CHAPTER ONE

INTRODUCTION

Education has a lot to contribute in the development of both the personality of human being and nation’s growth. It provides valuable developmental opportunities to children. Yet, millions of children remain deprived of educational opportunities across the world. Despite the children's right to education being internationally recognised, it is yet to be ultimately fulfilled in various parts of the world. The huge number of dropped-out school children from various parts of the world reflects a broken promise. This scenario is affecting education system, health of children, their families and the complete growth and development of the nations where they live.

In the absence of an elaborate and properly structured educational system, children’s mental and physical health took a big hit. This has also affected their capacity to actively participate in the functions of their communities, subsequently, affecting their chances to be effective parents in future. Without giving children their Right to Education, countries are unable to achieve other optimum development goals.

The Right to Education is among the listed human rights whose status affects the realisation of all other rights. Therefore, among social and economic rights, the Right to Education holds a central place as it provides minimum level of education to children which would also enable them to access other rights. The educational right has a solid basis in the human rights which speaks of international law. A general Education Right was directly formulated firstly in the Universal Declaration of Human Rights (UDHR) in Article 26. Later, the it was rearticulated at the universal level by the International Covenant on Economic, Social and Cultural Rights (ICESCR) in Article 13 and Article 28 of the Convention on the Rights of the Child (CRC), which both gave an assurance to everyone the right to compulsory and free primary education.

In India, discrimination and disparities existing at the regional, economic, social and gender levels hinder children’s development towards the receiving of a quality education.
The children, who find it difficult to access quality education, are from excluded, marginalised groups or from otherwise vulnerable sections such as children hailing rural background and poor families, disabled children and also girls. At the primary and elementary education levels, the abovementioned categories of children face multiple challenges to get access to quality education.

India is a signatory to UN Declaration on the Rights of Child, 1959 also to the Convention of the Rights of Child, 1989. Accordingly, India, through its Eighty Sixth Constitutional Amendment declared that elementary education is a fundamental right in the year 2003 and has given a affectionate touch to the policy regarding Children. In the report titled “Childhood under Threat”, which was released in the year 2005, by UNICEF, it is mentioned that large number of children living in India do not enjoy their health, nutrition, survival and educational rights and are deprived from having basic requirements such as food and drinking water. The year 2009 brought a huge change in the lives of large number of children in India, who were denied and deprived of their basic rights, by the enactment of the Right of Children to Free and Compulsory Education Act commonly called as RTE Act. The RTE Act puts an obligation on all the states of the India to ensure the educational right by implementing the provisions of the Act.

The right to education was incorporated as a fundamental right in the Indian constitution within the Article 21A and came into effect from April 1, 2010. This demonstrates national interest and dedication to the education of deprived children and to the future of India. The act is a building block to execute that each and every child can enjoy and uphold his or her right to get a quality education at the elementary level of our education system.

The RTE Act and its model rules have received a mixed response from education experts across the world. The reactions are divided in to two major categories. One group believes that the Right To Education Act will lead to the centralisation of education thereby helping the privatisation of education to enhance further. It might also result in a situation
where the under-resourced and under-privileged sections, which are supposed to benefit from this Act, may not be benefited to get quality education.

Meanwhile the second group recognises the flaws and loopholes of the Act. Yet the group strongly emphasises on looking at its positive side. The group also believes that the positive dimension of the Act should be taken to all level and a familiarity should be given to the people in order to make the best use of it. According to this group, we should work hard to take the positive side of Act into the public and try to rectify its loopholes in a phased manner for a long period continuously.

Despite the criticism against the Act, most people will admit that the RTE has certainly brought a significant change in the field of Education. Without a proper implementing mechanism, no Act can deliver effective results. The provisions of the Right to Education Act must reach the public. To ensure good results from the provisions of any Act, it requires large scale of creating awareness among public and cooperation from the system. Only with a synchronised cooperation and coordination between the public and the government, the RTE can achieve its objectives for sure.

It is a wide belief that the RTE has the capability of bringing a massive change in the Educational scenario in the nation. However, it requires a greater reading and understanding of the rules and provisions of the Act among its key stakeholders, such as parents, teachers, NGOs, local government bodies, civil society bodies, etc. Each stakeholder has an equal role in achieving the aims of the RTE Act.

Being a signatory to the United Nations’ Convention on the Child Rights, India is mandated to follow and implement the Childrens’ Rights in an impartial manner. The Government of India finally gave its ratification to the convention on December 10, 1992. The text of the ratification reads as:

“While fully subscribing to the objective and purpose of the convention, realizing that certain of the rights of the child. Namely those pertaining to the economic, social and cultural rights can only be progressively implemented in the developing countries, subject to the extent of available resources and within the framework of international cooperation,
recognizing that the child has to be protected from exploitation, nothing that for several reasons children of different ages do work in India, having prescribed minimum hours and conditions of employment, and being aware that it is not practical immediately to prescribe minimum age for admission to each and every area of employment in India the Government of India undertakes to take measures to progressively implement the provision of Article 32(a) particularly paragraph 2 (a), in accordance with the national legislation and relevant international instruments to which it is a state party.”

After ratifying the convention, Indian Government introduced laws, adopted measures, implemented programmes and schemes to confirm that the rights of children within the country are fulfilled, promoted in all aspects and protected from violations. The Constitution of India provides enough rights to children who are also citizens of the country.

The Indian Constitution has incorporated most of the rights mentioned by UNCRC as Fundamental Rights or Directive Principles of the State Policy. The Fundamental Rights are given a judicial protection and victims can approach the Supreme Court and the High Courts when their fundamental rights are violated. But the Directive Principles are mere affirmative directions to the State parties and they are not justifiable in the Court of Law. However, based on some of the Directives the Judiciary has delivered wonderful landmark judgements to promote the rights of the children which were hailed as safeguards in protecting the rights of the children, which also paved the way for necessary constitutional amendments. The Indian laws and several policies highlight the needs and rights with a holistic approach while keeping different age groups and categories of different types of children in mind.

Education enlightens even the ignorant and innocent human beings and is capable of changing the face of under-developed countries with rapid social and economic development. Education brings change in individuals and gives freedom and empowerment, thereby making an individual self-reliant. More than anything, the education is considered as a fundamental right throughout the globe. For understanding and practicing other human rights education becomes essential. People who understands human rights properly through education attain the capacity to lead their lives skilfully and also develop self confidence to
defend their human rights. Education, like human rights become more universal in nature. Everyone is eager to get education without any discrimination on the basis of race, religion and other factors relevant to society and economy. In course of time, education also became a human right by itself.

- Without any discrimination everyone should be guaranteed with the right to education.
- It is the responsibility and accountability of the States to promote, develop, protect, the right to education. States have the obligation to protect, respect and fulfil the right to education
- Violations of right to education should be prevented by the States and for such violations ways and means should be developed to make the State accountable..

Rights-based approaches to education have become a focus area which has become a highlight among academicians and researchers. The rights based approach to education has a simple goal. The goal is to guarantee each and every child to receive quality oriented education which enhances his or her personal dignity and overall development. The biggest challenge faced is the achievement of simple goal.

The right to education encourages to have both freedoms and entitlements including:

- Right to have free and compulsory primary education
- Right to access to secondary education, focusing on the vocational education as well as training and also technical based education as well as training
- Right to get access to higher education equally on the foundation of capacity orientation.
- Right to basic education to those who are deprived of getting primary education
- Right to get education with orientation to quality in schools run by Government and Private People

1 http://www.right-to-education.org/page/understanding-education-right
Providing freedom to parents of the children to choose the type of education they need for their children according to their family, religious and cultural interests

Providing Freedom to individuals and organisations to start and run educational institutions with the control exercised by the State and provision of academic freedom to teachers and learners.\(^2\)

The State has responsibility and accountability when it enters into an agreement to provide quality education and it should protect and promote that right. If it does so, then, other rights are developed automatically.

**Obligation to respect, protect and fulfil**

- **Respect:** the enjoyment of right by any individual should not be refrained by the States (e.g., freedom of choosing the school by the parents of the children)
- **Protect:** prevent anyone who interferes in the exercising of this right by enacting suitable laws and legislations and secure the rights properly (e.g., legal guarantees should be granted that no boy or girl is denied of this rights by others or even by their parents)
- **Fulfill:** The State should take adequate measures to make the right to education fully realised (e.g., measures should be taken to guarantee education with quality to all irrespective of their level of minority, whether it is cultural, linguistic or religious)

**Immediate and Progressive Obligations**

Due to non-availability of resources like other rights which are economic, cultural or social in nature, the right to education may also suffer. Giving and getting quality education may take a long time due to resource constraints. It becomes necessary to face this challenge with limited resources. Provision of free elementary education is possible in some States and many States feel it difficult to provide quality and free secondary education or higher education.

\(^2\) [http://www.right-to-education.org/page/understanding-education-right](http://www.right-to-education.org/page/understanding-education-right)
Even, when the resources for the achievement of right to education are so limited or not available, the States have priority obligation to execute the following aspects of Right to Education.

- **Ensure minimum core obligations to meet out the essential levels of the right to education**, which includes preventing and prohibiting discrimination in access to education, confirming free and compulsory primary education for all, respecting the freedom of parents to choose the necessary schools for their children other than those established by government authorities, protecting the liberty and dignity of individuals and institutions to establish and direct educational institutions.

- **Take the most appropriate steps towards** the complete realisation of the right to education taken to the maximum level irrespective of its available resources. Limitation of resources or non availability of resources cannot justify inaction or indefinite postponement of measures to execute the right to education. States must ensure that they make every effort to improve the execution of the right to education, even when resources are less.

- **Not to adopt retrogressive measures.** This refers that the State should not take backward steps or adopt measures that will repeal existing guarantees of the right to education. For instance, introducing school fees in secondary education when it had formerly been free of charge would constitute a retrogressive measure.³

**Statement of the Problem**

RTE presents a unique opportunity to confirm that all children exercise their right to a quality, child-friendly and child-centred education. It provides specific time frames for implementation of its provisions, including three years for establishment of neighbourhood

³ [http://www.right-to-education.org/page/understanding-education-right](http://www.right-to-education.org/page/understanding-education-right)
schools with infrastructure, pupil-teacher ratio and facilities mandated under the provisions to the Act and five years for recruitment and training of teachers.\footnote{Status of Implementation of the Right of Children to Free and Compulsory Education Act, 2009: Year Four (2013-14), Report of RTE Forum, March 2014}

The Act came into force in the month of April 2010 and two deadlines have passed by March 2015. Many promising developments starting from the doubling of the government’s budget for the Sarva Siksha Abhiyan programme- the main vehicle for RTE’s implementation-from Rs. 12, 825 crore in 2009-10 to Rs. 27,258 crore in 2013-14. With the generous grant of over 3.5 lakh schools in the last decade, 99 per cent of India’s population living in the rural areas has a primary school within one kilometre radius.

Despite these achievements, large gaps remain in the process of implementation. In India, nearly eight million children remain out of school and the integration of these children into an age in the right class remains a significant challenge. Millions of children drop out of school before completing the full cycle elementary education. The reasons for this increasing dropout rate vary. There is no drinking water facility for 7,536 schools out of 76, 467 in the State of Andhra Pradesh in 2013. A review of the RTE act implementation of the Right to Education Forum, a civil society organisation has shown that while some progress has been made in implementing the act, it is far from adequate and needs to do much more.

Three years after the RTE Act came into effect more than 75% of schools across the state still do not comply with RTE standards for infrastructure. There are many other factors as a result of which, the RTE is unable to be implemented fully. A large number of the government schools lack basic infrastructure, safety and sufficient teaching staff. Apart from this, the corporal punishment and other discriminatory attitudes towards the children block educational opportunities for children of the poor and marginalised communities. There are 90 lakh children getting education from 76, 467 government schools throughout the state of Andhra Pradesh. It is a fact that the adequacy and condition of the class rooms especially in rural areas is a concern. Scarcity of toilets is a major cause for many a girl children feel difficult and dropping out of government schools. All these point to the awareness level
about the act and its utilization by the stakeholders. If we look at it from rights perspectives how the act has delivered on the ground is a significant concern, that too with a rights perspective.

REVIEW OF LITERATURE

The following are the relevant review of literature related to the present study:

Bajpai, et. al (2003) “Child Rights in India: Law, Policy and Practice”\(^5\) stresses on various pertinent regional and international mechanisms and international standards of behaviour towards children by critically looked into the recent national and international initiatives towards protection of child rights and measures taken for their conferment. Her book “Child Rights in India: Law, Policy and Practice” presents important laws, policies, judgements and practices on child rights in India. According to her there are examples of NGO interventions and strategies in the area that aimed at enhancing and protecting the rights of the child in the country. The other issues include child custody and guardianship, adoption, child labour, juvenile justice, child sexual abuse and trafficking, health and nutrition of children, education, children’s right to play and recreation. She says that there are many initiatives of the government towards right to education through laws, policies and constitutional provisions as education is the most efficient tool for empowerment.

Geeta Chopra, (2015) “Child Rights in India: Challenges and Social Action”\(^6\) gives a comprehensive view of child rights in India from a child development perspective. She states that the challenges being faced by the Indian children especially those belonging to the marginalised are survival, development and education. Infant and child survival, street and working children, early child development, children in conflict with law, child trafficking and child sexual abuse are issues explicated by the author in relation to rights. She finds high population, poverty, illiteracy, migration, poor legislation and deep rooted social norms and behaviour as the causes for this situation. She also says that there is a need to understand the roadblocks that the children of the marginalised sections face and to comprehend the causes

of these roadblocks and to evaluate the government and civil society action for children in India.

Naila Kabeer, et al. (2003) “Child Labour and the Right to Education in South Asia: Needs versus Rights?”[7] explore the issue of children’s rights from the perspective of children’s right to education in a context where child labour is widely seen as a manifestation of poverty and the child’s economic contribution to the household’s economy are thus seen as vital to meeting the basic needs of the family. South Asia has been the largest number of child labourers in the world and the largest number of children out of school and has prevented children in these societies from participating in schooling. They state that child labour is a consequence of poverty and a poor educational system, resulting in the poor delivery of education.

Virendra Pratap Singh (2013) “The Right of Children to Free and Compulsory Education Act, 2009: An Exploratory Study”[8] conducted a study on implementation of RTE Act across States and Union Territories of India. A questionnaire to gather key information from the State Project Directors (SPDs) of 24 States and 4 UTs was used on the steps taken in the execution of RTE Act. It was reported that 5 States- Arunachal Pradesh, Bihar, Nagaland, Maharashtra and Pondicherry and one UT- Dadra and Nagar Haveli, did not provide any information. The study concluded that out of 24 States 21 States were implementing the RTE Act and the remaining 3 States were in the process. All 4 UTs were implementing the Act. Model rules under the Act were framed by 23 States and 2 UTs. The scenario of recruitment of teachers as per the Act was not so encouraging.


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of implementation of the Act with a focus on the grievance redressal process or mechanisms prescribed in the Act designed to get children that are out of school, into education. For this purpose, the study focused its attention in a slum area called Zakhira in Karolbagh zone of Delhi.

The study pointed out that grievance redressal with the focus of getting children into schools is complicated; one of the principal reasons being that no clear mechanism is in place. Second, educating the relevant people about the Act’s various provisions is still far from complete. Third, knowledge of various grievance redressal routes has been poorly communicated or has so far not been communicated at all especially to those it would most benefit. Finally, the question arises as to the efficiency of the grievance redressal processes that are actually in place. The RTE lists a handful of bodies which are entrusted with monitoring enrolment in schools. The definition of “local authorities”, one of the bodies handling complaints and ensuring school admission, is also multi-jurisdictional. That means there is no one body which is dealing with grievance redressal. More importantly, the various bodies listed do not necessarily apply to urban India.


this book conducted a field based study in Haryana after two years of implementation of RTE Act in Haryana State. The study reveals that there is still a long way ahead before all stakeholders become aware of their rights let alone become able to exercise and enforce their rights. The study finds progress in education in terms of enrolment/basic infrastructure. For guaranteeing quality education in terms of student learning, the State has to do much. While gauging the awareness levels of the provisions of the RTE Act the study concludes that most of the parents are aware of the free education being provided to the students of elementary schools but many of them are not aware of other benefits provided to the children. The study suggests the need for forging partnerships among State, school functionaries, NGOs, parents and other stakeholder for effective implementation of the act.
K.P. Malik (2010) "Right to Elementary Education" wrote the rise in numbers of total enrollment in primary schools, from 192 lakhs to 1098 lakhs in 2001. In 2001, there were 60,840 pre-primary and prebasic schools, and 664,041 primary and junior basic schools. Citing importance of literacy, he lamented about literacy gaps between rural and urban, and also the gender preference in education as in India female population is kept away from schools.

J. P. Naik, et al,(1943) "History of education in India", wrote that the history of the evolution of the modern system of education in India may belikened to a great drama. They categorised the actors in this drama divided into three groups: the missioneries, the European officers of the Education Department and theIndian people. They discussed about the surveys of indigenous education that werecarried out in Madras, Bombay and Bengal. For the first time in India, Thomas Munroe collected statistics of children under domestic instruction and felt that some allowances must be made for the children under domestic instruction. By the end of the nineteenth century, therefore, the old indigenous system of education disappeared almost completely from the field and a new system of education, which aimed at the spread of Western Knowledge through the medium of the English language, was firmly established in its place. As early as 1880's school of thinkers including enlightened Indians felt the introduction of compulsory elementary education for themasses and also encouraged private enterprises. The Charter Act of 1813 secured comparatively large amount annually for educational activities. They classified thesecond period into six topics beginning with Wood Despatch 1854 upto 1921. For thefirst time in India Government assumed full responsibilty for the mass education giving importance to expansion of primary education. Focussed areas remained to grant-in-aid to primary schools and indigenous schools. But in 1911-12 the literacy rate remained about 6 percent only. The most important event was the passing of Compulsory Education Acts during the decade 1917-1927 in many provinces of British India. They concluded the faith of primary education before independence as 'All thigs considered, it may be concluded that the improvement in quality was not appreciable and way by no means an adequate compensation for the loss in quantity'.

Introduced, new experiments have been conducted and new thrust areas have been identified in different aspects of education in India to keep pace with the developments in society, politics, economics, emotions and sentiments at the national and international levels. A vast and fast developing country like India is bound to encounter new and recurring problems of educational expansion, total quality management, planning, administration, supervision, curriculum, evaluation, teacher education, special education, integrated education, leadership, ecology and guidance services in schools. This book is an humble attempt to understand some of the aforementioned problems of education in their right perspectives and to find out solutions in the light of recommendations of various committees and commissions, policies, reports and publications of MHRD, NCERT, NIEPA, NCTE, other institutes, frontline educationists and authors of eminence. The distinguishing features of the book are lucidity and simplicity of language, uniformity and precision in organisation of facts and figures with scope for reading between lines and beyond suitable for students of teacher education institutions and university departments of education.

Verhellen, et al. (2000), “Convention on the Rights of the Child: Background, Motivation, Strategies, Main Themes” the book discussed there is noting that the adoption and entry into force of the U.N. Convention on the Rights of the Child in 1989 was an important milestone in history reflecting the changing image of the child, this book examines the relationship between education and children's rights. It deals with motivation, the different but interconnected reasons for increased attention to the situation of children, stressing the historical social construction of the child-image. It also describes various strategies for improving children's situation, highlighting the debate around children's competence and examines wider developments in history, emphasizing the human rights project and the part played by the changing child-image.

Philip E. Veerman (1992) “The Rights of the Child and the Changing Image of Childhood” In this book Philip E. Veerman presents and discusses milestones in the evolution of children's rights, as well as the work of a number of important pioneers in this field in order to examine whether the concept of childhood has changed in our century. With Samuel Shye's Systemic Quality of Life Model' as a conceptual framework and uniform
standard, more than forty Declarations and Conventions are analysed and compared. Veerman thus unfolds an exciting picture of the changing image of childhood, starting at the beginning of this century and culminating in the United Nations Convention on the Rights of the Child of 1989, and the World Summit for Children of 1990. Finally the author proposes, together with Samuel Shye, a Declaration on the Rights of the Child based on the Systemic Quality of Life Model. All the important Declarations and Conventions are reprinted as appendices. This makes Veerman's study a complete and up-to-date textbook on children's right. "Dr. Veerman" is the coordinator of the Israel Section of Defence for Children International (DCI) and Fellow of the Youth Policy Center of Haifa University.

Myron Weiner, (1990) “The Child and the State in India: Child Labor and Education Policy in Comparative Perspective” India has the largest number of non-schoolgoing working children in the world. Why has the government not removed them from the labor force and required that they attend school, as have the governments of all developed and many developing countries? To answer this question, this major comparative study first looks at why and when other states have intervened to protect children against parents and employers. By examining Europe of the nineteenth century, the United States, Japan, and a number of developing countries, Myron Weiner rejects the argument that children were removed from the labor force only when the incomes of the poor rose and employers needed a more skilled labor force. Turning to India, the author shows that its policies arise from fundamental beliefs, embedded in the culture, rather than from economic conditions. Identifying the specific values that elsewhere led educators, social activists, religious leaders, trade unionists, military officers, and government bureaucrats to make education compulsory and to end child labor, he explains why similar groups in India do not play the same role.

Ajit Monda, et al., (2012) “Right to Education” Education is considered as a powerful weapon for bringing desirable social changes and progress. That's why education has been one of the most talked about areas for its role in the progress of India. The 86th Constitutional Amendment of December, 2002 has added a new Article 21A which makes the right of education of children for the age group of 6-14 as Fundamental Right. The Right

Oliver Scheid, (2015), “Autosar Compendium: Application & RTE” Everything you need to know about AUTOSAR 4.0.3 can be found in the 13,620 pages of the AUTOSAR specifications. Then why do you need this book? Quite simply, because the official AUTOSAR documents are written as a specification and not as a guideline! What makes matters worse is that these documents are structured and formulated as requirements. This is perfect if you need to implement the AUTOSAR standard, but less so if you simply want to know how to use it. Furthermore, while PDF files are well-suited for searching, they can't compare with a handy book where you can easily add your own personal comments and attach nice little colored sticky notes. The AUTOSAR Compendium - Part 1 summarizes the first part of the AUTOSAR 4.0.3 specification, namely the Application Layer and the RTE. It
explains all of the different attributes, their usage and logical connections with other parts of the specification. Moreover, it accelerates your work with AUTOSAR considerably by answering the most commonly posed questions. All this, enriched with practical examples of tool-configuration, ARXML-code, generated RTE-code and actual C-code implementations.

**Krishan Lal (2014)**\(^1\) carried out a study on the awareness of RTE Act among primary school teachers. The study mentions that there is a necessity to enhance awareness towards RTE, which in turn helps the prospective teachers to develop the same among their students. They should be sublimated through constructive activities. New techniques and methodology helps in creating a conducive environment which should be the base of the urban and rural prospective teachers. The study concludes that there is no significant difference between urban and rural prospective teachers. There is also no significant difference in the mean score of urban prospective teachers in comparison to their gender.

**Gunjan Rajput and Talat Aziz (2013)**\(^2\) studied the level of awareness regarding RTE Act among urban slum dwellers. This study is based on data collected from a slum survey in Delhi carried out by the authors. The paper was a case study of JJ colony of MadanpurKhadar of New Delhi. Data was collected through a Questionnaire developed by the researcher herself. Descriptive survey method, which is a study to describe and interpret what exists at present, was adopted. Objectives of the study are: 1) To check the educational level and basic facilities provided by the school 2) To examine the level of awareness of Right to Education among slum dwellers and 3) To make slum dwellers aware by providing in-depth knowledge of Right to Education Act. The study observes that there is lack of awareness about Right to Education Act. Few people have heard about the Act. Most of them are not aware of the basic provisions provided by the government under the Right to Education Act. Although a particular area has been chosen, it is expected that the findings of

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this study would have implication for awareness of Right to Education among deprived in urban areas in general and among those in slums in particular.

Saroj Vyas (2011) conducted a study on the awareness on RTE Act, 2009 among elementary school teachers in the National Capital Region. A sample of 160 elementary school teachers was drawn from Delhi and NCR. A questionnaire comprising 20 multiple choice items was used by the investigator. The study has brought out that the level of awareness among teachers is not up to mark, even after more than one year of implementation of this Act. Major finding of the study is that government teachers are comparatively more aware as compared to Non-Government teachers.

The objectives of the study include finding the difference in RTE awareness among male and female elementary teachers, comparing the RTE awareness among the elementary teachers belonging to urban and rural areas and also comparing the RTE awareness among the elementary teachers belonging to Govt. and Non-Govt. Schools. As regards methodology the study employed descriptive survey method. The tool for this study was a self-made questionnaire. The test was administered and the responses made by Elementary Teachers to test the RTE awareness were scored, tabulated and analysed using appropriate statistical techniques.

Prashant Thote, Mathew L and Rathoure DPS (2013) also conducted a study on the awareness of Right to Education Act -2009 among primary school teachers of Morena District, Central India. The study objectives are to find out the significant difference if any between the different groups of demographic variables such as – sex, teachers residence, location of school, types and nature of school in awareness on RTE Act and to give suggestions to improve the level of awareness on RTE Act among primary school teachers. The information was gathered through a questionnaire constructed for this purpose. The questionnaire consists of 40 questions related to awareness on Right to education act.

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Responses were collected from 200 teachers using the questionnaire. The data collected were grouped and analysed using Mean, Standard Deviation and ‘t’ test. Normative survey method was used to collect data from the primary school teachers. Simple random sampling technique was employed in order to collect data from the students studying at higher secondary level. Findings revealed that the primary school teachers of the Morena district have significant awareness on Right to Education Act. The results of the survey showed that awareness on Right to Education Act must still be more promoted.

**Asha KVD Kamath and Shivaswamy M (2013)**\(^{15}\) conducted a study on RTE Act 2009 in the district of Chamarajanagar in Karnataka focusing on quality education which is required for development of children and the country. Teacher plays a key role in the implementation of the Act as without his/her knowledge of the provisions of the act reaching the target group would be difficult. Therefore, all schools are required to adhere to the norms and standards laid out in the Act. It also revealed that there was no major difference in the awareness level of male and female teachers as well as urban and rural teachers on RTE Act.

**SK Pant**\(^{16}\) has done a study to understand and analyse the impact of quality of teaching in the classroom in four districts of eastern Uttar Pradesh viz. Mau, Chandauli, Sonebhadra and Kaushambi covering about 70 primary and 35 upper primary schools. The study concludes that teachers still rely on conventional text book mode and the level of participation in classroom transaction was not observed to be very high and only a few students participated, which may be taken as a major disappointment.

**Kartikeswar Behera and Rasmi Ranjan Puhan**\(^{17}\) conducted a case study in Odisha with the title “Revamping the Learning Climate of the Elementary Schools: An Aspect of RTE Act 2009” with an objective to look at the various programmes taken up Ruchika Social Organisation, an NGO, to identify the strategies evolved by it for improving the achievement

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\(^{17}\) Ibid, pp. 190-203.
of the learner and to ascertain the visible indicators of quality improvement. The rationale for selecting the organisation was it had been entrusted with the task of designing, conducting and evaluating the end line curriculum based standard referenced tests as a part of their external assessment.

The study has found that remedial package exerted positive impact; collaborative learning and continuous evaluation was ensured. The grouping system by tagging one high achiever to a group of low achievers for peer assisted learning materials were suitable in view of manipulating both the teacher and the learner. A child-friendly environment has been created as the learner worked cooperatively. The programmes like childline, rescuing children from unsafe home, and girls saved from trafficking, rehabilitation of differently abled children are good indicators of the organisation in creating conducive learning environment.

Avinash Pandey\textsuperscript{18} in his study of quality of education with reference to language under RTE Act emphasised the need to preserve the relevance of local languages. In his paper titled “Quality in Right to Education (RTE): The Challenge of Language” he argues that careful choice should be made so that RTE should not be the engine which seeks to steam-roll our languages but an opportunity to conserve, enrich and develop our languages. The choice we make is closely linked with the choices we make on issues of relevance, access, rights and quality, which has far reaching consequences. According to the author, we have a paradox: the State, through RTE, is promoting common schooling and social integration of children through mother tongue education which requires greater State intervention in the field of education, because there is no example of universalization of education being achieved through private schools. Universalisation means public education which can only be achieved through greater State support.

The National Council for Educational Research and Training carried out a study on “Status of Implementation of RTE Act 2009 in Context of Disadvantaged Children at Elementary Age”\textsuperscript{19}. The study, completed in 2013, made an attempt to find out the status

\textsuperscript{18} Ibid, 204-224.
of various provisions of RTE Act 2009 in States and UTs for children with disabilities and
disadvantaged children and also concerns and problems of States and UTs to implement the
Act. The study has looked at the steps taken by States/UTs for implementation of the Act so
far and their difficulties in proper implementation of the Act.

The specific objectives of the study are finding out the status of implementation of
various provisions of RTE Act 2009 in States and UTs, steps taken for age appropriate
admission of out of school disadvantaged children, preparation of teaching learning material
for them, assessing the awareness level of stakeholders in the States and UTs to implement
RTE Act 2009, concerns and challenges of the States and UTs for effective implementation
of RTE Act 2009 for disadvantaged children, strategic plans of action prepared by states/UTs
for providing free and compulsory Elementary Education to implement RTE to children of
SCs/STs/Weaker sections, and children with various disabilities, specific steps taken by
states/UTs to inspire parents and community to admit these children into schools, and
arrangements being made for providing free Pre- School Education to these children below 6
year of age.

The study used purposive sampling methods in selection of States, UTs, districts and
schools and stratified sampling in selection of respondents. One State each from four regions
of India-North, South, East and West- were selected. Data were collected through primary as
well as secondary sources. The tools used for collection of primary data included
questionnaires, interview schedules, observation schedules etc.. Both qualitative and
quantitative techniques were employed for this purpose.

The findings of the study are as follows:

- The sample States/ UTs have implemented provisions of RTE Act, 2009 to a great
  extent.
- There were very few cases of age appropriate admissions of disadvantaged and
  children with disabilities.
- In most of the places, materials for training of children admitted under age
  appropriate placement in different classes were not available.
- State, district, block level functionaries and Teachers were aware of provisions of
  RTE Act, 2009.
- Efforts were being made to implement various provisions of the Act.
- Parents’ awareness of various provisions of RTE Act was very low.
- Shortage of teachers, alarming pupil-teacher ratio, other official duties assigned to teachers, busyness in training programmes, duties in block level office, making Aadhar cards and voter ID Cards etc, no training of regular teachers in education of children with disabilities and non-availability of special teacher support on daily basis are challenges in the implementation of RTE.
- States/UTs have plans to increase scholarship amount for disadvantaged and children with disabilities, to implement various provisions of RTE Act and to carry out infrastructural modifications in school buildings for children with disabilities.
- States/UTs have very limited vision of arranging different types of educational materials for children with various disabilities.
- All States/UTs have taken initiatives in conducting community awareness programmes to bring all children, including children with disabilities, to schools.

All States/UTs encourage parents of children with disabilities to bring them to Anganwadi centres.

Lakshmi Narayana N\textsuperscript{20} conducted a study on children with special needs (CWSN) in Andhra Pradesh. The study presents the initiatives undertaken in Andhra Pradesh and their impact on stakeholder towards inclusive education and preparedness of schools to facilitate it. It suggests that the strategies are simple, scalable and sustainable for replication in other places with suitable modifications. The paper concludes that a few schools are prepared to admitting CWSN. In schools there are physical and technological barriers. This is against the spirit of the RTE Act which emphasises mainstreaming of CWSN.

Bansod Gajanan, (2014) “Social Barriers in Implementing Right to Education among the Children of Gopal Community: A Study in Chandrapur and Gadchiroli Districts of Maharashtra”\textsuperscript{21} carried out a study titled “Social Barriers in Implementing


\textsuperscript{21} BansodGajanan T, “Social Barriers in Implementing Right to Education among the Children of Gopal Community: A Study in Chandrapur and Gadchiroli Districts of Maharashtra” in Sarumathy M and
Right to Education among the Children of Gopal Community: A Study in Chandrapur and Gadchiroli Districts of Maharashtra.” According to the study the awareness about the RTE Act among the community members was very little. The conditions of poverty and poor infrastructural facilities were keeping most of the children out-of-school. To overcome the situation there is a need to improve the quality of education so as to reach the benefits of the fruits of the Act to the community. While making an attempt to review the policy initiatives for universal elementary education and explore the possibilities and challenges in achieving this within a time frame under the RTE Act.

**Devaraj Dutta (2014), “CHILD LABOUR IN INDIA”** The problem of child labour is not only a problem of the children. It, in fact, is a deep societal problem. Today, this issue has become a major issue on both the domestic as well as international stage. Various studies have made it clear that children belonging to low-income countries are being exploited on the global market for monetary gains. Child labour is a serious problem because it can limit a child's physical, mental, social or psychological development. In other words, child labour can put a limitation on the all-round development of children. In common parlance, 'Child Labour' can be defined as the work for children that harms them or exploits them physically, mentally, morally or by blocking access to education. It is very important to mention here that there is no universally accepted definition of 'child labour'. However, the term 'child labour' is defined as work that deprives children of their childhood, their potential and their dignity and that is harmful to physical and mental development. It is needless to mention that a healthy environment is very essential for the healthy development of a child. A nation cannot move in the path of progress unless its citizens' development is ensured. But today, almost in all countries of the world children are forced to work in human conditions. Today, in India also a large number of children are being exploited both inside and outside their homes. These children are ignorant about the rights and privileges available for them. The rights of these children are violated at every step of their life.

**Santosh Mehrotra, (2006) "Reforming elementary education in India: A menu of options"** pointed out different findings from a large sample survey in the states of India that

account for two thirds of the children out of school. It then examines the feasibility of the central government’s goals to ensure all children complete 5 years of school by 2007, and 8 years by 2010. He asserted that it would be difficult to assure the goals without significant reforms by the central and state governments on key issues like the public spending pattern; improving teacher accountability and work environment; incentives to improve demand for schooling; and the private sector. It argues that central to universalising elementary education will be improving the level, equity and efficiency of public spending. However, even with these reforms, improving teacher accountability will still remain key to the achievement of the goals. Unlike the progress in enrolment during the last two decades, the trends in retention and quality are not very encouraging. Drop out in both rural and urban areas is higher at the upperprimary (classes 6–8) than primary level (classes 1–5). That is, older children are not remaining in school.

Kamal K. Sridhar (1996) "Language in Education: Minorities and Multilingualism in India" noted the question of education in India cannot be properly discussed without referring to its socio-linguistic context. India's linguistic diversity can be attributed to: (i) different waves of invasion and colonialization (the Aryans, the Moghul, the Portuguese, the British); (ii) free migrations within and between the different states and union territories; (iii) political influences leading to the linguistic reorganization of states following Indian Independence in 1947; and (iv) presence of different ethnic and religious minorities distributed throughout India (Buddhists Jains, Sikhs, Muslims, Christians, Zoroastrians, and others). This paper provides background information on the linguistic profile of India. The term "minorities" in the Indian context is defined, and the protection offered to linguistic minorities in the Indian Constitution is examined. A discussion of language policy in Indian education follows in which the recommendations of the different education commissions are analysed. The important issues covered include: the number of languages that are taught, the medium of instruction, and the educational policies regarding speakers of minority languages. The article also discusses different language movements and their impact on Indian education. Regarding the use of minority and tribal languages, while there is an implicit recognition of the need to preserve and foster all languages and the principle that primary education at least should be imparted in the mother tongue, the
problem has been at the level of implementation. Against this background, the government and the experts have forged a compromise - one that institutionalizes multilingualism by actively promoting the study of three languages. Some minority communities in India are slowly becoming aware of their rights and are demanding a definite place in the Indian educational system. Others are using the strategy of selective adaptation and assimilation. The three language formula, together with an ongoing massive literacy campaign, constitutes one of the greatest experiments in language education that mankind has ever seen. Developments in the next few years will be crucial for answering the question: whether major languages such as Hindi or English will be "replacive" or whether the minority language speakers will assert their right to be educated in the mother tongue, thereby extending a tradition for bilingual education, in which minority languages will have a place of equal importance.

Jandhyala B. G. Tilak (1996) "How Free Is 'Free' Primary Education in India?"

based on data generated by the National Sample Survey Organisation on household expenditures on education shows that high households expenditure on primary education more specifically paying tuition fee, examination fee and other fees even in government primary schools. The financial and material incentives provided by the government are found to be available only to a small fraction of students. There are large scale inter-state and inter-group (by gender and by region - rural and urban) variations with respect to several aspects relating to public provision of incentives and also to the levels of household expenditure on education. According to the Constitution of India, elementary education of eight years duration has to be provided free to all by 1960. This elementary education, considered as a basic need in many countries, and as a minimum need in India, has neither been compulsory in all the states in India, nor is it provided free to all. He lamented that despite significant quantitative expansion, the goal of universal elementary education still eludes the Indian society and added household economic factors have been generally found to be the most important factors contributing to non-enrolment and drop-out of children from schools. He suggested the possibilities if elementary education can be made really totally free by providing free textbooks, learning materials, uniforms, noonmeals, etc, to all, and also scholarships in such a way that the need for household expenditure on elementary education
does not arise. One might not favour any differentiation by gender at least in primary and upper primary schools, though in general protective discrimination in favour of girls is promoted. In regard to his article, later on free and compulsory education has been enacted as an Act in the year 2002 in India.

**Sureshachandra Shukla (1983) "Indian Educational Thought and Experiments: A Review"** wrote that those characteristics of thoughts and experiments of the British in terms of ideas that were modified, when they were not totally opposed, by Indian leaderships. Some of the characteristics of the Indian response which took place within the framework of the official system, and somewhat modified it even during the period of British rule are: Scientific rationalism and egalitarian socialism, tempered with a relative reluctance to probe Indian social structure or British Imperialism too deeply, a continuous conflict as well as combination between tradition and modernisation. The differing balances between the two poles of this dichotomy are represented by men like Radhakrishnan and Nehru and Gandhi. In each case, the essential concern is with a definition and strengthening of identity--the identity of the Indian. In each, reliance on the past, on tradition, is needed in order to find a base for this identity and in each case its modification by contemporary and modernistic influences is attempted. (Radhakrishnan looks more backward than forward, while Nehru appears to do the opposite. But both of them look in both these directions and in fact their visions of the present and of the desirable future are different, Nehru representing a greater fascination with socialism and science.) The position of the individual in relation to his group or collectivity. This exhibits some emphases which are more collectivistic. From the viewpoint of education, the stress, the change towards individuality and the need to recognise the individual in the process of education, even when it is intended not to stress it too strongly in the goals, is seen in men like Zakir Hussain and Saiyidain as well as in Gandhi. But Gandhi's strong collective orientations are much more earth-based and closer to the common man than those of the formal educationists.

The overview of the review of literature shows that, no fruitful research study has been conducted on the status of implementation of right to education in Andhra Pradesh focusing on the district of Kurnool. Hence, the present study becomes more inevitable.
**Need and Justification of the Study**

As discussed above, the current study has been taken up to find out the status of implementation of select provisions such as access and quality of RTE act, 2009 in the state of Andhra Pradesh. The study has explored the steps taken by the Andhra Pradesh state government for operationalization of RTE Act, 2009 so far and the snags in the effective implementation of the Act. The study also finds it important to assess the level of preparedness of the state government to take operational steps for the implementation of the act at various levels. The study felt it important to understand the awareness of the stakeholders to take advantage of the act as community awareness is a key aspect for effective utilization of the programmes initiated by the government in the direction of implementation of the Act.

**Research Questions**

The study make an attempt to focus on the following questions in order to understand the problem from rights approach.

1. What is the status of implementation of the RTE Act in government elementary schools of Andhra Pradesh and Kurnool district?

2. What changes have been brought into the procedures and processes of elementary schools after the introduction of the Act, how and their effectiveness?

3. What are the major problems faced by schools in its implementation?

4. What is the status of physical and social infrastructure in the schools and how effective are they in delivering services to the students?

5. How are teachers trained for implementing the RTE Act?

6. What are the problems faced by teachers in the implementation of the mandate of RTE Act?

7. What are the interventions introduced to fulfill the mandate of RTE Act?
8. What are the shortcomings in the implementation of the Act? What strategies could be adopted for overcoming them?

Objectives

The objectives of the research study are

1) To understand the evolution of RTE act from rights perspective

2) To find out the status of implementation of access and quality provisions of RTE Act, 2009 in the State of Andhra Pradesh in general and in the district of Kurnool in particular

3) To know the outcomes after the implementation of RTE Act in the government elementary schools with respect to physical resources like school building, class rooms, teaching learning equipments & library facilities in Kurnool District.

4) To explore the outcomes after the implementation of RTE Act in the government elementary schools with respect to number of teachers, pupil-teacher ratio, students and others in Kurnool District

5) To know the outcomes after the implementation of RTE Act in the government elementary schools with respect to school procedure and practices like screening procedure, admission in school, school fee & promotion/evaluation in Kurnool District

6) To find out the outcomes after the implementation of RTE Act in the government elementary schools with regard to the academic achievement of student of class 2nd and class 7th standards in Kurnool District

7) To identify the challenges faced by schools during and after implementation of the RTE Act in the Kurnool district.

Hypothesis

The hypotheses tested in the study are:
1) Right to Education Act has been successfully implemented in Andhra Pradesh with special reference to Kurnool District.

2) The Government Schools in Kurnool District have followed the provisions of RTE Act.

3) The teachers in the Government Schools in Kurnool District have high level of awareness about RTE.

4) PTR is followed promptly in the Government Schools in Kurnool District in Andhra Pradesh.

5) Students in the primary and upper primary levels in the Government Schools in Kurnool District have been benefited by the provisions of RTE Act.

**Significance of the Study**

The study is very significant as this provides an insight into the status of implementation of RTE act in rural schools, awareness and understanding of the provisions of RTE act amongst the teachers, students and parents studying in government schools in the study area. The issues and challenges raised in the study will help all the stakeholders to become aware of their rights, take active role in the enforcement of these rights and implement the act more effectively and meaningfully to have a better quality education for the students for whom the act is meant. The study is specifically useful in the following ways for different stakeholders.

1) Study will be helpful for the state in the following ways.

   - Knowing the status of implementation of RTE Act.

   - Reviewing the processes/procedures about effective implementation of RTE Act.

   - Provision infrastructure, human & material resources to government schools.

   - To plan and organize relevant training and orientation programmes about RTE Act 2009 for teachers.
• Reviewing modalities to implement RTE Act.

2) Study will be helpful for teachers and school headmasters in the following ways

• To identify the strengths & weaknesses of RTE Act in implementation.

• To revisit and revise their school procedures and practices in the light of provision of RTE Act.

3) The study will be particularly useful to the students and parents. The awareness and knowledge levels of them on RTE act and rights perspective ingrained in the act are likely to be enhanced.

Study Area

The new state of Andhra Pradesh with 13 districts has a literacy rate of 73.0 per cent. The literacy rate of Kurnool district is 60.0 per cent. The district is occupying 12th place among the 13 districts of the state. Kurnool district with its low literacy rate is selected for the study. Also the district stands first among the 13 districts in terms of dropout rate of children for classes I to X recording 47.74 percent. The dropout rate of girls of these classes is also high in the state with 52.58 per cent. In this district also Adoni revenue division is educationally backward. One of the main reasons for this situation is high prevalence of child labour in this area. The situation offers both a challenge and an opportunity for an academic study. The impact of the RTE Act will be interesting to study as there is scope for improvement with its implementation. Being a local, the researcher felt it was his duty to find out the major problems hindering educational development of the region even after five decades of independence, formulation of policies and enactment of acts like RTE. In order to find out answers to these the researcher has selected the district for his research study.

Salient Features of Study Area

Name of the Study Area: Kurnool District

Literacy Percentage: 60.0%

State Average: 73.0%

National Average: 74.04%

Total No of Schools in Kurnool District: 4,162

No of Mandals: 54

No of Mandals selected as sample: 3 (Mantralayam, Kosigi, Nandhavaram) (These three mandals were taken as samples for study, as they were located in most backward areas, with low literacy and poor enrolment of students)

Total No of Schools in the sample Mandals: 121

No of Schools selected for the study: 30 (21 primary schools; 9 upper primary schools)

Total No Children taken as samples for the study: 21 schools x 5 children = 105 children at the primary level

Total No.of. Children taken as samples for the study: 9 schools x 5 children = 45 children at the upper primary level

Total No. Of Children taken as samples: 150

Total No. Of Teachers taken as samples for the study: 30 schools x 2 teachers = 60

Total No. Of Schools taken as samples for study: 30 schools (from each mandal, 30% of the government primary schools and upper primary schools have been taken as samples for the study)

Methodology of the Study

Research Design

The study falls in the domain of descriptive research and the data has been collected through the survey method.
Sampling Procedure

In the present study government schools, students and teachers from rural setting of Kurnool district who are the key stakeholders in the RTE Act constitute the population/universe. The study adopted a multi-stage sampling technique for the survey. In the first stage, Kurnool district has been chosen as it represents low levels of educational achievements. Particularly, at primary and upper primary school levels the situation is very poor when compared with other districts of the State with key educational indicators such as number of out of school children, teacher-student ratio and quality of education (SSA 2011-12; district handbooks 2010-11 and Statistical Abstract 2012-13). In the second stage, the study selected the poorest and educationally backward Mandals of Mantralayam, Nandavaram and Kosigi. By using cluster sampling technique, these three mandals have been chosen as they are located in the same belt within the Kurnool District. These Mandals have not been receiving the fruits of education for generations. They are also known for high engagement of child labour in agriculture. Therefore, this region has been selected for probing the reasons and knowing the fact that whether the implementation of RTE act would have any impact in changing the situation.

Simple random sampling technique has been adopted to obtain schools from each Mandal. 10 schools from each Mandal have been chosen, making the total sample size 30 schools spread across 3 Mandals.

Tools for Primary Data Collection

The researcher himself met the respondents and administered the interview schedule/handed over the questionnaire after clearly explaining the purpose and need for the study. Enough time was given for filling the questionnaire for thorough understanding of the questions and gathering of relevant data/information.

For the purpose of collection of data the researcher has used the following schedules/questionnaires:

1. Information schedule for school
2. Questionnaire for the school teacher

3. Interview schedule for the students

Aspects covered through each tool

The tools were developed in such way that general as well as specific data required for the study were captured. The following Table gives a glimpse of the aspects covered by each data collection tool.

<table>
<thead>
<tr>
<th>S. No</th>
<th>Data Collection Tool</th>
<th>Areas Covered/Explored</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Information schedule for the school</td>
<td>Physical &amp; human resources, school building, teaching learning equipment, access and quality of education, SMCs, awareness about RTE act, library facilities, drinking facility &amp; toilet facility etc.</td>
</tr>
<tr>
<td>2</td>
<td>Questionnaire for the school teacher</td>
<td>Teaching learning process, methodology adopted, use of teaching aids, awareness about RTE act etc.</td>
</tr>
<tr>
<td>3</td>
<td>Interview schedule for the students</td>
<td>Academic achievement of students of class 2\textsuperscript{nd} and 7\textsuperscript{th}, school infrastructure, incentives to students, Mid-day meal, quality of teaching, teaching learning process etc.</td>
</tr>
</tbody>
</table>

Data collected through interviews, questionnaires, FGDs and observations were tabulated and analysed using mixed methods, i.e., quantitative and qualitative.
Tools for Data Analysis

For the analysis of the data collected, Percentage Analysis was utilized to analyse and interpret data.

Study Period

For proper understanding of the implementation of the RTE act in the district the researcher has felt it prudent to select the seven year period of formal commencement and ending of the act period i.e April 1, 2010 to March 31, 2017.

Field Work

The field work for collection of secondary and primary data was undertaken in 2015 and 2016. Secondary data was gathered from Government departments and selected schools for exploring the processes and procedures involved in the implementation of the act in the district. Primary data was collected during February to April 2016 so as to assess the effectiveness of select provisions of the RTE act.

Delimitations of the Study

1) The study is delimited to educationally backward area of Kurnool District.

2) The study is restricted to elementary schools i.e. Primary and Upper Primary schools located in rural areas of Kurnool District.

3) The study covers government schools run by the State Government of Andhra Pradesh.

4) The study has assessed the educational attainment of students of class 2nd and 7th standard in order to understand the effectiveness of teaching-learning in the schools.

Chapterization

The chapterisation has been done in the following way:
1. Introduction (Statement of the Problem, Review of Literature, Need and Justification of the Study, Objectives, Hypotheses, Methodology, Tools for Data Collection, Tools for Data Analysis, Delimitations, Chapterisation)

2. Setting (Conceptual Framework on Right to Education in the International context and Indian context)

3. Right to Education in Andhra Pradesh (Acts, Rules and Regulations)

4. Profile of the Study Area

5. Status of Implementation of Right to Education Act in Kurnool District: Analysis and Interpretation

6. Conclusions and Suggestions