

Right to Education Act: Claiming Education for Every Child

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Abstract

Educational rights are prime reality for India's millions of children who can be rightfully termed as social categories at risk of exclusion. These children have been deprived of education of minimum quality while some of them remain even beyond the reach of formal schooling. The irony is that their educational deprivation is obtained at the backdrop of India's most enabling constitutional guarantees, judicial and legislatures that are well-equipped to protect and uplift the pathetic existential conditions of these social groups. A conscious neglect of school education in the initial decades of independent India is termed by Dreze and Sen(2013) as a 'home-grown folly'. 1 This study aims to investigate the challenges of the Right to Education Act, 2009 among Primary School Teachers of Purnea district of Bihar. A descriptive survey is used in the study. The information was gathered from as many in-service teachers as possible working in primary schools of Purnea. A questionnaire with open-ended objective questions was created to investigate teachers' perspectives, challenges, and suggestions regarding the RTE Act. The study's findings revealed a significant gap between policy involvements and how they are actually perceived and implemented in the field.

Keywords: Education, Challenges, Primary School Teachers, Compulsory, Elementary Education.

Introduction

Education is now encyclopedically valued not only for its congenital valuation in enriching the life of individuals but also for its functional value in the development of the human capital of a nation. Yet if we discern the grounds responsible for demarking the boundaries between developed and underdeveloped nations, education emerges as the single most vital factor spinning the wheel of progress in the developed nations. It has been neatly validated that an educated citizen not only enhance the economic and social status of the nation but certainly improvise and alchemize the political scenario also. India has undergone significant educational expansion in recent years, but the overall educational attainment remains low (Desai and Kulkarni 2008). It is pity that our great nation failed to eradicate the menace of illiteracy even after 75 years of independence. The importance of primary education had been neglected by India since independence knowingly or unknowingly. However Government of India is willing to improve primary education by bringing the legislation i.e. Right to Education. It was the 86th constitutional amendment made by the Parliament and Article 21 A in the year 2002 which made Right to Education a Fundamental Right. Subsequently, Right to Free and Compulsory Education Act was approved by the President of India on 26th August 2009. India became one of the 135 countries to make education a fundamental right for its citizens, when the act came into force on 1st April 2010. It put the 'Right to Education' at par with 'Right to Life'. This act bounds all the stakeholders like parents, schools, teachers, society, states as well as central governments to play their roles in order to provide free and compulsory education to the children between 6 to 14 years of age. The RTE Act clearly demonstrates the Government of India's determination to provide education to every child owing to Universalisation of elementary education. The RTE Act of 2009 establishes education as a fundamental right for all children and is the first Central legislation on school education. When Article 21-A and the Right to Education (RTE) Act, 2009 went into effect in 2010, the country reached a watershed moment. It is a 'historic'

piece of legislation passed by our legislature. Prior to this amendment, free and compulsory education was listed as one of the "Directive Principles of State Policy" in Article 45. Article 45 states that the state must provide free and compulsory education to all children until they reach the age of fourteen. The RTE Act establishes a justifiable legal framework for children in order to provide free and compulsory elementary education. 'Free Education' means that no child who has been admitted to a school supported by the government is required to pay any fees or expenses. The RTE Act is accompanied by the hope that the values of equality, social justice, and democracy will be restored.

Objectives of the Study

- A. This research is necessary to understand the main provisions and features of the RTE Act 2009.
- B. Investigate measures for closing the RTE Act implementation gap.
- C. To learn about the difficulties that primary school teachers face in implementing the RTE Act.

Statement of the Issue

The current study's problem is titled the Right to Education (RTE) Act of 2009.

Review of Related Literature

Research follows in the footsteps of knowledge accumulated in the past as a result of continuous human achievement. It can never be done in isolation from previous work on problems that are directly or indirectly related to the researcher's proposed study. One of the most important steps in the planning of any research study is a careful review of research journals, books, dissertations, thesis, and other sources of information on the problem to be investigated. A review of related literature provides theoretical context as well as empirical support for the study. This assists the researcher in selecting a novel and significant problem for investigation.

Mohalik, R. (2017) conducted a study to examine the state of Odisha's awareness, steps, and issues in implementing the RTE Act, 2009. The study found that the majority of head

teachers and School Management Committee members are aware of the Right to Education Act; the government has also taken initiative for Children with Special Needs by providing facilities such as ramps, aids and appliances, wheelchairs, and special trained teachers and home service to these children; and the government has also taken steps such as developing training and assessment modules for admitting 45 children out of schools. There are no out-of-school children who have enrolled in schools in accordance with the Act's guidelines; the Odisha Government has also designated Teacher Education and State Council of Educational Research and Training (TE and SCERT) as academic authorities for this act and established the Odisha State Commission for Protection of Child Rights (OSCPCR); and the Central Government must provide financial assistance for infrastructure amenities in order for the Act to be fully implemented.

L. Paikaray (2015) investigated the efficacy of community participation in the universalization of elementary education in Odisha. According to this study, 50% of rural MTA members said there are no separate washroom facilities for girls at their school, while 70% of rural MTA members said there is no separate Kasturba Gandhi Balika Vidyalaya for girls, and 50% said there is no boundary wall in their schools. As a result, the government takes the initiative to provide various provisions for all elementary schools in order to achieve the UEE goal. This study also found that 65% of elementary schools have four and above teacher still we found that 35% of school have not adequate teacher for each classroom, the study also found that 50% untrained and irregular teachers in tribal area school, though it is a norm in SSA and RTE Act, 2009 recommends that "At least one teacher in each class and the teacher-pupil ratio must be 1:40". As a result, governments must take steps to appoint trained teachers in tribal-focused elementary schools in order to ensure the smooth operation of the school and the achievement of the UEE goal.

Bajpai, B.K. (2014) conducted research on RTE norms and elementary education performance in order to assess the progress and implementation of the RTE Act, 2009 for the development of elementary education. The study discovered that progress and implementation of the RTE Act, 2009, have a significant impact on elementary education development. Chandrappa, (2014)

Thote, Mathew, and Rathoure (2013) conducted a study to determine awareness of the Right to Education Act - 2009 among Primary School Teachers in Morena District, Central India. The data was gathered using a questionnaire designed specifically for this purpose. The questionnaire contains 40 questions about the Right to Education Act. The questionnaire was used to conduct a survey among 200 respondents. The collected data was organised and analysed using mean, standard deviation, and the 't' test. The findings revealed that primary school teachers in the Morena district are well-versed in the Right to Education Act. According to the survey results, awareness of the Right to Education Act should be promoted.

Gadam (2013) conducted a study entitled "Teacher Awareness of the Responsibility under Right to Free and Compulsory Education Act". The study's findings revealed that teachers' experience and educational qualifications had a significant impact on their awareness of their responsibilities under the RTE Act. Teachers with extensive work experience and educational qualifications demonstrated a greater understanding of their responsibilities under the RTE Act.

Methodology

The descriptive survey method was used to conduct the research.

A sample of 120 in-service teachers from Purnea's Primary Schools was chosen. For the Act's challenges and suggestions, an open-ended multiple-choice questionnaire was developed for teachers, which included questions about teachers' perspectives on the RTE Act, as well as problems and suggestions given by teachers in relation to the RTE Act.

Data Collection

The questionnaire data was subjected to content analysis. Both Primary and Secondary data collection was used, interpreted and further analysed.

RESULTS AND DISCUSSION

Objective - I

A. To study about the main provisions of the RTE Act 2009. The following are the main provisions of the Act.

Free Elementary Education

In a neighbourhood school, all children aged 6 to 14 years receive free elementary education. The RTE Act states that no financial constraints can "prevent" a child from enrolling, attending, and completing elementary school. In other words, if a child lives in a remote area, free transportation or (a residential facility or some other facility) will be part of the child's entitlement to education; if a child is disabled and requires crutches to work to school, crutches or some other facility that allows him to go to school will be part of his entitlement under the Act.

Compulsory Elementary Education

The term "compulsory" has implications for the government, alone. In other words, while it is the responsibility of parents to send their children to school, it is also the responsibility of the government to ensure not only enrollment but also attendance and completion of elementary education. This implies that it is the obligation of the government to do the needful.

Age-Related Education

1. This means that children will be enrolled in the appropriate class for their age. In other words, if a 10-year-old has not attended school or has dropped out, he or she will be enrolled in class 5.
2. The student will also receive specialised training to bring the child up to age appropriate levels.

Quality Norms for all Schools

All Schools Must Meet Quality Standards The act establishes some fundamental standards for all schools.

1. The student-teacher ratio cannot exceed one: thirty.
2. Minimum number of school days in a year: 200 for primary and 250 for upper primary.

Qualification for Teachers

1. Within 5 years, all teachers must adhere to minimum qualification and training standards established by academic authorities.
2. Para teachers are prohibited.

Curriculum in accordance with the Constitution

1. This means that curriculum and textbooks must adhere to constitutional values. It implies that communal agendas cannot be included in the curriculum of any school in the country.
2. Syllabi and books must also take children's ages and learning levels into account.

The evaluation system will be based on the Continuous and Comprehensive Evaluation Principle.

1. There will be no failures until the elementary cycle is completed.
2. Evaluation should take place throughout the year rather than just once a year.

The role of Panchayati Raj Institutions

(PRIs) has also been expanded to include grievance redressal in cases involving violations of children's rights under the RTE.

Civil Society Participation

Teachers have been held accountable to the SMCs.

Reservations in Private Schools

If 25% of the seats are not filled within the neighborhood's standard limits, the definition's limits will be extended.

To learn about the attributes of the RTE Act of 2009.

1. According to the act's provisions, the state is required to provide free and compulsory education to all children aged 6 to 14.
2. The act gives a child the right to go to a school and apply for admission even if they have no formal education.
3. The act also grants a child the right to apply for admission to a school at any time during the academic year.
4. The act states that no child shall be denied admission if he or she is unable to provide proof of age.
5. The act also requires private educational institutions to reserve 25% of classes beginning in class 1 in 2011 for disadvantaged students.
6. Section 28 of Chapter IV of the Act forbids teachers from engaging in private tuition or private teaching activities.
7. Section 17 (1) of Chapter IV of the Act forbids schools from using physical punishment or mental harassment.
8. The act also requires that every school have basic facilities such as adequate teachers, a playground, and infrastructure.
9. The act includes a new concept of neighbourhood schools.
10. The act also includes a provision for children from underprivileged and disadvantaged groups who attend unaided and private schools.

Objective - II

To investigate measures for closing the RTE Act implementation gap.

Teachers are the foundation of high-quality education. As recommendations, Twenty percent (20%) of teachers agreed on one suggestion: proper training and guidance for teachers so that they can understand the key points of the RTE Act.

- a. An additional 18% of teachers demanded special provision in schools for counsellors and special educators to meet the needs of CWSN and disadvantaged children.

b. Thirteen percent (13%) of teachers believe that more classrooms are needed to maintain an optimal pupil-teacher ratio in schools.

c. Fourteen percent of teachers (14%) agreed that government, private, and religious authorities, as well as parents, should be actively involved in school supervision.

d. Ten percent (10%) of teachers responded that they should not be given administrative work, and 7% of teachers responded that parents should be made aware of the importance of education, while 5% of teachers agreed that there was a need for commitment from all sections of society, including parents, community, civil society, private sectors, government, and non-governmental organisations, as education of the child is not solely the responsibility of the school. To make it more realistic, the sections of the RTE Act requiring no detention policy and age and grade appropriate placement of children must be modified.

Objective - III

Challenges in Implementing the Right to Education Act

On August 4, 2009, the government of India passed the Right of Children to Free and Compulsory Education Act (RTE). Article 21 (A) provides for free and compulsory education for children aged 6 to 14. There have been some significant challenges in implementing the Right to Education Act, which are discussed below.

Lack of Knowledge: Most teachers were unaware of the RTE Act and were implementing it based on their personal knowledge. It is critical for teachers to fully understand the RTE Act so that obstacles during implementation can be minimised. Furthermore, knowledge of the Act will aid them in comprehending it and, eventually, implementing it in accordance with the needs of the situation.

Inadequate Training and Information: The majority of teachers viewed RTE as an important step forward in school education. The majority of teachers responded that the Act ensures equal access to education. The main challenges identified by teachers in the implementation of the RTE Act are a lack of training and adequate information.

Lack of Clarity: Today, nearly half of teachers responded that the RTE Act increases the responsibility of schools and teachers without providing any clarity on how the act will be implemented. It compromises education quality, which leads to questionable implementation. The implementation guidelines are inadequate, and student retention is neglected.

Pupil-to-teacher ratio is high: A large number of teachers stated that their schools had a high pupil-to-teacher ratio. As a result, teachers are prohibited from providing individual attention to students. It also herms the effects of high-quality education. A few teachers felt that the Act was unclear. Teachers responded that the authorities should be more active and motivating in order to improve educational quality.

Dearth of Resources: A critical challenge in implementing the Right to Education Act is a lack of resources. 10% of teachers demanded that resources be improved, including physical infrastructure, monetary and human resources, and so on.

CRTICAL ANALYSIS

The right to an education captures an important reality for India's millions of children, who are rightfully classified as social groups at risk of exclusion. These social groups have been victims of a variety of silent and loud emergencies, including hunger, poverty, destitution, and child trafficking caused by armed and conflict emergencies. These children have been systematically denied access to low-quality education, and some of them will never be able to attend formal school. The irony is that their educational deprivation occurs against the backdrop of India's most enabling Constitutional guarantees, judiciaries, and legislatures that are well equipped to protect and uplift these social groups' pathetic existential conditions. In the educational domain, these constitutional guarantees and legislatures were strengthened when India signed the EFA declaration, the Dakar Framework for Action, the Millennium Development Goals, and the implementation of various commendable educational schemes aimed at the most disadvantaged members of our society. Civil society actors serve as watchdogs and

campaigners to bring the unreached into the fold of basic education. Surprisingly, in the face of such developments, the educational position of disadvantaged children remains pitiful, at the bottom of the heap, leaving millions of people illiterate while they are capable of being educated citizens. As a result of all of this, the rights agenda to Education for All is a difficult and challenging task for an extremely hierarchical social order that is unique to India. It also implies that the Right to Education for All and its realisation extend far beyond the scope of education policies and projects. This necessitates a paradigm shift toward an inclusive and participatory approach to education for all by bridging the gap between educational rights and people's social, political, and economic rights.

According to the discussion above, the main goal of the RTE Act is not being met because only a small number of people, including parents, principals, and teachers, are aware of the act. The RTE Act is certainly increasing children's enrollment in schools, but providing quality education is critical. The right to free and compulsory education aims to provide free and compulsory elementary education of high quality. Teachers must understand their responsibilities and roles in society in this section. Teachers must not only work in the classroom to teach and learn, but they must also provide all facilities for students as required by the RTE Act. Teachers, as providers of educational services, are required to implement the RTE Act, for which they have no clear guidelines. There are no clear guidelines for teachers, who play an important role in implementing the RTE Act. It has a negative impact on the act's implementation. According to the research, teachers require training and materials. Increased teacher awareness will indirectly aid in the development of high-quality elementary education for all.

With increased school enrollment, it is critical that teachers, management committees, and schools have the resources to meet the needs of all children. The RTE Act clearly states the Government of India's commitment to providing education to all children.

CONCLUSION

Despite limitations in its implementation, the RTE Act clearly makes the resoluteness of the Government of India for providing the education of every child and remains a remarkable achievement. The act represents a first step toward an educational system in India that provides equal access, equity, and inclusion for all children. However, simply passing the act is insufficient; the act must also be properly implemented and monitored. Consistent monitoring and political will are required for success. The various provisions of the Act clearly show that the country has prioritised education in its national transformation agenda. It has created a legally protected environment for children to receive valuable education that can serve as a springboard for the future. The act will undoubtedly have a significant impact on improving literacy rates and ensuring children's rightful place in the world.

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