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ROLE OF PRIVATE SECTORS IN IMPLEMENTING RTE 2009



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Abstract: The responsibility of the Government is to ensure the implementation of RTE Act, 2009. As education is in concurrent list, the Central and State governments are both responsible for ensuring effective implementation of the Act. In addition to the Government's initiative, the private sector has also played a role in promoting the state of education in the country and continues to do so. This study is an attempt to explore the role the private sector have to play in the implementation of the RTE 2009.

Key words: Private Sectors, Implementing RTE, education, local authority.

INTRODUCTION:

It is fairly common knowledge that education enables individuals to reach their full potential as human beings, individually as well as members of society. Education is also the driver of a country's economic development, but it does not always get the priority it deserves. Education is globally recognized as a fundamental human right, and people with access to education can develop the skills, capacity and confidence to secure other rights. The right to education thus acts as an enabling right that functions as the voice through which rights can be claimed and protected. It is therefore an important stepping stone to improve the social situation of the people (Tomasevski, 1999).

The Right of Children to Free and Compulsory Education Act, 2009, which aims to provide compulsory schooling to all children in the 6-14 age group, came into force on April 1, 2010. The 86th amendment that provides children of India, in the age group 6 to 14 years, a fundamental right to free and compulsory education was simultaneously notified the same day. Section 6 of the Right to Free and Compulsory Education Act states that the local authority and the appropriate government shall ensure that there is a school in every neighborhood within a period of 3 years from the commencement of the Act. Section 19 of the Act states that where a school, established before the commencement of the Act, does not fulfill the norms and standards specified in the schedule, it shall do so within a period of 3 years from the commencement of the Act.

Brief notes on RTE based on 4 A framework

RTE 2009 has been analyzed on the basis 4 A namely Availability, Accessibility, Acceptability and Adaptability (Tomasevski, 1999).

Availability

Availability is the first component of the right to education in Tomasevski's (1999) framework. It is related

with the possibility of education being obtained by all without any discrimination. It refers to existence of educational institutions within reasonable distance for pupils' attendance. It refers to security within the educational system, as well as to making entry into the educational system available to all regardless of age or social condition. In RTE 2009 availability is ensured in the following manner:

Right of free and compulsory education to every child from the age of 6 to 14 years

Prescribed norms and standards highlighting parameters such as ideal pupil-teacher ratio and minimum number of working days

Certificate of recognition from competent local authority for operating school

Schools not conforming to the norms and standards specified in the schedule and formed before the Act to fulfill such norms

Establishment of schools especially upper primary schools in areas and neighborhoods where any such provision is non-existent

Accessibility

Accessibility means governments must strive for the practical elimination of gender and racial discrimination and ensure the equal enjoyment of all human rights, and must not be satisfied with merely formally prohibiting discrimination. In addition, accessibility relates to the primary, secondary and tertiary levels of education in different ways; governments are only obliged to provide access to free and compulsory education for all children in the compulsory age range. The right to education should be realized progressively, ensuring all encompassing, free and compulsory education is available as soon as possible, and facilitating access to post-compulsory education as circumstances permit. RTE 2009 made the following provision for the accessibility of learners.

No capitation fee will be liable to pay, which may

prevent him or her from pursuing elementary education
Random procedures for school admission
Admitting a child above six years, who has neither been admitted to any school nor has been able to complete his or her elementary education to an appropriate class, and providing him special training
Admission of students belonging to weaker groups i.e. child belonging to such parent or guardian whose annual income is lower than the minimum specified by the appropriate government by notification
Constitution of school management committee with representation from local authority, parents or guardians of children admitted, and teachers
Private unaided schools to admit students belonging to weaker groups to the extent of at least 25% of their class strength

Acceptability

Acceptability requires minimum guarantees regarding the quality of education, for example in terms of health and safety or professional requirements for teachers, but it is much wider in scope than this. These guarantees have to be set, monitored and enforced by the government throughout the education system, whether the institutions are public or private. Acceptability has been considerably broadened through the development of international human rights law: indigenous and minority rights have prioritized the language of instruction, while the prohibition of corporal punishment has transformed methods of instruction and school discipline. The emerging perception of children as subjects with the right to education and with rights in education has further extended the boundaries of acceptability to include the contents of educational curricula and textbooks, which are increasingly considered from the perspective of human rights (Tomasevski, 2003).

Making education acceptable also means attending to other stakeholders, such as teachers and parents for instance, who become plaintiffs of better educational policies as well as demand for collective rights. RTE 2009 made the following provision for acceptability :

Central Government to develop a framework of national curriculum
Prohibition of holding back and expulsion till completion of elementary education; prohibition of physical or mental harassment

Duties of teachers:

Maintenance of regularity and punctuality
Completion of the entire curriculum within a specified time
Assessing the learning ability of each child and providing suitable instruction, including supplementary instruction, if required

Adaptability

Adaptability requires that schools respond to the needs of each individual child, in keeping with the Convention on the Rights of the Child. This reverses the traditional approach in which schools expected the children to adapt to whatever form of education the school provided. As human rights do not exist in isolation, adaptability

involves safeguarding all human rights within education as well as enhancing human rights through education. This necessitates cross-sectoral analysis of the impact of education on the whole range of human rights, to monitor, for example, graduate employment by ensuring integrated planning between the relevant sectors (Tomasevski 2004:7). Admission of students belonging to socially disadvantaged and economically weaker groups (SC, ST, socially and educationally backward classes or other disadvantaged groups (due to social, cultural, economical, geographical, linguistic or other factors)

Private unaided schools to be reimbursed their expenditure to the extent of the lesser of either per-child expenditure incurred by the Government or the actual amount charged for the child

The head teacher or the person in charge of the school in which such a child was last admitted to immediately issue a transfer certificate, to avoid disciplinary action

Delay in producing transfer certificate not to be the reason for delaying or denying admission in to school

Implementation of the Act

Now the question is who will implement the Act? Will both Centre and State government alone implement the Act effectively? The Right to Education Act is to be implemented through PPP (public private partnership). PPP here implies that the private sector will be encouraged to start primary and middle schools in non-served areas and they will have to admit wards of the weaker sections up to at least 25 per cent of their total intake in each class in the case of unaided schools and up to the percentage of annual recurring grant-in-aid to their annual recurring expenditure in the case of aided schools. The special category and unaided schools will be reimbursed the fee of such students to the extent of actual per child expenditure incurred by the state or the actual amount of fee charged whichever is less (Mehta and Kapoor, 2010).

According to National University for Educational Planning and Administration (NUPEA) an additional 1.71 lakh crore rupees will be required to implement the Act in the next five years. This is the estimate that is required for Elementary education alone. Last year, 2009-10, the allocation for elementary education was a meagre 21,700 crores. The allocation for the current year has been raised by 15% that is to 25,000 crores, only 60% of the amount required. Of this, it must be kept in mind that 9500 crores go for the mid-day meal scheme, not for education. A mere 500 crores for teacher education. Only around 60% of what is allocated actually goes to the class room.

It is obvious from the above picture that Government alone without civil society involvement cannot fully implement the RTE. There is need to mobilize parents as well as school and local authorities in favor of the Act; State Governments also have to accept a sense of urgency – Possibly NGOs, private sectors and Governments have to work together to make this happen and make the Right of Education of every child a reality.

NGO initiatives

It is quite evident that all parents want their children

to be educated. At times, they find it difficult to overcome barriers. This may be due to lack of awareness, procedural hurdles or deep-rooted social and cultural beliefs. Sustained efforts are required to overcome these barriers. NGOs, if supported, are well-positioned to work with communities and build their capacities. It is seen that NGOs are engaged in several activities that are aimed at improving access to education of the disadvantaged sections of society. Their strength lies in working with communities and mobilizing them. Being close to communities, their most significant contribution is to engage them with the education system to demand good quality education for their children. Greater success is achieved where there is a balance between encouraging communities to demand education as their right and extending support to the existing system by filling the gaps. NGOs can help the society in the following manners :

1. Mainstreaming out-of-school children

While there has been an impressive improvement in enrolment of students, there are still a large number of students who are out of school. Getting them back to school will require the collective effort of the general public as well as the intervention of NGOs to support these children in being admitted to classes that are appropriate to their age. Here special mention needs to be made of differently abled children. The Act provides for special educators in schools for such children, but enabling their access to schools will require significant additional efforts.

2. Capacity development of school management bodies

There is provision for school management committees in the Act. If executed effectively, it will help in bringing about greater accountability at the school level. These committees are best positioned to ensure that the Act is implemented effectively. The committees however require capacity development to understand their roles and responsibilities as well as a grievance redressal system. Skills such as budget tracking can help in ensuring that the budget allocated to a school is utilized effectively. The committees can also make sure that there are no barriers for children belonging to different social groups. NGOs can play a significant role to empower such committees. There is also a need for independent assessment of the education system on a continued basis, to ensure that the process of improvement in schools continues to be dynamic.

Role of Private enterprise

UNESCO says that the problem in India is not that children are not being enrolled but that the schools are not able to keep them (UNESCO, 2000 & 2010). During the discourse on education, when it comes to private players, the reference point is usually corporate players or their corporate foundations. While in reality, there are several non-state players that engage with the education sector in many meaningful ways. NGOs, international and corporate foundations, and private trusts and societies that have set up schools are also playing a vital role.

However, when seen from the point of view of private participation, there are several commonalities that can be found. There are several examples of initiatives taken

up by NGOs, corporate foundations, INGOs and individuals that are aimed at achieving the objective of providing good quality education to all. As independent efforts these are laudable, but as programs that can be scaled up or can be sustained, there are very few examples from which we can learn. The following section maps the work of some organizations (among non-State players) to highlight that each of these efforts would provide some benefit to students.

1. Setting up of teachers' training institutions

One of the key drivers to improve the quality of education in the country is teachers. The quality of overall teachers' training institutes has been criticized and there is a strong need to develop the skills of teachers. No holding back of students and no corporal punishment, as stated in the Act, will require a significant shift in teachers' training programs. The current emphasis on rote learning and examinations has to change to enable teachers to undertake continuous evaluation of students. Training in skills such as anger management and positive reinforcement is required. Private sector should establish such type of teacher training Institution where pre-service and in service teacher get trained.

2. Setting up schools where required

Several foundations have come forward to set up schools. This will facilitate access to education, provided private players follow two principles — avoidance duplication and ensure sustainability. Since the Act specifies right to education for the age group 6–14 years (the elementary level), private players should set up schools for secondary level students in areas where there is a shortage of schools.

3. Improved planning, monitoring and evaluation

There is significant scope to undertake more effective planning. The current process of district planning overlooks the specific requirements of schools. Moreover, given the spread of schools, it is a challenge to them effectively. Use of technology, and improvement of financial and performance management systems can help to improve school management. Therefore, professional organizations can support state governments to improve existing systems.

4. Support innovations

Constant innovations are necessary to bring about qualitative improvement in the education system. These may be in the area of development of study material, educational aids and classroom transactions which make schooling an interesting experience for all students. There have been several innovations in the area of education, which should continue to be supported. Corporate foundations and INGOs can support such efforts.

RECOMMENDATIONS

In order to implement RTE effectively, following recommendations has been made:

If the aim of the RTE Act is to improve the quality of education imparted, the private sector can be encouraged to sign PPPs and take on municipal schools. The Government

can reimburse corporate organizations the cost for running these schools. In other words, this would mean following the Charter School model, which has been working successfully in the US.

There is a shortage of 2,00,000 secondary schools in India. These cannot be set up with government resources alone. Therefore, there is a need for encouraging the private sector to open schools in remote and difficult areas or where no public education institution exists. The cost incurred by the state to educate children in public schools should be provided to corporate organizations as an incentive, and there should be reasonable returns on investment. Furthermore, opportunities need to be created whereby private players can participate on a cost-neutral basis.

The private sector can undertake capacity development of management, organizational and leadership skills.

Private schools, with a good track record, can also adopt at least one school and help in transfer of knowledge.

CONCLUSION

As is evident from data and feedback from respondents, there are several issues that need to be addressed for effective implementation of the RTE Act. Some of these can be resolved through legal recourse or policy changes; others will need to be addressed as the Act is rolled out. While the ultimate responsibility of providing education rests with the Government, as enshrined in the Constitution, it is evident that the Government's efforts alone will not be sufficient to provide good quality education to all. There are several pilot initiatives that have been taken up by non state players. These initiatives are improving certain aspects of education at some of the places where they are being implemented. The formulation of the RTE Act has provided an opportunity to converge different efforts by using it, with the National Policy on Education 1992 as the backdrop. All three categories of stakeholders are contributing to the education sector, but given the size of our country, there are very few examples of effective partnerships across these three categories. Moreover, efforts made to improve the public education system are dispersed and lack a comprehensive approach. As a result, there are several good initiatives, but these are insufficient to make a difference to the existing education system. It is not possible for any one organization to address all the concerns related to the implementation of the RTE Act, but it is possible to address these through collaborative efforts.

REFERENCES

- Ernst and Young, (2012), Right to Education: Role of the Private Sector,
[http://www.ey.com/Publication/vwLUAssets/Private_sector_participation_in_Indian_higher_education/\\$FILE/Private_sector_participation_in_Indian_higher_education.pdf](http://www.ey.com/Publication/vwLUAssets/Private_sector_participation_in_Indian_higher_education/$FILE/Private_sector_participation_in_Indian_higher_education.pdf)
- Gupta, S. (2009), What are the different strategies and approaches to realize Right to Education (RTE) in India?, Institute of Development Studies, University of Sussex.
- Mehta, B C and Kapoor, K (2010), Implementing Right to Education Act, Mainstream, Vol XLVIII, No 10, February 27.
- Ramdas, B. (2012), The Right to Education Act – Opening

the backdoor to privatization of education

The Right of Children to Free and Compulsory Education Act (2009), Published in The Gazette of India, August 27.

Tomasevski, K. (1999), Children's rights, adult's duties. International Consultative Forum on Education for All. Education - a right of a privilege? Student journalists report on the right to education worldwide. 1999, p. 3.

Tomasevski, K. (2003), Education denied: costs and remedies. London : Zed Books.

UNESCO (2000), World Education Report 2000, UNESCO Publishing.

UNESCO (2010), Implementing Right to Education Act, UNESCO Publishing.

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