
Implementation status of Right of Children to Free and Compulsory Education Act 2009: A Case Study of Bhimtal Development Block in Uttarakhand.

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ABSTRACT:

The foundation of the whole education system is based on elementary education. Indian constitution through article 21A and 45 provides a fundamental right for free and compulsory education to all children 6-14 years of age. National education policy states that Life-long education is a cherished goal of the educational process. This presupposes universal literacy. National policy highlights the importance of child-centred and activity-based process of learning at the primary stage. Eleventh Five year plan document had stated that Schools are expected to not just impart education in its narrow sense but, more broadly, to mould children's attitudes. Egalitarian values, compassion, tolerance, concern towards others, respect for cultural diversity, gender sensitivity and health education must be integrated in the curriculum at the elementary stage itself to help develop healthy and humanitarian attitudes. One of the Millennium Development Goals (MDG) is to achieve universal primary education to ensure that all boys and girls complete a full course of primary schooling by 2015. With passage of time demand for basic education continued to grow with increased awareness among the parents. Right of Children To Free and Compulsory Education Act 2009” (RTE Act 2009) provides for free and compulsory education to all children of the age of 6 to 14 years. RTE Act 2009 is a comprehensive act and defines a watershed in journey of improvement in the education system in our country. The present paper is a case study which attempts to evaluate the impact of RTE Act 2009 in Bhimtal development block of District Nainital in Uttarakhand. The paper has also analysed the scope and feasibility of e-learning processes in the study area. Recommendations have been made for effective implementation of RTE Act 2009.

Key Words: Millenium Development Goals, Right of Children To Free and Compulsory Education Act 2009, Sarv Shiksha Abhiyan

The foundation of the whole education system is based on elementary education. Indian constitution in its directive principles of state policy and through the 86th Amandement Act 2002 added new article 21A in part 3 of the constitution that gave a fundamental right for free and compulsory education to all children 6-14 years of age. Article 21A states that the State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine. Article 45 of the constitution in 1950 stated that the State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years. Even after these constitutional provisions the goal of education to al children could not be achieved. The central as well as state governments through various interventions have been engaged in providing facilities to provide education

to its citizens. National policy on education mentions that education has continued to evolve, diversify and extend its reach and coverage since the dawn of human history. Every country develops its system of education to express and promote its unique socio-cultural identity and also to meet the challenges of the times. The National Policy on education 1968 laid stress on the need for a radical reconstruction of the education system, to improve its quality at all stages, and gave much greater attention to science and technology, the cultivation of moral values and a closer relation between education and the life of the people. The national policy on education has been reviewed and amended in 1986, 1990 and later in 1992. In the mean time UN convention on rights of child also came into existence in 1992. The present national education policy states that Life-long education is a cherished goal of the educational process. This presupposes universal literacy. A child-centred and activity-based process of learning should be adopted at the primary stage. First generation learners should be allowed to set their own pace and be given supplementary remedial instruction. *Schools are expected to not just impart education in its narrow sense but, more broadly, to mould children's attitudes. Egalitarian values, compassion, tolerance, concern towards others, respect for cultural diversity, gender sensitivity and health education must be integrated in the curriculum at the elementary stage itself to help develop healthy and humanitarian attitudes.*(Eleventh five year plan 2007-12)

Sarv Shiksha Abhiyan (SSA) is one of the important interventions in recent times to achieve universalization of elementary education with provision of resources for physical infrastructure and teachers. One of the Millennium Development Goals (MDG) is to achieve universal primary education to ensure that all boys and girls complete a full course of primary schooling by 2015. It also emphasizes on equity and elimination of gender disparity in primary and secondary education. Multi pronged strategies involving nutrition, hygiene, safety norms along with primary education has been adopted. The facilities like drinking water, electricity and toilet in the school campus have been identified basic necessities for the children in general and for the girl child in particular to facilitate their enrolment in schools.

With passage of time demand for basic education continued to grow with increased awareness among the parents about the importance of elementary education. The important and pertinent issues related to elementary education include equity, gender disparity & quality of value based education. The academic facilities in schools such as proper classrooms, teaching material, student teacher ratio and other infrastructure facilities have direct bearing on quality of education. *Infrastructural facilities have improved over the past two decades, gross enrolment is almost universal, dropout rates have declined even for girls at the primary level, and many more teachers have been appointed. More school incentives (such as free textbooks and the serving of cooked meals) have led to better outreach and coverage.*(**Kumar A.K.Shiva & Rastagi Preet :2010**)

R.T.E. Act 2009: The government of India passed, the “Right of Children To Free and Compulsory Education Act 2009” (RTE Act 2009) to provide for free and compulsory education to all children of the age of 6 to 14 years. RTE Act 2009 is a comprehensive act which defines elementary education as the education from 1st class to 8th class. It explains the term “compulsory education” and defines obligations of the government. It emphasizes on ensuring compulsory admission, attendance and completion of elementary education of every child of the age 6-14 years. It further provides against discrimination of weaker sections and

child belonging to disadvantaged group. Through this Act Government of India has given the children the right to free and compulsory education in a neighbourhood school till completion of elementary education. There is complete ban on capitation fee and screening procedure for admission and no child shall be denied admission in the school for lack of age proof. This act is clearly a reformative act in more ways than one. It clearly specifies that no child shall be subjected to physical punishment or mental harassment. Further there is prohibition of holding back the child in any class or expulsion of child till the completion of his elementary education. On one hand the act defines the duties and responsibilities of government and on other hand it clearly spells out duties of parents to achieve the desired goal of free and compulsory elementary education. The act further specifies that no teacher shall engage himself/herself in private tuition or private teaching activity. The RTE Act 2009 thus defines a watershed in journey of improvement in the education system in our country. For the purposes of the implementation of RTE, resource centres at district, block and cluster level known as District Resource Centre(DRC), Block Resource Centre(BRC) and Cluster Resource Centre(CRC) respectively have been established with requisite resources including man power, infrastructure and financial support. The present paper attempts to evaluate the impact of RTE Act 2009 in Bhimtal development block of District Nainital in Uttarakhand.

Study area: Bhimtal development block of District Nainital in Uttarakhand.

Methods and Materials: For the purpose of case study following tools were adopted to collect data and information.

- 1) Interview with different stake holders including teachers , officials of education department and parents.
- 2) Access to data of CRC Bhimtal
- 3) Review of literature and related reports.

Sample Size:

The study is based on data from 190 schools in 12 Cluster Resource Centres (CRC) of Bhimtal Block which also includes 14 schools in urban area of Nainital City. The govt. schools up to middle level (8th class) in the Block Resource Centre (BRC) Bhimtal have been covered in the study. The details of CRC-wise number of schools have been given below:

S. No.	Name of CRC	Number of Schools
1	Ranibagh	16
2	Bhawali	13
3	Mehragaon	19
4	Sangudigaon	16
5	Jylokote	18
6	Patwadangar	13
7	Thapliya mehragaon	16
8	Khurpatal	16
9	Mangoli	9
10	Okhaldunga	21

11	Pinro	19
12	Nainital	14
	Total	190

(Source-BRC Bhimtal)

FINDINGS AND DISCUSSIONS:

The data and information collected from the field was analysed on different parameters and aspects directly related to the impact of RTE Act 2009 in elementary education. The major findings are given below:

A) **Enrollment Rate:** The data pertaining to the status of enrollment against the population of children in 6-14 years age group in all the schools covered under Bhimtal BRC for four years was found to be as given below:

Year	Total no. of Children (6-14 Years)				No. of children Enrolled in schools (6-14 Years)			
	Gen	SC	ST	OBC	Gen	SC	ST	OBC
2010	9187	4363	41	843	9162(99.7%)	4334(99.3%)	41(100%)	820(97.3%)
2011	10037	4755	106	1144	10037(100%)	4755(100%)	106(100%)	1144(100%)
2013	10265	5081	153	1307	10262(99.9%)	5081(100%)	153(100%)	1300(99.5%)
2014	9994	5064	116	1399	9987(99.9%)	5062(99.9%)	116(100%)	1398(99.9%)

(Source-BRC Bhimtal)

(Note: Complete data for 2012 could not be obtained from BRC and hence not included in the analysis)

The above data reveals that in the study area the enrolment rate in 6-14 years age group across the years has been more than 99% and in some cases 100%. No significant difference was found in enrolment rate across the castes and gender. Discussions revealed that the provision of free education under RTE has contributed to the improvement in enrolment rate, particularly among the poor families. Though the enrolment rate has improved but the quality of education still remains a major concern. Random interaction with the children in the study area showed that transfer of learning was moderate and about 37% children interviewed (in a sample of 30) could not do simple mathematical sums and read the simple text correctly in flow.

B) **Out of School Children:** The status of out of school children in the study area in different years was found to be as given below:

Year	Total no. of Children (6-14 Years)					No. of children out of school (6-14 Years)				
	Gen	SC	ST	OBC	Total	Gen	SC	ST	OBC	Total
2010	9187	4363	41	843	14434	25	29	0	23	77
2011	10037	4755	106	1144	16042	18	11	0	10	39
2013	10265	5081	153	1307	16806	0	1	0	0	1
2014	9994	5064	116	1399	16573	7	2	0	1	10

(Source-BRC Bhimtal)

The above data reveals that over all percentage of children out of school in 6-14 years age group was less than 1% and was mainly attributed to the number of children with special needs(CWSN). These Children with Special Needs are being covered under home based education intervention under which the child is attended at home and an honorarium of Rs 250 per child per month is provided to the family to take care of the child.

C) Pupil Teacher Ratio (PTR):

S. No.	Name of CRC	No. of students enrolled	No. of teachers	Pupil Teacher Ratio (PTR)
1	Ranibagh	311	35	8.88
2	Bhawali	295	23	12.82
3	Mehragaon	443	42	10.54
4	Sangudigaon	359	34	10.55
5	Jylokote	284	34	8.35
6	Patwadangar	202	26	7.76
7	Thapliya mehragaon	433	36	12.02
8	Khurpatal	293	36	8.13
9	Mangoli	191	18	10.61
10	Okhaldunga	538	46	11.69
11	Pinro	442	36	12.27
12	Nainital	424	35	12.11
	Total	4215	401	10.511

(Source: BRC Bhimtal, Note: Only govt. schools upto middle level have been taken in above table)

The Pupil Teacher Ratio (PTR) is one important factor which has direct bearing on the quality of education and transfer of learning skills. The above table reveals that in the govt. schools under Bhimtal BRC, has quite favourable PTR, which varied from 7.76 for Patwadangar CRC to 12.82 for Bhowali CRC. On an average there were about 11 students per teacher in the study area. This ratio is far better than the target of 30 students per teacher. This shows that the number of teachers is about 3 times the expected target. This is mainly because of the easy accessibility of schools under Bhimtal BRC. However the situation is not the same for the whole district in Nainital. Discussions with the stake holders and data revealed that at district level PTR was high (More students per teacher) in the remote (*durgam*) areas and was low (less number of students per teacher) in the easily accessible (*sugam*) areas for Nainital district. This disparity has posed serious practical problem to achieve the objectives of RTE in meaningful and effective manner.

D) Status of Basic facilities: The status of availability of electricity, drinking water and toilet in the schools involved in implementation of RTE in CRC Bhimtal was studied and the relevant data is summarize below:

Total no. of School	Drinking Water supply	Electricity	Functional Toilet facility
190	164 (86.31%)	157 (82.63%)	161 (84.73%)

(Source: BRC bhimtal)

The above data revealed that in the study area only 86% schools have drinking water supply. Clean drinking water is a basic need for all and is directly related to the ease to prepare mid day meal for the children. Providing potable and clean drinking water in all schools still remains a challenge. The data shows that only 82.63% primary and middle govt. schools in the study area had electricity connections. Availability of regular power supply has direct bearing on the use of computers for computer aided education and e-learning. This limits the use of internet, computers and other audio-visuals aids of teaching. The functional toilet facilities were present only in about 85% schools in the study area. This is of particular significance from the point of view of the need of girls in the school.

E) Scope of computer aided teaching and E-learning: During the field study it was revealed that all existing middle schools have been provided with computer hard-ware and soft-ware but due to either non availability of teachers trained in use of computers or break down in the supply of electricity or non functional soft-ware these computers at present are not in use in most of the govt. schools in the study area. The schools near the road or towns with proper power supply and teachers with right aptitude are using the computers to provide computer aided teaching. The primary schools recently upgraded to middle school level have not yet been provided with computers. The department has now made the provision for computers for these schools in annual work plan of the next year.

E-learning, though an option for students to take advantage of latest knowledge and learning techniques does not provide a practical and feasible option to implement RTE in the study area. For e-learning to be used there are certain prerequisites such as availability of computers, internet connectivity and sustained & regular power supply. All these prerequisite factors are either missing or not functional in many schools covered under the present study as most of them are located in rural areas. Besides the target students and teachers should possess minimum knowledge to use computer and internet. Interview with the children and teachers revealed that most children and some teachers do not have this knowledge and are not very much used to the use of computers for facilitating e-learning process. Thus at present e-learning through net is not in use in any of the govt. schools and has very limited or no scope to be used for implementation of RTE in Bhimtal block, unless all prerequisite facilities are in place.

F) Other issues:

- i. Most of the teachers in primary schools in study area were not staying in the vicinity of the schools and were commuting on daily basis from places like Haldwani, Bhimtal, Bhowali and Nainital. In this process they have to spend considerable time on daily journey. This was perceived to reduce their focus and concentration in their core duty of teaching.
- ii. Further, as no child could be detained in the class at the end of academic session, not necessarily having any regard to their learning level and behavior, the seriousness on

the part of both teachers and students to achieve tangible learning out puts is not always ensured. In an extreme case a child enrolled in a school in the study area was reported to be in class 8th but does not know even how to read and write.

- iii. Interview and discussions with the teachers revealed that they are often assigned non-teaching tasks such as census, voter list updation,-----etc. which consumes lot of their time and energy. This adversely affects their teaching task and reduces their efficiency.
- iv. Even though there is provision of reservation of 25% seats in private schools in the area for poor children under RTE but this provision has mostly benefitted more awakened, resourceful and relatively better off families. Discussions revealed that the main reason for this is lack of awareness among the poors about the provisions of RTE particularly from the remote areas.

RECOMMENDATIONS:

On the basis of this micro study following recommendations are made for effective implementation of RTE Act 2009:

- a) At district level PTR should be balanced between schools remote areas and easily accessible area. Placement of teachers in remote areas to achieve desired PTR is single largest factor to improve effectiveness in the implementation of RTE.
- b) Infrastructure facilities like potable drinking water, regular power supply and functional toilets should be provided in all the schools.
- c) More efforts on the part of teachers is required to improve transfer of learning skills. For this there should be continuous training programmes at regular intervals for the teachers.
- d) Teachers should not be assigned non-teaching works so that they can devote full time to teaching for qualitative and quantitative enhancement.
- e) Computer based teaching and e-learning methods should be encouraged.
- f) There is need to create awareness among people about RTE Act on sustained basis.

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