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DREAMS COME TRUE: RTE IS A MILESTONE IN CHILD EDUCATION

Dr. Arun Kumar¹ and Vivek Gupta²

¹Associate Professor, Department of Education, University of Lucknow, Lucknow (U.P.)

²Research Scholar, Department of Education, University of Lucknow, Lucknow (U.P.)



the time of Independence but as more specifically to the Constitutional Amendment (86th) that include the Article 21A in the Indian Constitution making education a fundamental right.. This Act ensures that all children between 6-14 years have access to free and quality elementary education. In order to fulfill the purpose; the paper has been embarked upon the exploratory approach that includes review of literature, relevant definitions, constitutional provisions, salient features, and main challenges of implementation of the RTE, Act-2009.

ABSTRACT

When we talk about education, too often the focus is on learning all the right things, equipping child with the right content and answers. But the truth is, a great school is about so much more than learning all the right things. A great school is about connecting humanity. It is about finding the educators who can draw students out, who can foster humanity and connection. Who see potential and help others see it, too. Who help child embrace their worth and value. Right to education brings equality, justice and parity in society. No rights can sustain without awareness and awareness can only come from education. Thus Right to

education is a part of right to life itself. Without education, there cannot be dignity and therefore the Right to Education is implicit in the responsibilities and notion of the "welfare state" itself. The present paper deals with the Right to Education Act-2009, strength of the act, impact on child education and Main Challenges of Implementation. The Right to Education is a universal entitlement to education, a right that is recognized as a human right. The right to education is enshrined in Article 26 of the Universal Declaration of Human Rights and Article 13 and 14 of the International Covenant on economic, social and cultural rights. The present act has its history in the drafting of the Indian Constitution at

KEYWORDS: Right to education; PTR; SMC; Out-of-school children; Dropout; Enrolment; TET; CCE.

INTRODUCTION

"No person has the right to rain on your dreams."

Marian Wright Edelman, African-American Children's Rights Advocate

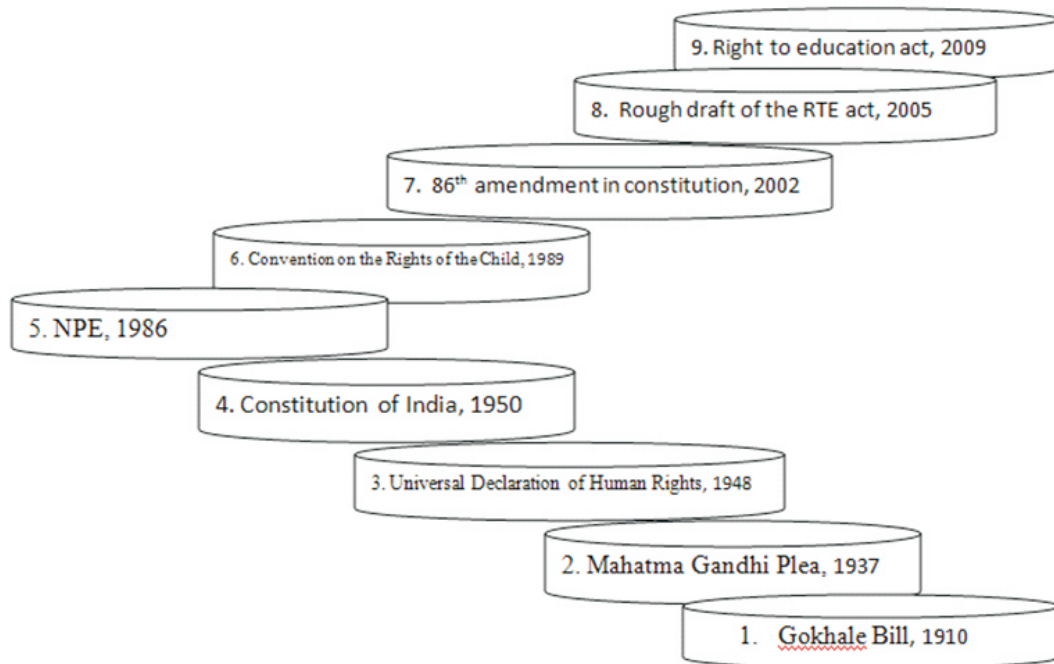
The passing of the Right of Children to Free and Compulsory Education (RTE) Act 2009 marked a historic moment for the children of

India. For the first time in India’s history, children were guaranteed their right to quality elementary education by the state with the help of families and communities. The Act came into force on April 1, 2010 and specified a three year timeline for meeting provisions related to the rights of children, teachers, schools and monitoring with a focus on child friendly and child centered curriculum.

HISTORY OF RTE ACT OF INDIA: JOURNEY OF 100 YEARS

The year 2011 saw two milestones in the history of primary education in India. Firstly, it was 100 years since the introduction of the first bill in 1911, which sought to make education a fundamental right, and one year since the notification of the right of children to free and compulsory education for every child up to the age of 14 years within 10 years of independence that was made as part of the directive principles of state policy remained unfulfilled. When the promise was not guaranteed 40 years after independence, there was a nationwide campaign by civil society for education to be made a fundamental right. Initially endorsed by the judiciary, insertion of article 21A of the constitution in 2002 marked the beginning of another phase which culminated in the passage of the RTE act seven years later in 2009.

The recently legislated Right to Education (RTE) Act is a milestone in the journey towards achieving the goal of universal, equitable and quality education. The Act has travelled a long and arduous path to the point of legislative sanction and is the most substantive declaration of the government's responsibility towards education. Therefore it would be appropriate to examine the issues around educational policy in the overall framework already provided by the Right to Education (RTE) Act. Some of the important milestones in the field of right to education are shown in the following diagram:-



1.Gokhale Bill, 1910:- As a private member of the Legislative Council Gokhale put forward a proposal for compulsory primary education in 1910. The proposal was as follows- “A beginning should be made in the direction of making elementary education free and compulsory throughout the country, and that a mixed commission of officials and non officials be appointed at an early date to frame definite proposal.”

The Bill was taken up for discussion in legislative council on 17 March, 1912. The Bill was debated for two days (March 18 & 19, 1912). Gokhale had raised powerful arguments in support of the Bill. But the Government was not ready to accept the Bill and it was put to vote and was defeated by 35 votes to 13.

2. Mahatma Gandhi Plea, 1937:- The situation worsened over the years forcing Mahatma Gandhi to give a stirring call for universal education in 1937. His plea for adequate finances for universal education was met with a response that if at all, the way out was to utilize revenues from liquor sales. That meant he had to either give up his stand on prohibition, or his plea for universal education with state support, which he expressed quite plainly: “the cruellest irony of the new reforms lies in the fact that we are left with nothing but liquor revenue to fall back upon in order to give our children education (Harijan 5, 222). He solved what he called the ‘Educational Puzzle’ by proposing self-funded education, in what came to be known Nai Talim later.

3. Universal Declaration of Human Rights, 1948:- United Nations had declared universal human rights on 10 December 1948. Its arrange many fundamental rights of people. In which one was the right to education for children. The right to education in Article 26 of the Universal Declaration of Human Rights as-

- Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
- Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- Parents have a prior right to choose the kind of education that shall be given to their children.

4. Constitution of India, 1950:- When India got the freedom in 1947 a broad constitution was developed for it. In the constitution of India Article 45 is a part of directive principles. The role of universal elementary education (UEE) for strengthening the social fabric of democracy through provision of equal opportunities to all has been accepted since the inception of our republic. The original Article 45 in the Directive principle of state policy in the children up to age of fourteen in a period of ten years. The original Article 45 in the Directive Principles of State Policy in the Indian Constitution had mandated the State to endeavor to provide free and compulsory education to all children until they complete the age of fourteen years within a period of ten years from the commencement of the Constitution. The national resolve to achieve universal elementary education gained further momentum with the adoption of the Constitution (Eighty-sixth Amendment) Act, 2002 which inserted Article 21-A in the Constitution of India to provide free and compulsory education for all children in the age group of six to fourteen years as a Fundamental Right in such a manner as the State may, by law, determine. The Constitution (Eighty-sixth Amendment) Act, 2002 also enjoins the State “to provide early childhood care and education to all children until they complete the age of six years”. Article 46 of the Indian Constitution enjoins that “the State shall promote, with special care, the education and economic interests of the weaker sections of the people, and, in particular of the Scheduled Castes and Scheduled Tribes, and shall protect them from social injustice and all forms of social exploitation”. Similarly, Article 30[1] provides for the rights of the minorities to establish and administer educational institutions of their choice.

5. NPE, 1986:- While the Rajiv Gandhi was the prime minister of India, a national policy of education was introduced in 1986, called New Education Policy, 1986. It is the first policy on education of free India. NPE told the importance of education, its report also starts in these words-

“Education is the best investment for future” -N.P.E., 1986

The national policy on education (NPE) 1986/92 states “in our national perception education is essentially for all”. Education has an acculturating role .it refine sensitivities and perceptions that contribute to national cohesion, a scientific temper and independence of mind and spirit thus furthering the goal of socialism secularism and democracy enshrined in our constitution.” Education develops manpower for different levels of the economy. It is also the substrate on which research and development flourish, being the ultimate guarantee of national self reliance. In sum, education is a unique investment in the present and the future. This cardinal principle is the key to the National Policy on Education. National policy had produced the operation black board plan for needs of spreading the school education.

6. Convention on the Rights of the Child, 1989:- Sometime later in 1989 U.N. convention on the right of the child disclosed article 28 for the children education. Article 28 of the Convention on the Rights of the Child (1989) as-

- States Parties recognize the right of the child to education and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:
 - (a) Make primary education compulsory and available free to all;
 - (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
 - (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
 - (d) Make educational and vocational information and guidance available and accessible to all children;
 - (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.
- States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.
- States Parties shall promote and encourage international co-operation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

7. 86th amendment in constitution, 2002:- After fifty years of stated constitution eighty sixth amendment Act 2002 inserted Article 21-A in the constitution of India to provide free and compulsory education of all children in the group of six to fourteen years as a fundamental right in such a manner as the state may, by law, determine the right of children to free and compulsory education (RTE) Act 2009, which represents the consequential legislation envisaged under Article 21-A, mean that every child has a right to full time elementary education of satisfactory and equality in a formal school which satisfies certain essential norms and standard. The need to address inadequacies in retention, residual access, particularly of unreached children and the questions of quality are the most compelling reasons for the insertion of article 21-A in the constitution of India and the passage of the RTE Acts 2009 in the parliament.

Article 21(A) -The State shall provide free and compulsory education to all children of the age of 6 to 14 years in such manner as the State may, by law determine.

Article 51(A) (K) - The parents of children age 6-14 will admit your child in nearest school for giving education.

8. Rough draft of the RTE act, 2005:- A rough draft of the bill was composed in year 2005. It received much opposition due to its mandatory provision to provide 25% reservation for disadvantaged children in private schools. The sub-committee of the Central Advisory Board of Education which prepared the draft Bill held this provision as a significant prerequisite for creating a democratic and egalitarian society. Indian Law commission had initially proposed 50% reservation for disadvantaged students in private schools.

9. Right to education act, 2009:- The bill was approved by the cabinet on 2 July 2009. Rajya Sabha passed the bill on 20 July 2009 and the Lok Sabha on 4 August 2009. It received Presidential assent and was notified as law on 3 Sept 2009 as The Children's' Right to Free and Compulsory Education Act. The law came into effect in the whole of India except the state of Jammu and Kashmir from 1 April 2010, the first time in the history of India a law was brought into force by a speech by the Prime Minister. In his speech, Manmohan Singh, Prime Minister of India stated that, "We are committed to ensuring that all children, irrespective of gender and social category, have access to education. Education enables them to acquire the skills, knowledge, values and attitudes necessary to become responsible and active citizens of India."

Article 21A and the RTE Act came into effect on 1 April 2010. The title of the RTE Act incorporates the words free and compulsory, Free education means that no child, other than a child who has been admitted by his or her parents to a school which is not supported by the appropriate government shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary education. Compulsory education casts an obligation on the appropriate government and local authorities to provide and ensure admission attendance and completion of elementary education by all children in

the 8-14 age group. With this India has to move forward to a right based framework that casts a legal obligation on the Central and states government to implement this fundamental child right as enshrined in the Article 21A of the Constitution in accordance with the provision of the right to education Act.

The Right to Education Act will benefit about one Crore out-of- school children and a large number of drop-out children. As per an estimate, out of 22 Crore children in the 6-14 years age group in the country, 4.6 percent children have no enrolment in any school

RTE: Power and strength

The Right of Children to Free and Compulsory Education (RTE) Act, 2009, which represents the consequential legislation envisaged under Article 21-A in the constitution of India, came into force in the country on 1 April 2010. The RTE Act, 2009 provides for the following:

- Entitles every child of the age of six to fourteen years with the right to free and compulsory education in a neighborhood school till completion of elementary education; It clarifies that 'compulsory education' means obligation of the appropriate government to provide free elementary education and ensure compulsory admission, attendance and completion of elementary education by every child in the six to fourteen age group. 'Free' means that no child shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary education;
- Makes provisions for a non-admitted child to be admitted to an age-appropriate class;
- Specifies the duties and responsibilities of appropriate Governments, local authority and parents in providing free and compulsory education, and sharing of financial and other responsibilities between the Central and State Governments;
- Lays down the norms and standards relating inter alia to Pupil Teacher Ratios (PTRs), building and infrastructure, school working days and teacher working hours;
- Rational deployment of teachers by ensuring that the specified Pupil-Teacher Ratio is maintained for each school, rather than just as an average of the State or District or Block, thus ensuring that there is no urban-rural imbalances in teacher postings. It also provides for prohibition of deployment of teachers for non-educational work, other than decennial census, elections to local authority, state legislatures and parliament, and disaster relief;
- Appointment of appropriately trained teachers i.e. teachers with the requisite entry level and academic qualifications;
- Prohibits (a) physical punishment and mental harassment; (b) screening procedures for admission of children; (c) capitation fees; (d) private tuition by teachers; and (e) running of schools without recognition;
- Requires the appropriate government and every local authority to "ensure that the child belonging to weaker sections and the child belonging to disadvantaged groups are not discriminated against and prevented from pursuing and completing elementary education on any grounds";
- Development of curriculum in consonance with the values enshrined in the Constitution, and which would ensure the all-round development of the child, building on the child's knowledge, potentiality and talent and making the child free of fear, trauma and anxiety through a system of child-friendly and child-centre learning;
- Protection and monitoring of the child's right to free and compulsory education and redresses of grievances by the National and State Commissions for Protection of Child Rights which shall have the powers of a civil court; and
- A private unaided school, not receiving any kind of aid or grants to meet its expenses from the appropriate Government or the local authority, shall admit in Class I, to the extent of at least 25 per cent of the strength of that Class, children belonging to weaker sections and disadvantaged groups in the neighborhood and provide free and compulsory education to them.

The Right of Children to Free and Compulsory Education (RTE) Act, 2009 was amended in 2012 and the RTE Amendment Act came into force with effect from 1 August 2012. The Amendment Act inter alia provides for: (I) inclusion of children with disability as contained in the Persons with Disabilities Act 2005 and the National Trust Act under the purview of RTE Act and providing them free and compulsory education, and providing option

for home-based education for children with severe disability; (II) protection of the rights of minorities provided under Article 29 and 30 of the Constitution while implementing the RTE Act; (III) exemption of Madrasas, Vedic Pathshalas and educational institutions imparting religious instruction from the provisions of the RTE Act.

PRINCIPLES GUIDING CURRENT PROGRAMMATIC INITIATIVES

India has achieved considerable progress towards the goal of universal elementary education. As indicated earlier, the Right of Children to Free and Compulsory education (RTE) Act 2009 which came into force on 1 April 2010 has given an added impetus to the efforts to promote universal elementary education. The revised SSA has been designated as the vehicle to realize the provisions contained in the RTE Act 2009. The current programmatic initiatives to promote universal elementary education are guided by the following principles:

- Holistic view on education and a systemic revamp of the content and process of education with significant implications for curriculum, teacher education, and educational planning and management;
- Equity, to mean not only equal opportunity, but also creation of conditions in which the disadvantaged sections of the society – children belonging to Scheduled Castes, Scheduled Tribes, minority communities, landless agricultural workers, and children with special needs, etc.- can avail of the opportunity;
- Access, not to be confined to ensuring that a school becomes accessible to all children within specified distance but implies an understanding of the educational needs and predicament of the traditionally excluded categories – the SC, ST and other sections of the most disadvantaged groups, the Muslim minority, girls in general, and children with special needs;
- Gender concern, implying not only an effort to enable girls to keep pace with boys but to view education in the perspective spelt out in the National Policy on Education 1986/92, i.e. a decisive intervention to bring about a basic change in the status of women;
- Centrality of teachers, to motivate them to innovate and create a culture in the classroom, and beyond the classroom, that might produce an inclusive environment for children, especially girls from marginalized backgrounds;
- Moral compulsion is imposed through the RTE Act on parents, teachers, educational administrators and other stakeholders, rather than shifting emphasis on punitive measures; and
- Convergent and integrated system of educational management that is a pre-requisite for implementation of the RTE Act.

OBJECTIVE OF THE PAPER

The main objective of this paper is to explore the status of right to education with reference to out of school children. Apart from that, the paper will discuss the quality and equity issues related to child education, the challenges and opportunities they face in accessing education and the overall impact of RTE in enrolment and retention.

IMPACT ON CHILD EDUCATION

The RTE Act attempts to bridge the gap between boys and girls on social and cultural level. To effectively implement the RTE Act, the Human Resource Development Ministry, Labor Ministry, Women and Child Development Ministry, Panchayati Raj Ministry and Rural Development Ministry have to work together. There should be an umbrella body that brings all these agencies together to work towards a common goal. The government must make every effort to become self-sufficient by using the education cess and other taxes to effectively implement the RTE Act. The RTE Act has been able to resolve some bottlenecks such as providing Special Residential and Non Residential Education Centres for Out of School Children (OoSC) and migrant children, providing toilet facility for girls and differently abled, availability and use of computers, etc. Once all these challenges are resolved, the implementation of RTE act will meet success and have a positive impact over the people. All sorts of socio-economic discrepancies should be removed to make this Act a success.

1. Growth of schools imparting primary education: During the period 2000-01 to 2013-14, the total number of

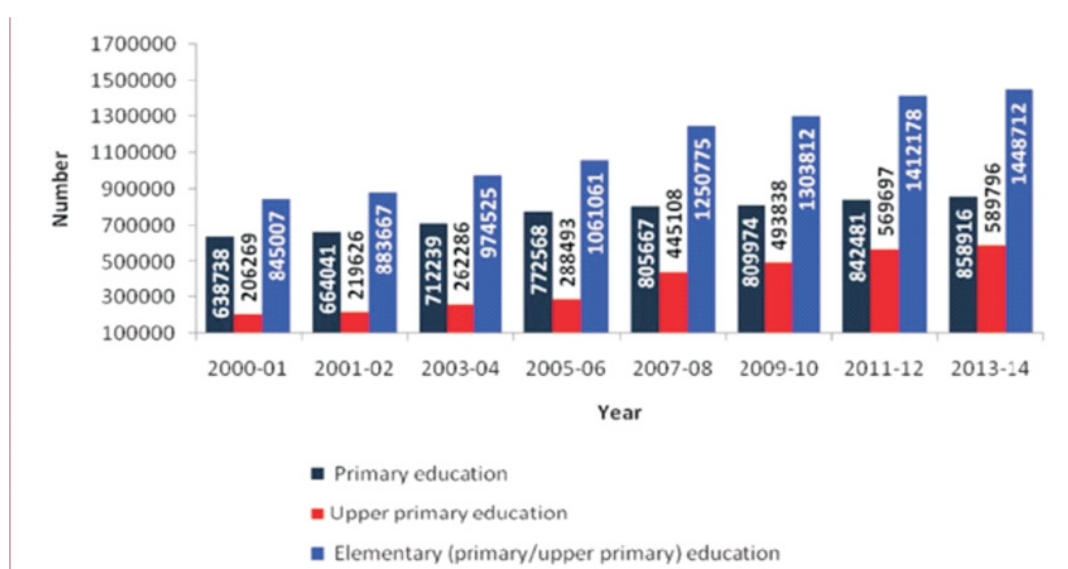
primary schools (schools with only primary section) has increased by 34.5 per cent (from 638,738 to 858,916 schools). The total number of schools imparting upper primary education has increased by 185.9 per cent (from 206,269 to 589,796). The total number of schools in the country during the year 2013-14 was 1,518,160 (U-DISE, NUEPA). The total number of schools with primary section in 2013-14 was 1,200,772. The ratio of primary to upper primary sections was 2.04 in 2013-14.

Table 1: Number of primary schools, schools imparting upper primary education and schools imparting elementary education (2000-01 to 2013-14)

Year	Number of primary schools (schools with only primary section)	Number of schools imparting upper primary education
2000-01	638,738	206,269
2001-02	664,041	219,626
2002-03	651,382	245,274
2003-04	712,239	262,286
2004-05	767,520	274,731
2005-06	772,568	288,493
2006-07	784,852	305,584
2007-08	805,667	445,108
2008-09	809,108	476,468
2009-10	809,974	493,838
2010-11	827,244	535,080
2011-12	842,481	569,697
2012-13	853,870	577,832
2013-14	858,916	589,796

Statistics of School Education, 2007-08, MHRD, GoI; and Unified District Information System for Education (U-DISE), National University of Educational Planning and Administration (NUEPA).

Figure 1: Number of schools imparting primary, upper primary and elementary education (2000-01 to 2013-14)

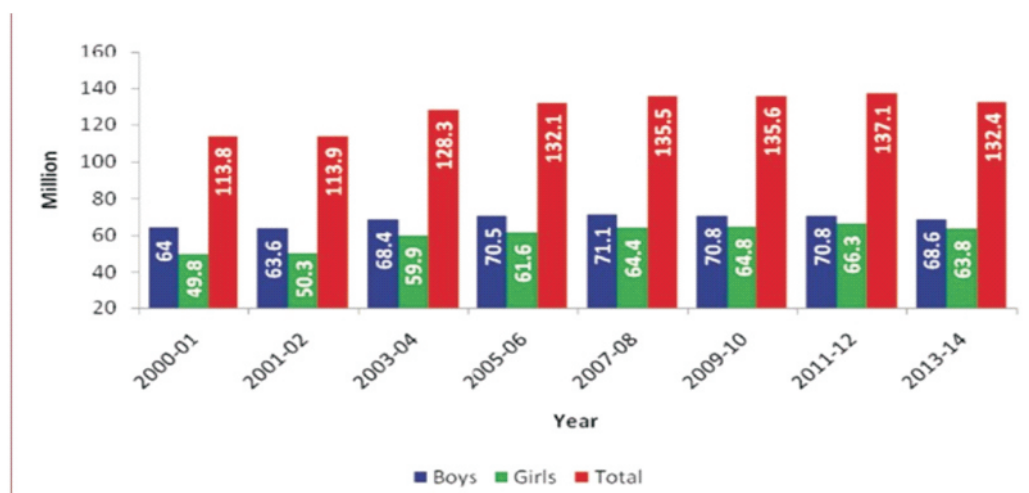


Source: Statistics of School Education, 2007-08, MHRD, GoI; U-DISE, NUEPA.

2. Progress towards universal enrolment: Enrolment in primary education (Classes I-V): Between 2000-01 and 2013-14, enrolment in primary education increased steadily up to 2010-11 and then showed a declining trend (Table 2.2.2). The enrolment in primary education reached the highest level in 2011-12 (137.1 million) and then declined

The overall increase in enrolment in primary education during the period 2000-01 to 2013-14 was 18.6 million while the overall increase in enrolment of boys and girls respectively was 4.6 million and 14.0 million during this period (Figure 2.2.2). The enrolment in primary education is stabilizing in many States and declining in some of the States. One of the reasons for the decline in enrolment in primary education is the declining child population age 0-6 years. The child population in the age group 0-6 years has declined by 5.05 million between 2001 and 2011 (Census of India, 2001 & 2011).

Figure 2: Enrolment in primary education (class I-V) (2000-01 to 2013-14) (in Million)



3. Out-of-school children (OoSC): The number of out-of-school children has declined steadily since 2001. The number of out-of school children in the age group 6-14 years was estimated at 32 million in 2001 (Census 2001). This represented 28.2 per cent of the population in the age group 6-14 years in 2005-06. A national level study commissioned by the Ministry of Human Resource Development (MHRD), Government of India through an independent agency [Indian Market Research Bureau (IMRB)] conducted in 2005, estimated the number of out-of-school children at 13.45 million during the year 2005-06. According to this survey, the number of out-of-school children accounted for 6.94 per cent (4.34 per cent in urban and 7.8 per cent in rural areas) of the total number of children in the age group 6-14 years in 2005-06 (Table 3). The IMRB survey conducted in 2009 indicated that the number of out-of-school children declined from 13.45 million in 2005-06 to 8.15 million in 2009-10. These surveys indicated that the percentage of out-of-school children to total population in the age group 6-14 years has decreased from 6.94 per cent in 2005-06 to 4.28 per cent in the year 2009-10. A study to assess the number of out-of school children was commissioned in 2013-14. The study is in progress and the report is expected to be ready by September 2014.

Table 2: Out-of-School Children (OoSC) in the age group 6-14 years

Year	Number of out-of-school children (in Millions)	Percentage of out-of-school children to total population in the age group 6-14 years (%)
2005-06	13.45	6.94
2009-10	8.15	4.28

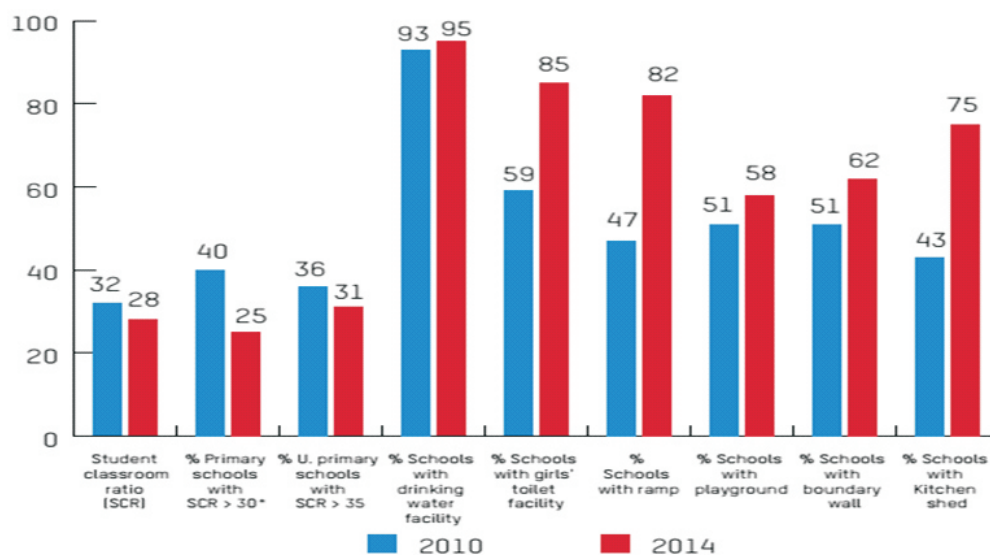
Source: Reports of IMRB surveys 2005 & 2009

4. Student attendance in schools: A study commissioned by the Government of India on measuring student and teacher attendance in 2012-13 covering 27 states reported significant improvement in the average overall attendance with regard to both teachers and students in comparison with a similar study conducted in 2006-7, covering 23 States. The study indicated that the average student attendance at the primary stage increased from 68.5 per cent in 2006-07 to 76.2 per cent in 2012-13 while the average student attendance at the upper primary stage increased from 75.7 per cent in 2006-07 to 77.8 per cent in 2012-13. In the case of teachers, the overall attendance at the primary stage improved from 81.7 per cent to 84.3 per cent and from 80.5 per cent to 81.3 per cent at the upper primary stage during the period 2006-07 to 2012-13.

Some States showed considerable improvement in student attendance rate. For instance, in the State of Bihar, student attendance at the primary stage increased from 42.2 per cent in 2006-07 to 63.6 per cent in 2012-13 and from 36.8 per cent to 59.7 per cent at upper primary level. Uttarakhand showed decline in students' attendance both at primary and upper primary levels (from 80.0 per cent to 76.5 per cent at the primary stage and from 83.2 per cent to 81.3 per cent at the upper primary stage). The reason for the decline in students' attendance is attributed to a major natural calamity in the State in 2013.

5. Teacher Qualification and Teacher Eligibility Test (TET): The proportion of trained teachers has shown a positive trend during the past few years. The proportion of professionally trained teachers at the elementary stage of education (Classes I-V) increased by 9.3 percentage points during the period 2005-06 to 2013-14 (U-DISE, NUEPA). However, the proportion of trained contract teachers was only 49.37 per cent in 2010-11. About 640,000 teachers in the government schools across the country are yet to acquire the qualifications prescribed by NCTE. Out of these untrained teachers, more than 450,000 are pursuing different programs supported by government through SSA, to obtain professional qualifications as per the norms. Most of these teachers are in the North-east States, as well as in Bihar (191,000) Uttar Pradesh (150,000) and West Bengal (100,000). In 2012, the Central Board of Secondary Education (CBSE) conducted the first Central Teacher Eligibility Test (CTET) for those who had completed a course of pre service teacher training. In all, six CTET examinations have been conducted until February, 2014. At the state level, barring Karnataka, Goa, Sikkim, Meghalaya, Mizoram and Tripura, all the states have conducted at least one round of testing. Some have conducted more. The CTET conducted by CBSE is applicable in case of UTs without legislature.

6. Continuous and comprehensive evaluation (CCE): A key aspect of the programs to foster quality education and student learning has been the efforts under SSA to move towards continuous and comprehensive modes of learning assessment. Under the continuous and comprehensive evaluation process, each child's learning progress is continually tracked as an integral part of the teaching-learning process. CCE has been envisaged in the RTE Act, 2009 as a means to assess the progress taking place in a child over time in different subjects, to identify individual and special needs, accordingly plan teaching-learning situations to help the child and to provide evidence of children's progress to parents and community. As education is concerned with the total all-round development of the child, all aspects of a child's development are expected to be assessed rather than assessing only academic achievement, which is presently the focus. Assessment would cover a range of activities, both 'in' and 'out' of the school classroom. The RTE Act mandates maintaining a profile for each learner. To help States/UTs in their efforts, subject-specific sourcebooks have been developed to support teachers in implementing continuous assessment in line with the principles underlying NCF-2005.

Figure 3: Outlines progress under RTE in terms of school infrastructure across the country.

Source: http://ssa.nic.in/rte-docs/Final_RTE_4th_Year.pdf

Latest ASER statistics show that 96.7 per cent of children in the age group 6-14 years are enrolled in school in rural India. This is the 6th year in a row that enrolment rates have been 96 per cent and above. Latest District Information System Education (DISE 2014) statistics show that about 94.9 per cent schools in 2013-14 had drinking water compared to 83 per cent in 2005-06. Further, the schools have been able to attract a significantly higher number of differently abled children (2.49 million enrolled in 2013-14).

Implementing gaps of RTE act

Shortfall in funding for programmes: Shortfall in funding has been a major constraint in the implementation of some of the programmes designed to further expand school education and adult education programmes and to maintain acceptable level of quality in education. When the RTE Act, 2009 came into force, the resource requirement for meeting its standards and stipulations was estimated by the National University of Educational Planning and Administration (NUEPA). The estimated financial requirements for RTE implementation amounted to Rs. 2,312.33 billion for the period 2010-11 to 2014-15. These estimates were agreed to by the Government and the resources were to be channeled through the SSA. However, there has been substantial shortfall in funding for RTE through SSA (Table 3).

Table 3: Shortfall in funding for RTE implementation (Rs. in Billions)

Year	Estimated funding requirement (Centre + State)	Estimated Central Share	Budget Estimates	Revised Estimates	Shortfall in funding
2010-11	405.02	239.38	150.00	198.38	40.99
2011-12	439.03	257.65	210.00	210.00	47.65
2012-13	481.53	281.27	255.55	238.76	42.51
2013-14	487.51	280.87	272.58	266.08	24.84
2014-15	499.24	287.40	--	--	--
Total	2,312.33	1,346.57	888.13*	913.22*	155.99**

Source: Ministry of Human Resource Development, Government of India

*Does not include estimates for the year 2014-15; ** Does not include figures for the year 2014-15;

CHALLENGES AND OPPORTUNITIES

Ensuring universal access to quality ECCE services: The RTE Act 2009 states that “with a view to prepare children above the age of three years for elementary education and to provide early childhood care and education for all children until they complete the age of six years, the appropriate Government may make necessary arrangement for providing free pre-school education for such children”.

- Enhancing teacher quality and performance.
- Expanding skill development opportunities.
- Fostering quality education with focus on relevant learning outcomes.
- Facilitating the upward transition/mobility of students from elementary to higher levels of education.
- Addressing the residual access and equity gaps in elementary education.
- Building a life-long learning and literacy support system.
- Enhancing financing of education.
- Quality-related deficiencies in ECCE services.
- Lower enrolment rates.
- Drop-out rates in elementary education.
- Lower level of student attendance rates in schools in some of the educationally backward States.
- Higher proportion of out-of-school children in some States.
- Lower level of participation in education by children with special needs.
- Unsatisfactory level of student learning.
- Lower level of teacher attendance rates in some of the educationally backward States. Improving teacher attendance rates.
- Deficiencies relating to teaching-learning process.
- Deficiencies relating to teacher quality.
- Expansion with consolidation.

ROLE OF PRIVATE SECTOR

The private sector has been playing an important role in the establishment of schools and expanding access to education. During the year 2013-14, 75.9 per cent of the 1,448,712 schools imparting elementary education were managed by the Government. Private aided schools constituted 4.69 per cent of the total number of schools while private-unaided schools constituted 17.4 per cent of the total number of schools imparting elementary education.

DISCUSSION AND CONCLUSION

Few suggestions to make the Right to Education Act, 2009 more effective and worthwhile are as below:-

1. The Right to Education Act, 2009 makes Education free and compulsory for every child of the age of 6-14 years but it should also make provisions for the children of below 6 years. It can make provisions for pre-primary education which can prepare a child for future studies by making him/ her adept in basic life skills and providing a base for the next stage of Education.
2. Similarly, the Right to Education Act, 2009 has made provisions only for Elementary Education but not for Secondary and University Education. What about those children who don't have facilities for continuing education further after the completion of Elementary Education? What about those children who are really talented and have good interest in further studies? What about those children who want to attain vocational skills and don't have money to pay for Professional Degrees?
3. The Right to Education Act, 2009 is obligatory only for the government schools, all local authority schools and all aided private schools. It does not include private or independent schools. But, for promoting the Common School System it is necessary that there should be the inclusion of such schools also.

In the end, we can say that for empowering the sustainable development in a democracy it is important for the Right to Education Act, 2009 to become a reality and an enforceable law that is bound to be followed with full dedication by the parents, authorities and the government. As Right to Education is one of the Human Rights,

its implementation is mandatory in letter and spirit. For the proper functioning of democracy it is the moral duty of the Government to see that every individual is equipped with the necessary knowledge, skills and attitudes to discharge his duties as a responsible and cooperative citizen. Therefore, we can understand that the Right to Education Act, 2009 is a valuable source for giving effect to the smooth functioning of both democracy and Sustainable Development.

There is no doubt that the dream for discrimination free and equal education for the children may require a comprehensive change in the institutional arrangements and legal provisions but the most important change has to come in our minds.

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Vivek Gupta

Research Scholar, Department of Education, University of Lucknow, Lucknow (U.P.)

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