absence of funds from the center and a situation of dispute has raised between the center and the states. The state of Orissa wants the same status as by the North Eastern states with respect to the Act. The achievement as far as the financial matters are concerned largely depends upon the co-operation between the states and the center. It has been reported that the striving project is already falling short of around Rs. 7,000 crore in the very commencing year. In view of the fact the Act involves improving the infrastructure of schools, training of teachers, creating more facilities in the schools besides the manifold increase in intake, big investments would be involved and it is an uphill task to predict how the economics of it all will be worked out.

**Challenge of Hiring Qualified Teachers:** The scarcity of good and qualified teachers for government schools is going to be one of the hardest tasks to be achieved in implementing the act. The teachers are considered to be the backbone of education, in their absence the act cannot achieve the goals.

**Quality in Education:** Human Resource Minister has paved the way for huge challenges ahead by promising quality education to all. As it has already been brought out that it will be difficult to do so in the absence of good teachers. The Act says that no student would be dropped from school or not passed till the age of 14. The starkest finding of three consecutive annual statuses of education reports published by Prahtam, a community-based organization, reveals more than half of class V students across India's government primary schools, can't read basic class II textbook. This raises the quality issues being compromised through the act.

**Enforcement of 25% Quota for Weaker Sections:** The act gives a clause of reservation of 25% of seats for weaker sections by private unaided schools turns out

to be a boon or a bane. By this clause the government itself accepts that the government schools are not capable of giving good quality education. Meanwhile, confront is to define weaker sections.

The Teachers of Primary School Should be Free from Extra duties: According to the teachers of primary schools in Mohali city the teachers are involved in many other duties other than teaching for example, the maintenance of building, to supervise the construction work and supply of the material, to check the preparation of mid-day meal and to send the correspondences. All these disturb the main function of the teachers. Their main duty is to provide education to the children. Therefore, it is suggested that the teachers should be involved into their basic duties of imparting education.

Active Youth, NGOs and Civil Society's Participation: The awareness through civil society, youth, and NGOs has to be made for the weaker section to avail the rights and to accept them as a part of our society. All of us have to accept them with open heart to study with our kids" disregard of the fact of their socio-economic background.

#### IV. CONCLUSION

Therefore, in the concluding remarks it is wished to state that passing an act is not sufficient. The need of hour is to implement and monitor the act properly. The consistent monitoring and intention of the political will is a must to make it successful. According to the UNESCO's „Education for All Global Monitoring Report 2010“, about 135 countries have constitutional provisions for free and non-discriminatory education for all. The much-awaited Right to Education (RTE) Act which has been passed by the parliament of India should play an important role in achieving universal elementary education in India. The success and failure of RTE would largely depend on consistent political attention. Budgetary allocation of funds should be sufficient in this respect. The youth and civil society in India should come forward and spread the usefulness of education to illiterate parents who are unable to appreciate the relevance of education in curbing the social evils. Social inequalities and monopolization by any group should not be permitted

at any cost. Education which is free of cost up to a certain age must be accessible to all. . The right to education is a fundamental right and UNESCO aims at education for all by 2015. India along with other countries of the world should also put sincere efforts to make this goal a real success.

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