

Right to Education & Quality Education in India

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Abstract— Nobel Laureate Amartya Sen aptly quoted that, “Education is the backbone of India.” The constitutional framers realised it long before and inserted Article 45, 41, etc. in the Directive Principles of State Policy to ensure that the educational needs are well catered to by the State. In 2002, vide the 86th Constitutional Amendment; Article 21 A was included which guarantees free and compulsory education to children from six to fourteen years of age. A corresponding duty was levied upon the parents/guardians under Article 51 A (k). The RTE to Free and Compulsory Education Act was promulgated in 2009 with a view to enhance the overall quality of education in the country. However, despite the massive statutory framework, the idea of “free and compulsory education” remains to be a distant dream for the nation.

Key words: Right to Education, DPSP, Indian Constitution, Free & Compulsory Education

I. INTRODUCTION

Article 26 of the Universal Declaration of Human Rights 1948, gave universal acknowledgment to the Right to Education underlying the significance of education in a polity and society. It is highly appreciated that the RTE is not just a fundamental human right, but an enabling right that unlocks the door to reach out to all whilst also laying the foundation of an educated and civilized society. The RTE to Free and Compulsory Education Act was promulgated in 2009 with a view to enhance the overall quality of education in the country.

Introduced under Article 21A of the Indian Constitution, India became one of 135 countries to make education a fundamental right for every child when the Act came into force on April 1, 2010. When the Constitution was adopted, the Right to Education was adopted in Article 45 of Directive Principles of State Policy which was non-justiciable in nature. However, a 1993 judgment of the Supreme Court converted this right to a justiciable fundamental right and an amendment to the Constitution in 2002 made elementary education a fundamental right for all children in the age group of 6-14 years.

The various researches conducted in the field of Right to Education and Right to Education Awareness depicted different results. The researchers like Alston P. and Bhuta N. (2005); Vally S. and Ramadiro B. (2006) expressed their views on the importance of Right to Education claiming it as a base for enjoying all the other Social, Political and Economic rights. The studies conducted by Gamede and Thobekile (2005), Anderson K. (2008), and Senganda, Jaffer (2008) depicted the results about access of Education, which is not fully achieved in the different nations. One of the possible reasons for this may be the Right to Education Awareness. Quinio F., Penh P. (2005), Medvedeva A. (2007), conducted their studies for the awareness of Right to Education. Quinio concluded low awareness among the Government and Non-Government Organisations about Right to Education. Medvedeva revealed that the awareness of students about certain legal provisions in Right to

Education is rather low. Unterhalter E. and Aikman S. (2005), in their research, “denying Kenyan girls their right to education”, revealed that a number of Kenyan girls were deprived of their educational Right.

II. LITERATURE REVIEW: THE REVIEW OF RELATED LITERATURE

Shows that there are very fewer studies which have been conducted on Right to Education, and moreover, very few studies have been found, focused totally on Right to Education awareness. Only a single research, conducted by Garg M. and Srilata (2009) revealed a nonsignificant difference among the Rural and Urban adolescent Girls over Right to Education Awareness, as one of the results of it. Rahman A. (2010) disclosed that just nine months after the Right to Education (RTE) Act was implemented in India, over 10,000 cases of violation have been registered by Delhi Commission for Protection of Child Rights (DCPCR). According to Kanth, the main reason for these violations is lack of awareness among teachers, school authorities and parents alike. Sharma S. (2011) did a survey of several authorized and unauthorized colonies in Chandigarh city, which has the third highest literacy rate and revealed that parents are ignorant of the right to Education. The survey also revealed that the majority of people in these colonies had never heard the word ‘right’ before.

Theoretical framework: Learning takes place at various levels- social, cognitive, behavioral and a lot through communication and other activities. Cognitive, emotional, and environmental influences, as well as prior experience, all play a part in how understanding, or a worldview, is acquired or changed and knowledge and skills retained (Ileris, 2004). Ileris describes the book to be partly ‘a kind of textbook’, partly an ‘academic treatise’ and partly ‘a discussion book’, in that it presents a core argument and personal viewpoint resulting in a new theoretical construction of learning. By linking back to Piaget, Ileris makes the connection between the schematic-development stages of learning and transformational or level-three learning that leads to the changed self. He looks at the relationship between learning and emotion- the self, rather than what we learn. He focuses on personal development and reflexivity- the development of personal qualities and how the individual evolves a perception of the self through reflexivity.

III. OBJECTIVES

This paper studies the various aspects of this Act, its drawbacks, its learning outcomes and whether it has achieved what it aimed to do and set out to attain.

IV. RESEARCH METHODOLOGY

The research method to be adopted is in-depth interviews of teachers and principal in Private School. Teachers, staff, and principal were questioned and data reproduced.

Case Study of a Private School in the rural area: The case study here was New Bal Vikas School, a private school located in Bahadurgarh, Haryana. This was privately funded

by a local businessman who started this school under a Trust. The school was run by the principal Mrs. Pooja Pathak. On interviewing her it was found that her answers to various questions related to the Right to Education Act were unsatisfactory as they reflected unhappiness with the current way in which the Act is implemented. The responses to questions were as follows: The principal was aware of the Right to Education Act and she felt that the Act was made with the objective of improving the education system in India. There is no form of reservation in the school and 90% of the students belong to Other Backward Classes and are from Scheduled Castes and Scheduled Tribes. She feels the children from Backward Classes must be encouraged to go to school as due to the limited income of their families they are unable to do so. However, keeping that in mind, the fees of such schoolchildren in school is merely Rs. 1400/- per month. She said that the school does not get any funding or amount from the government under RTE. She feels that lack of funds is the biggest impediment in the successful running of the RTE Act. Also teachers should take classes more regularly. Right to Education can be a very potent tool to promote standards of good education in the country but it should be implemented in the right way. The establishment of the State Commission was a positive step towards promoting quality education. In order to warn the teachers when they are absent, several warnings are given to them. The students in the private school are not offered midday meals. This school has about 150 students in all classes combined. After admission, only 10% of students take leave and stop coming to school permanently. They encourage having many teachers for a decent teacher-student ratio and so that each and every student gets proper attention from each teacher. Most of the students live close to the school so their attendance is usually not a problem. In case students are absent and stop coming to school after taking admission they are contacted on their mobile phones. If students still don't turn up, the parents are called and contacted; they are given a warning that if students don't come their names will be scrapped from the school. Finally such students who don't come leave the school. There is a School Management Committee which looks into the daily administration and working of the school. The principal strongly feels that the Act is an important step in promoting 100% literacy among the masses. It does away with social discrimination as all students- those of upper and lower classes of society of them come in uniforms. Uniform assists in doing away with the discrimination that exists in the society.

V. CONCLUSION

Results of the present study have shown that the various objectives of Right to Education are not fulfilled yet. Therefore it may be suggested that the aware people as teachers and other educated people must have work for creating awareness about Right to education. Awareness programmes like Lectures, Seminars, Club meetings, Adult Education Programme etc. should be there, which are also recommended by Amod Kanth, the chairman of the Delhi Commission for Protection of Child Rights (DCPCR). The existing schemes like Education Guarantee Scheme, for the migrant children, nomadic children, children of isolated

groups should effectively work for the proper implementation of Right to education. The various bodies which are related with the Education system like Village Education Development Committee, Parent Teacher Association, Mother Help Group etc. can also contribute towards the Right to Education Awareness programmes.

It is noticed that Right to Education Act is a noble Act that set out to achieve basic and free education for all but is mired in controversy and lack of good infrastructure and effective implementation in order to achieve the aim it set out to accomplish. For effective implementation of the Act, there must be full cooperation between parents, teachers and school authorities. It is only when there is good coordination between school staff and government authorities that schoolchildren will benefit and education will reach out to all. One major hindrance in this is that orphans have a problem in getting enrolled in such schools. The Act provides for the admission of children without any certification. However, several states have continued pre-existing procedures insisting that children produce income and caste certificates, BPL cards and birth certificates. Orphan children are often unable to produce such documents, even though they are willing to do so. As a result, schools are not admitting them, as they require the documents as a condition of admission.

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