

WORKSHOP ON RIGHT TO EDUCATION ACT 2009

Orgd. by ADHAR Date: 13th April 2010 Venue: Hotel Triveni, Balangir

A District level sensitization meeting was organized on Right to Education Act on the 13th April 2010 at Triveni Hotel Bolangir. The **MLA Mr. Surendra Singh Bhoi** attended it as the Chief Guest and **Mr. Ramesh Naik a retired IAS officer and a former District Collector** presided over the meeting. **Mr. Chittaranjan Behera** an eminent social scientist was the resource person and **Mr. Gopa Natha an Educationist** joined in as the guest speaker on the occasion.

At the outset of the first session **Mr. Saroj Barik Programme Officer of ADHAR** welcomed in all the guests and participants to the event. It was followed by the self introduction by the participants themselves. About 60 participants hailing from among different civil society organizations including RACRA, teachers associations, Village Education Committees, Village Development Committees, NGOs and CSOs attended the occasion and partook of its deliberations. Then Mr. Brahmananda Sahu of **Bhagbat Pathagar** described the aim and objectives of RACRA (Regional Alliance for Child Rights Advocacy), especially how the RACRA is involved in working on child rights issues including Right to Education.

Mr. Udayasing Thakur Convener of VCRO (VOICE FOR CHILD RIGHTS), presented the current education scenario in Bolangir district and pointed out the following as the main problems noticed at the grass roots level

- Teachers act and behave as money minded contractors.
- VEC and other village committees are unaware about the education system.
- Migration creates problems for the children.
- Children are engaged in labour for seasonal livelihood.
- Child labour and Dropout are rampant.
- Shortage and absenteeism of school teachers is a perennial problem.

Mr. Thakur further mentioned that no body knew the actual meaning of Education Act. In general the people don't understand what a law provides for. Moreover, whatever be the provisions of a law, these are hardly implemented. Even those who campaigned for Sarva Siksha Abhijan (SSA) didn't themselves prefer to send their children to the SSA Schools..

The Chief Guest Mr. Surendra Singh Bhoi, MLA of Titlagarh constituency who is also the Chairman, Standing Committee of Education Department shared his views about the possible problems that might arise in course of implementing RTE. He said that no quality education is available in Govt run primary schools. Rather private schools are imparting good quality education. It is simply incomprehensible what are the problems with the teachers due to which they are unable to impart quality education to the children. Shortage of trained teachers and haphazard distribution of trained teachers across the schools is also an obstacle on the path of providing quality education in the schools. He appealed to the parents to be more concerned about the education of their children in Government run schools.

The President of the meeting Mr. Ramesh Naik started his talk with a note on the current situation of literacy of our state. In orissa the overall literacy is 63% of the total population.

However the female literacy is only 39% whereas that of the male 61%. But in Kerala the overall literacy is 90%. In Orissa the rate of infant mortality and child mortality rates (IMR/CMR) are also high, that is, 12 per 1000..We need to analyse why these perturbing conditions are still found in Orissa? He further observed that poverty is a great factor behind backwardness in various fields including education. It is due to this factor that as much as 39% of students drop out at primary school level and this figure reaches upto 63% at High school level. All this clearly indicates that due to poverty of a family a child is forced to stop his study.

Guest Speaker Mr. Gopa Natha in his talk observed that it is for the first time that an Act has been passed for providing free and compulsory education to all children. But we need to know the provisions of the Act carefully first of all We need to know, for whom the compulsory education is meant. Discussing about the lack of quality education, he opined that in private schools the teachers are made to concentrate on teaching, but in Government schools there is no such compulsion for the teachers..Besides the teachers do a lot of other works in addition to teaching. Moreover, a heavy syllabus and that too unrelated to the life and environ of the children has been thrust on the children who are incapable of coping with it. He emphasized that the entire primary education system should be transformed. Suitable environment should be created for the disabled children.For the working and dropout children bridge and remedial courses should be provided. By the way, Mr.Natha suggested the participants to watch the Hindi movie ‘Three Idiots’, which depicts the possibility of talent and genius remaining latent in the unschooled children.

Presenting the salient features of the newly launched RTE Act **Mr. Chitta Behera Resource Person** told that no body knows for sure as of today what the RTE provides for. Elaborating on this view, he referred to frequent utterances, often shifting and contradictory made by Mr.Kapil Sibal Union Minister for HRD himself on various aspects of the new Act. Besides there also exists strong hesitation among various States like Bihar, Karnataka and Chhatisgarh in implementing the Act. As of today the Government of Orissa maintains an ambiguous silence over the acceptability of Act. The hesitation of the States basically ensues from the lack of assurance by the Centre to provide the major bulk of funds required for implementation by the States of this ambitious law. Above all, it is simply ludicrous to learn that neither the educational community nor the Government officials have any idea about this new Act, though it has already come into force with effect from 1st April 2010 through out the country including all the States/UTs. Again, not only the Central and State Government but also ironically the vary people whom the Act purportedly addressed to, namely rural and urban poor are as yet absolutely in dark about its provisions.

Then Mr.Behera taking the cue from the concerned provisions of the Act observed that the Act is going to perpetuate and legitimize the great socio economic divide that exists today in India between the elite and affluent minority on one hand and the overwhelming majority of poor and disadvantaged people on the other. This is going to happen since the Act seeks to maintain at a time four-fold systems of school education (Government schools, aided schools, non-aided schools, and special category schools) along with vastly dissimilar and inequitable policies on admission, attendance, examination and certification. Though the Act talks of the neighborhood school, the other name of common school system, it shall however promote and encourage the growth of commercially motivated unaided/private schools at the expense of the so-called neighborhood schools.

The champions of the new Act, be they politicians or bureaucrats do not themselves believe in the virtues of the so called neighborhood school. How many of them shall send their wards to the neighborhood schools, which are nothing but similar as A.I.E centers (Alternative Innovative Education centres) under SSA? As a matter of fact they have been and shall be sending their wards to the posh and plush schools in the private sector or centers of excellence like Nabodaya Bidyalaya or Central School or Sainik School run by the Government. It is one thing to talk of the virtues of non-formal schools, while altogether a different thing when it comes to the question of sending one's children to such schools.

Neither are the architects and champions of the new law sincere in making necessary financial allocation for its implementation. It is quite evident from the blatant fact that only a paltry sum of rupees 15 thousand crore has been allocated in the central budget of 2010 -11 in place of the required amount for the first year i.e. rupees 34 thousand crore.

Further it is simply farcical that though the Central Government has already issued Model Rules under the new Act, in January 2010, most of the states including Orissa have not notified any rule whatsoever, contravening thereby the Central Government notification that the Act came into force on the 1st April 2010.

Under these circumstances, what we need to do in Orissa is to grasp the various nuances of the Act and model Rules made there under before we say yes or no to the new Act.

Mr. Behera continued to say, it is an irony that we are independent for more than 60 years, but are now making a law to provide free and compulsory education for 6-14 years. We are waking up now, after 63 years of independence and 60 years of proclamation of the Constitution, though the Article 45 of the Constitution has assured to realize elementary education for children up to 14 years within 10 years of proclamation of the Constitution. Again, it seems very probable that the government would not have felt compelled to legislate the Right to Education Act, had not the Supreme Court in Unnikrishnan Case 1993 questioned the sincerity of the Government for implementing the constitutional commitment contained in Article 45.

On the face of the Supreme Court's direction the Government embarked upon series of eye-catching programme such as National Literacy Mission and Education for All by 2000. But that did not bring about any radical changes in the massive backlog of illiteracy across the country. The Parliament passed 86th Constitution Amendment, which added 21 –A saying that all children in the age group of 6 to 14 years shall be provided with free and compulsory education in the manner to be prescribed by the Government.

In pursuance of the said amendment, the SSA was launched with the primary objective of enrolling all children of 6-14 years age-group by 2005 and by retaining all children up to primary stage by 2010. The SSA also promised quality education to such children in alternate and innovative educational streams. But the moot question arises, why did the above objectives of SSA were not realized during the scheduled period? Unless and until we probe and find out the truth about such past failures we won't succeed at all in future, even if Right To Education is made into a law by the Parliament.

The buck must stop somewhere. But till date no politician or bureaucrat whosoever has come forward to own the responsibility for the visible and grotesque failure of a massively funded educational mission such as Sarva Siksha Abhijan.

Ironically, as against the clear constitutional mandate for universalization of elementary education within 10 years, the government of India started its educational endeavour on a visibly contradictory and absurd note, that is priority to higher education. as is evident from the setting of the Radhakrishnan Commission on University Education (1948-50) . Then was noticed another major departure from the constitutional mandate i.e. the institution of Mudaliar Commission on Secondary Education (Classes 8 to 10-12). Then, after a long gap of 14 years from the proclamation of the Constitution arrived the Kothari Commission (1964-66), a body to look into the education system as a whole.

For the first time in India Kothari Commission had talked of neighborhood school or the common school system, which we find largely echoed in current RTE Act. However, Kothari Commission did also dilute this great democratic educational ideal by simultaneously emphasizing the need for the centres of excellence.

The National Policy on Education 1986 carried forward. the cliché of neighborhood school only to render it spiritless by stressing the creation of new elitistic brand of schools called Nabodaya Vidyalayas. It seems out great leaders and administrators have not learned even an iota of how the other democratic and socialistic countries of the world including U.S.A, England, France, Germany and even China and Russia had realized the universalization goal through a common school system for all classes of the children of the society. In fact SSA is the real father of RTE Act, the only difference being in respect of availability of funds. While the SSA was lavishly funded by such international agencies as World Bank, DFID and European Commission, the sources of funds for the new Act are yet greatly uncertainty. As a matter of fact, the RTE Act has virtually taken over the entire pedagogic and administrative metrics of SSA including even the glossary itself.

In nutshell, the RTE Act is riddled with ambiguities galore in critical respects such as funding pattern, monitoring and supervision and accountability of teachers and administrators.

Though in the official literature poverty of the parents is considered as the first and foremost reason behind the non-attendance and dropout of the school children it is never addressed to and rather blissfully skipped over.

Following the discussions by Mr.Behera, **Mr. Ramesh Naik** in his presidential conclusions observed that extensive awareness among the general mass of people is necessary to solve the aforementioned problems. If we can properly point out the shortcomings in the RTE Act, then it will help the Government remove them to achieve the goal of universal access to quality education in schools.

2ND SESSION OF THE WORKSHOP

The second session was mainly devoted to interaction through question and answers. Following questions were taken up for discussion.

Q1. Is the Central school meant for the Government employees' children or is there any provision for the children of others too?

Answering this question the resource person told that 95% of total strength is reserved for the children of Government employees and remaining 5% for others. In our country there are 3 types of special schools run by the Government, namely 1-Central, 2-Nabodaya Bidyalaya and 3-Sainik School. In all these schools there is good provision for laboratories, libraries, spacious rooms, qualified teachers, hostel facilities and play grounds etc.

Q2. If the new Education Act is already enforced from 1st April 2010, are the coming exams going to be held as per the new pattern?

Ans: The Act does not speak of holding any exams. It only talks of evaluation. But the pattern of such evaluations has not been laid down anywhere in the Act or Model Rules.

Q-3-Is it possible to induct educated people other than the parents in the SMC?

Ans: Mr. Behera replied that the SMC will be responsible for monitoring quality education. 50% of the members of SMC shall be women. The members of SMC shall be taken from among the teachers and local peoples.

Mr. Natha added that Local body in the SMC should specify what type of Committee should be in place in the interest of the development of a school.

Q-4-What are the penalties if any stipulated for violating the provisions of the Act?

Ans: Mr. Behera replied that penalties are provided in the Act against the defaulting teachers, against a school if it is not closed following the withdrawal/ non-issue of recognition, and also against a school if the recommended facilities like school building, boundary and playground etc. are not in place.

At this point the **Secretary of Teachers Association** observed that one main problem is the lethargy that permeates the whole Education Department. Quality education is not only the responsibility of a teacher, but also that of the public, administration and politicians. A teacher is burdened with so much of extra responsibilities like census, preparation of voters' list, midday meal and construction and maintenance of school building and infrastructures etc that he cannot concentrate his full time and energy on teaching. If a teacher is required to focus his attention on quality education, it is possible that he can bring about an improvement in the educational situation. A teacher should also receive cooperation and support from the community.

After the questionnaire session was over, a vote of thanks to the resource person and all the guest speakers and participants was offered. Then the Workshop was closed at around 5 PM.
