

Develop a ring of positive Neighbors

Nepal is the only nation which has a strong cultural affinities to India. But of late it has begun to see India with suspicion and fear. The relations are soured by the interference of India in Nepal's domestic politics. Sri Lanka-India relations which were close have been bedeviled by Tamil insurgency supported briefly by India and resulting in assassination of then prime minister Rajiv Gandhi by Sri Lankan Tamils.

India must adopt a low profile on what is happening in Sri Lanka and develop strong trade ties with it. India has had poor relations with all her close neighbours and good or better relations with the more distant ones.

Our leaders should contemplate on how to be in close touch with the neighbors for the future considerations. India stands to lose if it fails to maintain that strategic closeness with the Pakistan, Nepal, Bangladesh and Sri Lanka.

But the closeness cannot be maintained at the cost of its national values. In case of Kashmir, India's position is clear that it cannot concede J&K as a part of Pakistan, as an independent nation, or even an autonomous state within India.

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Sri Lanka-India relations which were close have been bedeviled by Tamil insurgency supported briefly by India and resulting in assassination of then prime minister Rajiv Gandhi by Sri Lankan Tamils.

The defeat of the LTTE and the massacre of many thousands of innocent Tamil civilians have resulted in strained relations. China plays a growing role in Sri Lanka.

The Rajapaksha family rules Sri Lanka and no amount of accusations of Tamil massacre will restore friendly relations. Let India adopt a low profile on the Tamil killings, aid the Tamil population to rehabilitate itself, and develop strong trade and investment ties with Sri Lanka.

Bangladesh took birth from the genocide and rape of East Bengalis by occupying Pakistani army. Islamic fundamentalism have now entered Bangladesh and has under different political regimes, been hostile to India.

Myanmar more or less has been another problematic neighbour with the ruling generals closely allied to China. India for years adopted a moralistic attitude to the generals and it is only recently that we have allowed our self-interest to dictate our relations. Again, trade and investment are the answer to better relations.

China and India have yet to resolve border disputes. Our unconditional recognition of Chinese suzerainty over Tibet must give way to a more ambivalent stance.

China's encirclement policy towards India, using Pakistan as its primary tool needs counterbalancing by a similar encirclement strategy towards China, with strengthening of our armed forces' capabilities. However, trade between the two is growing rapidly. 'Intimate hostility' is the best policy for us towards China.

India enjoys the best of relations with the Arab kingdoms and Egypt, Syria, etc. Africa is another area where closeness will grow with the new aid policies. It has taken long but India seems to be learning to deal with its neighbours. Paying more attention to them is necessary.

India now needs a stronger ring of positive neighbors around its border and with its surety the country could achieve a better role as a leader in the world affairs particularly in solving the issues of terrorism.



Right To Education – A Dream Or Reality

By Chitta Ranjan Behera

If there be any single law in the country which promised so much only to belie it the next moment and all through, out here it is the right of children to free and compulsory education act, 2009, or popularly called Right to Education Act, which was published on official Gazette dated 27th August 2009.

In scale of deceit and misfeasance it can only be compared to the over ambitious but inherently abortive Article 45 in the Directive Principles chapter of Constitution, which was uplified by 86th Constitution Amendment 2002 to a position of pride i.e. Article 21-A in the Fundamental Rights chapter.

Curiously, it had promised way back on 26th January, 1950 when democratic and republican Constitution of India was born. "The State shall endeavor 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". However, one can mark, semantics apart, a big difference between the straight talk that imbued the erstwhile Article-45 and the indecisive construction of its posthumous counterpart i.e. the newly inserted Article 21A (Right to Education) in Fundamental Rights chapter, which reads, "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". On a careful comparison several striking differences between the two do stand out with their fateful implications for the nation in general and millions of its children in particular. The new dispensation, though embellished now a Fundamental Right, enables the State to bypass not only any definite commitment in terms of time or manner for ensuring universalisation of elementary education but also its obligation, deserving of any civilized nation, for early childhood education for 0-6 age-

groups. That is to say, constitutionally speaking, any damn thing the Indian State now does or refrains from doing on the front of elementary education can be justified by the cunningly marshaled crafty phrase "in such manner as the State may, by law, determine". Needless to say, any perceptive commentator has to keep this

historical and constitutional backdrop in mind while partaking of any discourse on nuances or progress of RTE Act 2009.

Coming to the windy trajectory that the RTE Act traversed to this day, the whole of the Act, to start with, as if by a fatwa from above, came into force w.e.f. 1st of April 2010 covering the entire country except the State of J&K as per a central gazette notification dated 19th Feb 2010.

Theoretically it meant that all the provisions of the Act including the norms and standards of the would-be school envisaged under the Schedule appended to it were in place everywhere across the country on the day of its commencement. However, as the irony would have it, the whole nation including the prime stake-holders of the new law, be they educational administrators, teachers, school managements or parents of the children were then blissfully asleep over it. Then came the notification of Central Rules made on 8th April 2010 as required under Section 38 of the Act, applicable to concerned educational authorities of the Centre and Union Territories. It is worthwhile to mention here that no State came forward voluntarily, as required under the above Section to frame the necessary Rules for operationalising the provisions of the Act in their respective domains. Only after the draft Model Rules for the States were circulated in February 2010 by the Centre along with a favorable hint for sharing of funds between the Centre and States, some states started mulling the implementation of the Act albeit with hesitation and doubts that persist even to date. More than a precious year on, the implementation of RTE Act across the country, despite a lot of expensive hullabaloo made around it by the Centre, presents as wretched a scenario as it existed at the moment of its cryptic commencement. As per the official release 'Status of imple-

mentation of RTE Act, 2009 in

States/UTs as on 15.3.2011' (<http://ssa.nic.in/rte/8Status.RTE.pdf>), out of 29 States, only nine (Andhra Pradesh, Arunachal Pradesh, Chhattisgarh, Haryana, Madhya Pradesh, Manipur, Orissa, Rajasthan and Sikkim), that is a little more than one third, and out of 6 UTs only two (Andaman & N Island and Chandigarh) that is one third, have notified the Rules, a statutory obligation under the Act. Interestingly, according to the said release, nothing could be ascertained in this respect from two units, State of Goa State and Union Territory of Dadra and Nagar Haveli.

As regards another mandatory provision of the Act i.e. State Commission for Protection of Child Rights supposed to be in place as the monitoring authority and highest appellate body for grievance redressal as per Sections 31 and 32 of the Act, has as per the above release, been complied with by one-third of the States i.e. only 11 in total, namely Assam, Bihar, Chhattisgarh, Delhi, Jammu & Kashmir, Madhya Pradesh, Maharashtra, Mizoram, Orissa, Rajasthan and Sikkim.

Thus, broadly speaking, two-thirds of India still remain outside the ken of RTE Act 2009 in statutory sense of the term- a fact which not only makes this particular law a joke par excellence, but has already cast indelible aspersion on the law-framing caliber of Indians.

Tardy progress in statutory compliance apart, the situation at ground zero remains as unwelcome as before. Even Human Resource Development Minister Kapil Sibal who seems to be fanatically committed to RTE Act from the day one, had to perform admit to some stark realities afflicting it while releasing the 1st year report card of RTE on 1st April last. Of course calibrating his release with an orchestrated note of optimism, Sri Sibal couldn't but put on record, "It's unfortunate that 81,50,619 children in the age group of six to 14 are still out of school and there's a shortage of 508,000 teachers country-wide..."

21 percent teachers were found to be without professional qualification and nine percent schools were with a single teacher... only 2.74 lakh class-

rooms have been provided till now against 14.25 lakh planned within three years". Besides, he also conceded to the lackadaisical approach by the States/UTs in complying to the statutory obligation to put the Rules and SCPCRs in place. However, holding on to his shibboleth, Sri Sibal concluded by saying, "This is just the first year; things will be better next year".

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A day earlier to the drama of above mentioned official report card, a coalition of civil society organizations called RTE Forum presented a stock taking report on the progress of RTE Act if any achieved during its first year 2010-11. In the stock taking meeting where Smt. Shanta Sinha, Chairperson of the National Commission for Protection of Child Rights was the Chief Guest, Sri Ambarish Rai, spokesperson for the Forum taking a swipe at the official release, commented, "It is a shame that one year after the enforcement of the (RTE) Act we have yet to get off the ground on key provisions. The dream of universal education remains a distant reality."

Their report dubbed the official figures to be gross exaggerations or gross underestimations depending on whether the Government sought to hype or hide a fact. For instance, the tall enrolment figures quoted by the Government should be read with caution, since 'School figures generally depict enrolment and not attendance'. A child might have been enrolled during the last year, but he or she might not have attended any class at all since there is no compulsion for it as a criterion for class promotion under RTE Act (vide Section 16). Similarly, the official figure for child labour is 12.6 million, who are perform out of school, a fact which renders the official figure of 8.1 million for the out-of-school children a gross underestimation. Moreover, the Stocktaking Report estimates the national shortage of teachers at 1.4 million in contrast to official figure 508,000, with the state of Uttar Pradesh alone requiring 200,000.



Letters to the Editor

With Anna Hazare joining the indefinite hunger strike to be launched by Baba Ramdev on Saturday, those wary of the anti-corruption campaign are making subtle attempts to create a rift on the issue of including the Prime Minister and the Chief Justice of India under ambit of the Lokpal bill.

Shalini, Malleswaram

Many people in public life have raised serious doubts about Baba Ramdev's commitment to the anti-corruption movement. Such talk without substance will surely jeopardize the efforts of those campaigning for a just cause.

Pallavi, Shantinagar

The Opposition party in the State should stop trying to destabilize the government while the governor H R Bharadwaj should act like a counselor and not act like an agent of the congress as alleged by the ruling party.

Rohan, J P Nagar