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**Implementation of Right to Education Act-2009- Issues and Challenges Ahead –
A Study of Nagpur City - (2010-2014).**

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Introduction

Education is a dynamic process that starts from birth. Education is the mirror of the society and base of the socio-economic development. It transforms human beings from ignorance to enlightenment, from underdevelopment to faster economic and social development.

The concept of education is like a diamond which appears to be of a different colours (nature) when seen from different angles (point of view or philosophy of life).

Definitions of Education

- Sri Aurbindo (1872-1950) defined 'Education means building of human mind and spirit'.
- Mahatma Gandhiji (1869-1948) defined it as 'All round drawing out of the best'.

Characteristics of Education

- Education is a lifelong process.
- Education is a bipolar process.
- Education is a psychological process.
- Education is a Sociological process.
- Education is a child centred process.
- Education is not information or knowledge.
- Education has three aspects-formal, informal and non formal.

Indian Education Policy

To formulate a coherent education in India Kothari Commission was set up. According to Kothari Commission, education was intended to increase productivity, develop social and national unity, consolidate democracy modernize the country and develop social, moral and spiritual values. To achieve this, the main pillar of Indian education policy was to be free compulsory education for all children up to the age of 14.

Education as a Right

Right to Education is among the listed human rights whose status affects the realization of all other rights. Tomasevski (2005), special UN Rapporeteur on the Right to Education, states that 'the right to education defies classification either as a civil and political right or an economic, social and cultural one. It forms parts of both Covenants and, indeed, all core human rights treaties. Legally, education is

enshrined in all of the major international treaties, starting by the UDHR. UDHR establishes the right to education, in its article 26, in the following manner.

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms.
3. Parents have a prior right to choose the kind of education that shall be given to their children (UNHR, Article 26).

For education to be a meaningful right, it must be Available, Accessible, Acceptable and Adaptable (4-A's).

Availability- that education is free and funded by the government and that there is adequate infrastructure and trained teachers able to support education delivery.

Accessibility- that the system is non-discriminatory and accessible to all, and that positive steps are taken to include the most marginalised.

Acceptability- that the content of education is relevant, non-discriminatory and culturally appropriate, and of quality, that the school itself is safe and teachers is professional.

Adaptability- that education can evolve with the changing needs of society and contribute to challenging, inequalities, such as gender discrimination, and that it can be adapted locally to suit its specific context.

Survival Rate at Primary Level

Survival rate at primary level grade I to V is 78%. National level data 4 reveals that out of survival rate at primary level grade I to V is 78%. National level data 4 reveals that out of every 100 children who enrol in grade I, only 78 are able to complete grade V.

Right to Education Act (2009) : 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.

Some of the Highlights of the Historic Right to Education Act (2009)

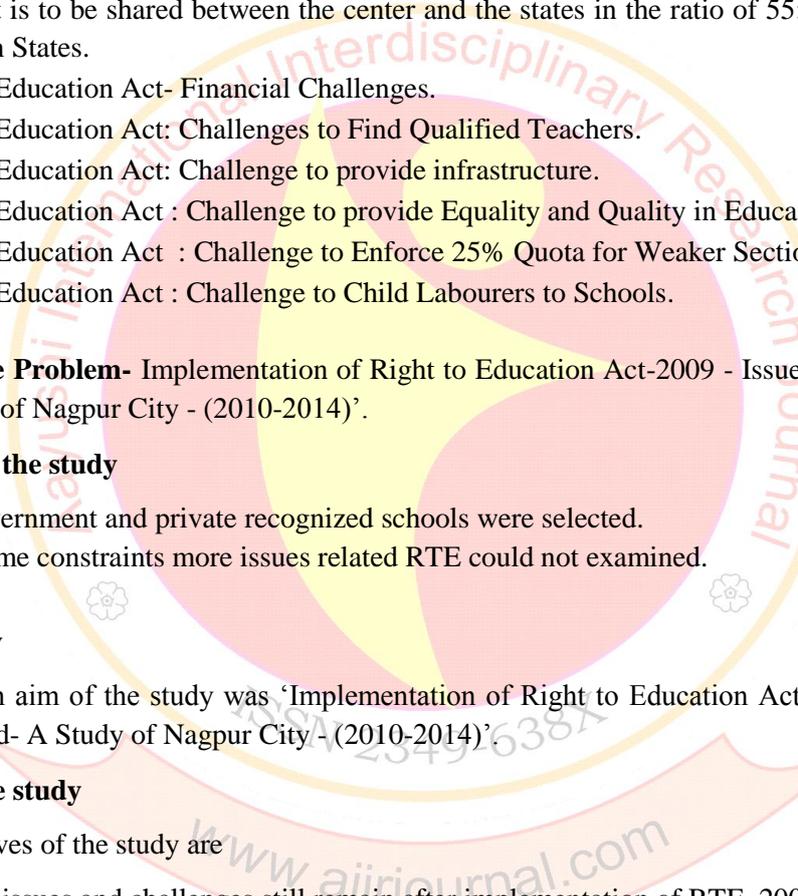
- Every child in the age group of 6 to 14 years will have a right to free and compulsory education in a nearby school.
- Calls for a fixed student-teacher ratio.
- Will apply to all of India except Jammu and Kashmir.
- Private and unaided educational institutes will have to keep 25% of the seats for students belonging to the weaker sections.
- No child would be failed or expelled and will not be required to pass any board examination till the age of 14.

- All students who complete their elementary education will be awarded certificates.
- Financial burdens will be shared between the center and states.
- Infrastructure of schools will be improved. Recognition will be subject to improvement.
- Quality of education will be improved.
- School teachers will need adequate professional degree within five years or else will lose job.
- No child shall be subjected to physical punishment or mental harassment.
- To constitute a school management committee consisting of the elected representatives of the local authority, parents or guardians of children.
- No teacher shall be deployed for any non-educational purposes.
- No teacher shall engage himself or herself in private tuitions.

Some Issues and Challenges in implementation of RTE Act (2009)

The Right to Education Act is already plagued with various financial hurdles and challenges. The fiscal budget is to be shared between the center and the states in the ratio of 55:45 and 90:10 for the North-Eastern States.

- Right to Education Act- Financial Challenges.
- Right to Education Act: Challenges to Find Qualified Teachers.
- Right to Education Act: Challenge to provide infrastructure.
- Right to Education Act : Challenge to provide Equality and Quality in Education
- Right to Education Act : Challenge to Enforce 25% Quota for Weaker Section.
- Right to Education Act : Challenge to Child Labourers to Schools.

Statement of the Problem- Implementation of Right to Education Act-2009 - Issues and Challenges Ahead - A Study of Nagpur City - (2010-2014)'.


Delimitations of the study

1. Only government and private recognized schools were selected.
2. Due to time constraints more issues related RTE could not be examined.

Aim of the study

The main aim of the study was 'Implementation of Right to Education Act-2009-Issues and Challenges Ahead- A Study of Nagpur City - (2010-2014)'.

Objectives of the study

The main objectives of the study are

1. To study issues and challenges still remain after implementation of RTE, 2009.
2. To study the accessibility, availability, adaptability and accessibility of RTE, 2009.
3. To study the issues and challenges for the schools in implementing Act.
4. To study the Teacher-Pupil Ratio.

Justification of the study

1. This study is very significant as this provides an insight into the status of implementation of Right to Education Act in Schools.
2. Creating awareness and understanding of Provision of Right to Education Act-2009 amongst the teachers, parents and to the society is very necessary.

3. The study will be very useful to understand that after implementation of Act, to assess, different issues and challenges still remained.

Hypothesis

The study proposes to test the following hypothesis.

1. There is significant difference in the student-teacher Ratio of government and private schools.
2. The qualifications of teachers and quality education are co-related.

Methodology

Area of Study – The Nagpur city is selected for the present study. Different types of schooling is provided in Nagpur to the children. Some prominent categories of schools are as under.

Sample

Since the study was based on implementation of Right to Education Act-2009-Issues and Challenges Ahead, the subjects were selected from various parts of Nagpur city. The schools were selected as under.

- Government and Government aided Schools.
- Private Schools

Sample Size – A purposive sample of different kind of schools were selected. A sample of 103 schools and 89 teachers was selected.

Method of Data Collection

- A self made structured questionnaire was prepared with close ended as well as open ended questions. The data was collected from School Principals, Management, Parents and teachers of the selected schools. Along with questionnaire observation and interviews were noted down.

Statistical Treatment of Data

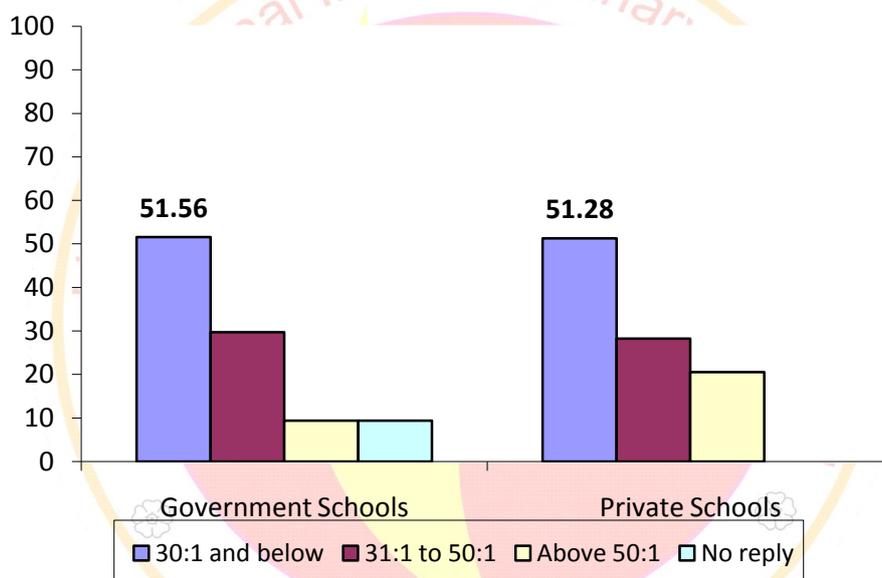
The answers were categorised and percentage, mean, Standard Deviation and students 't' test was used to analyse the data.

Results :

1. The findings of the Provision of Training to the School Teachers Regarding RTE-2009 shows that more number of teachers did not received any training about RTE-2009.
2. The findings of the study of opinion of school teachers regarding not to fail a child up to the age of 14 years, it is seen that large number of teachers from private school teachers are disagree with the statement that no child should be fail up to the age of 14 years which is mentioned in the RTE-2009.
3. The findings of the study of 'Teacher- Student Ratio of government and Private Primary Schools' shows that more schools are having teacher-student ratio of 30:1.
4. The findings of the study of Teacher –Classrooms Ratio shows that large number of both the schools that is government and private schools are having teacher student ratio of 1:1.
5. The findings of the level of 'Teacher's qualifications' shows that more teachers are having qualification till post graduates.

6. The findings of the ‘Infrastructural information of schools’ shows that large number of schools are having infrastructural availability as per RTE-2009.
7. The findings of the study of ‘Availability of Child Counsellors in government and private schools shows that more private schools having child counsellors.
8. The findings of the study of ‘Information about Admissions under RTE shows that private schools admitted more students under RTE-2009 than government schools.
9. The findings of the study on Position of Refund of amount of fees to the schools by the government (2010-14) shows that large number of private schools have received refund of amount of fees by the government for admissions under RTE compare to government schools.
10. The findings of the study on Opinion of school Authorities regarding school dropout rate will decrease by provision of 25% reservation to underprivileged children shows that large number of private schools disagree the statement that provision of 25% reservation to underprivileged children will decrease the school dropout rate compare to the government schools.

Graph showing Teacher – Student Ratio of Primary School.



Suggestions and Recommendations

The study provides the following suggestions.

1. More improvement in the infrastructure like availability of water, sanitation and toilets in schools should be done on priority basis. The incentives like books, uniforms etc. available to the students must be made at the beginning of the session.
2. The government should ensure that all government schools are well equipped with infrastructural facilities and modern teaching technology.
3. Primary schools with all minimum required facilities should be established in the neglected areas on priority basis.
4. Proper training for teachers and staff should be provided to enhance the quality of education.
5. Teachers’ performance is the most crucial input in the field of education. Well qualified and highly motivated teachers are the key to effective implementation of the curriculum. Top

priority, should be given for improvement of in the quality and content of teacher education programmes.

6. More trained teachers should be employing instead of Para-teachers.
7. Pupil-teacher ratio should be strictly maintained as per the requirement.
8. Programme should be implementing in phases, rather than all at once. To make RTE, effective, it should be implemented in phases with close monitoring of effectiveness at every stage. Feedback, so received should be used to improve the system in later phases.
9. Central government should release budget of its share to the states at the earliest. Private schools should get reimbursement of fees at the earliest.
10. Appointment of the Child counsellor is very necessary at every school. Many children are suffering from emotional stress, unable to cope up with curriculum, family background, strict discipline at school, learning disability, slow learners, etc. The consequences of these can be lack of attention, more behavioural problems, and poor achievement, unable to communicate their problems to the teachers and can perform poor in academics. Child counselling as well as parental counselling will be very helpful in solving these issues.

Policy Recommendations

Major Issues Relating to Policy Level Changes

- Government should provide residential school facility for poor children in good quality urban educational institutions or improve public school by giving management to NGOs or private sector which can provide quality as compared to urban high budget schools.
- Redefining the definition of “weaker section” under sub section 2 of RtE 2009, currently includes all economically poor, therefore most of benefits are availed by educationally aware and politically connected parents who are able to manage certificates to meet admission requirements.
- 25% reservation is not enough to accommodate most of poor children. It should be 50% .
- Obtaining Certificates for “Below Poverty line” and “income” certificate are difficult. It should be made accessible for all. Currently they have to go to Block level government office which is quite far and expensive for really poor.
- Reimbursement process- needs to be strengthened in terms of verification of enrolled children by visiting schools, parents. Process should be made more efficient that private school can receive claims quickly. Additional charges should be borne by the government for example, transportation, stationeries and uniform so that poor parents can get access to such high budget schools.
- Monitoring/ verification- government has to develop separate body for monitoring implementation of clause. Government can give responsibility to NGOs and social activists for monitoring at school level implementation and Block level as well as at district level. They can closely look into the matter relating to discrimination, admission process, classroom teaching, and community awareness.
- Discrimination- Strict monitoring and policy provision need to penalise such schools.
- A Workshop and seminars should be conducted at school level to improve the awareness.
- Literature should be provided preferable in the mother tongue so that they may read and understand the Right to Education Act creaky.

- Provision of school counsellor should make more promptly for the personality development of children.

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