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Challenges and Pathways to Realising the Entitlement in Rajasthan

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Please send suggestions and comments to
S. Mohanakumar, (mohanakumar.s@idsj.org)
Convenor, Publications

Institute of Development Studies

8-B, Jhalana Institutional Area

Jaipur-302 004 (India)

Phone : 91-141-2705726 / 2706457 / 2705348

Fax : : 91-141-2705348

E-Mail : idsj@dataone.in

visit us at : www.idsj.org

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Right to Education

Challenges and Pathways to Realising the Entitlement in Rajasthanⁱ

Shobhita Rajagopal

The Right of Children to Free and Compulsory Education Act, 2009 came into force in April 2010, with the objective of ensuring universal right to education to all children in the age group of 6-14 years. The Act takes into account three important aspects of education delivery - access, equity and quality. While governments across States have taken initiatives to ensure the implementation of the Act, there are many challenges to making RTE a reality. This paper presents an overview of the implementation of RTE in the state of Rajasthan over the last five years and analyzes select aspects to identify the challenges and pathways to facilitating and realizing the right to elementary education for all. The paper notes that the education delivery system has failed to ensure the right to education for every child in the state and sustained efforts are required for realizing the educational entitlement in the state.

Key words: right to education, elementary education, equity and quality, entitlement

Introduction

The Right of Children to Free and Compulsory Education Act, 2009 (RTE) ensuring entitlement to free and compulsory education to all children within the age group of 6-14 years came into force on April 1, 2010. The Act clearly defines the schooling-related entitlements of a child and takes into account three important aspects of education delivery - access, equity and quality. All the States were expected to comply and implement the RTE norms within a certain time frame and deadlines were set for implementation. The experience of operationalising the provisions laid out in the Act across states presents a mixed picture. It is evident that implementing RTE has not been easy and is fraught with challenges. Considering that different States are at different stages of development in terms of both economic and educational indicators, these challenges also manifest differently.

All the norms, standards and provisions of the Act are applicable to each and every school providing education from Grade I to VIII, whether run by government or private entities. These include the norms for physical infrastructure and teachers, and the responsibilities of the school in terms of making the child free from fear, trauma and anxiety and helping the child to express her/his views comprehensively. In addition, the Act has invoked the responsibility of private schools as well to serve as neighbourhood school for all social and economic classes. It has been made mandatory for all private schools to take one-fourth of their intake at entry stage from

disadvantaged and weaker sections for which respective state governments would compensate them based on criteria as determined by the state rules. All this implies that the governments face the challenge of not only upgrading their own schools to fulfil the RTE norms but also of having an appropriate governance structure to be able to regulate the private schools as envisaged by the Act (CBPS, 2013).

Rajasthan was one of the first States to formulate the rules for implementing provisions in the Act in April 2011. However, a number of challenges and problems continue to constrain the progress of RTE in the State. Moreover, many recent decisions taken by the State government on no detention policy, teacher's recruitment, merging of schools, curricular reform have been contentious as they go against the grain of the RTE Act. These policy decisions have met with resistance and also raised critical concerns. This paper presents an overview of the implementation of RTE in the state of Rajasthan over the last five years and analyzes select aspects to identify the challenges and pathways to facilitating and realizing the right to elementary education for all. The paper is divided into two sections. Section I presents some key issues and challenges in the implementation of RTE. Section II highlights key areas that need to be addressed for ensuring meaningful promotion of RTE and suggests way forward in lieu of a conclusion.

Section I

In the context of school education, Rajasthan has primarily followed an agenda based on national policies and programmes, with a few state specific programmes- mainly the Shikshakarmi Project (1987), Lok Jumbish (1992) and Rajiv Gandhi Pathshalas (1990). Currently the main programme for universalization of elementary education is the Sarva Shiksha Abhiyan (SSA). The overall goals of the SSA are: (i) all children in schools; (ii) bridging all gender and social category gaps at primary and upper primary stages of education; (iii) universal retention; and (iv) elementary education of satisfactory quality.

The implementation of the RTE Act in the State of Rajasthan was notified through a Gazette notification and the rules and regulations formulated were called 'Rajasthan Right of Children to Free and Compulsory Education Rules, 2011'. In compliance with the rules of the Act, a decision was taken to ensure that in all government schools children studying in Grades I to VIII will be provided free education wherein the state government will bear the cost. Similarly, as per the provisions under section 30 (1) and (2) of the Act, Board examinations conducted for grade VIII were discontinued. To ensure children's safety from physical as well as mental abuse in schools as stated in section 17, the State Institute of Educational Research and Training (SIERT), Udaipur was designated as the academic authority. A decision was also taken to form a state level committee and establish the Rajasthan State Commission for Protection of Child Rights (RSCPCR). Another decision taken was that in all government and government aided schools, School Management Committees (SMC) would be constituted to ensure that children are admitted to schools as per age appropriate grades. Private schools were to provide 25% reservation of seats and free entry into these schools for children from

weak and underprivileged backgrounds. All these decisions were taken in 2011 and directives were sent to all schools.

Other decisions taken during 2011 to improve implementation of this Act included:

- Identifying 'never enrolled' and drop out children and ensuring that they are admitted into schools
- Establishing committees for teacher dialogue at the block level to address children grievances
- Piloting CCE in 60 schools as part of assessment
- Establishing a system of fee reimbursement to private schools with regard to 25% weaker section children.

It was envisaged that implementing RTE would bring about a qualitative change in the management and delivery of elementary education and transform the schooling experience in the state. However, five years later, it is evident that there are gaps in terms of entitlements and actual provisioning. Given that the social composition of learners in the schools is changing, it is pertinent that contextualised and meaningful education is available for those who access government schools.

Availability of Schools in the Neighbourhood

One of the prerequisites for ensuring universal access to schooling is the availability of schooling facilities within reasonable distance of all children. Following the national mandate of Universalising Elementary Education (UEE), the state has witnessed considerable expansion in the number of schools in the past two decades and official claims indicate that all habitations have been provided with a primary school. Section 6 of the RTE Act provides that it is the responsibility of the appropriate Government and the local authority to establish within such an area or limits of neighbourhood, as may be prescribed, a school, where it is not so established, within a period of three years from the commencement of the Act (RTE, 2010). According to the government guidelines in Rajasthan, a primary school should be available within a walking distance of 1 km from the habitation and an upper primary school should be located within a 2/3 km radius of the habitation to enable easy access to children.

According to DISE 2014-15, a total of 106250 elementary schools were functioning in the state. Of these 72,200 are government schools. The data indicates that the number of primary schools reduced drastically from 2013-14. One major factor that has contributed to this reduction is that as part of government policy on rationalisation and merging schools, almost 17,000 schools were merged into other schools in August 2014. This resulted in many children from disadvantaged communities being left without a school in their neighbourhood and within the prescribed limits as stipulated by RTE. In an assessment carried out by Bharatiya Gyan Vigyan Samiti (BGVS), Rajasthan of 102 schools across 5 districts, it was revealed that the merger of schools created a situation where many children were forced to drop out of school. Multiple

factors like gender, caste, change in medium of instruction, distance and mobility led to children dropping out. It was also evident that many of the schools running in dalit localities were discontinued leading to drop out of children, as they were hesitant to go to a school located in dominant /upper caste localities (BGVS, 2014). Later, due to pressure from NGOs and civil society organisations, the State government had to review the order. However, many of the schools have not been restarted.

Field level insights during Monitoring of SSA by IDSJ reveals that while schools are available within the stipulated distance in most districts, issues relating to access pose challenges: children have to cross difficult terrain, rivulets and national highways to reach the school.

The government primary school in Chuhanphali in district Sirohi, is located on a hill. There are 92 students enrolled who come from a distance of about 2 km and have to traverse a hilly terrain. During the monsoon the school is shut down as the road to the school becomes slippery and parents are hesitant to send their children. The UPS is located about 3km from this school (IDSJ field reports, Sirohi 2015).

School Enrolment and Drop out

According to DISE 2014-15, the total enrolment at the primary level is reported to be 81.41 lakhs and enrolment at Upper primary level reported to be 38.85 lakhs. The GER at the primary level is 98 as compared to 102 in 2013-14. The GER at the Upper Primary level also shows a downward trend from previous year. The percentage of girls to total enrolment at the primary level was 46.33% and at the upper primary level it was recorded 44.69%. It is evident that the percentage of girls to total enrolment has not changed significantly in the last five years. The drop- out rate for girls at the primary and upper primary level was recorded 8.40%and 6.05% respectively. The gender parity index continues to be 0.86 and 0.81 at the primary and upper primary level respectively with 6 districts: Barmer, Jaisalmer, Jalore, Ajmer ,Sirohi and Bhilwara showing low gender parity.

The number of children reported to be out of school was 3,01,037 (Table 1). A recent survey notes that the percentage of out of school children was 5.02 % and the state ranked 33 in the country. The survey also noted that more girls were out of school than boys. Higher number of Schedule Tribe and Muslim children were out of school (SRI-IMRB 2014).

The overall trend in enrolment also indicates that there is a decrease in the government and aided schools by 4.26% in the past five years (Tables 2 and 3).

Table 1. Select Educational Indicators

Indicator	2013-14	2014-15
Primary only schools (Govt.+Aided)	48031	41523
Upper Primary schools (Govt.+Aided)	35533	64727
Total Primary Enrolment (in lakh)	83.94	81.41
Total Upper Primary Enrolment (in lakh)	38.96	38.85
Total Elementary Enrolment (in lakh)	122.90	120.26
GER Primary	102	98
NER Primary	80	77
GER Upper Primary	85	80
NER Upper Primary	62	59
Out of School Children	410957	301037

Source: DISE 2014-15

Table 2. Enrolment Trends: 2009-10 to 2014-15 (enrolment in lakh)

Year	All Management				Govt + Aided			
	Primary	% change	Upper Primary	% change	Primary	%change	Upper Primary	% change
2014-15	81.40	-3.03	38.85	-0.28	41.18	-5.70	19.57	-4.26
2013-14	83.94	-3.03	38.96	0.26	43.67	-8.01	20.44	-1.64
2012-13	86.56	-0.01	38.86	3.90	47.47	-6.67	20.78	-2.17
2011-12	86.57	2.66	37.4	4.73	50.86	-2.31	21.24	3.01
2010-11	84.33	-2.26	35.71	0.68	52.06	-5.48	20.62	2.18
2009-10	86.28	-0.83	35.47	-0.45	55.08	-6.10	20.18	-5.88

Source: DISE 2014-15

Table 3. Enrolment of Girls and Gender Parity Index

Indicator	Level	2010-11	2011-12	2012-13	2013-14	2014-15
% girls to	Primary	46.81	46.98	46.93	46.59	46.33
Total	UP	43.72	44.73	44.78	44.65	44.69
Enrolment						
Gender	Primary	0.88	0.89	0.88	0.87	0.86
Parity	UP	0.78	0.81	0.81	0.81	0.81
Index(GPI)						

Source: DISE 2014-15

It is also evident that the share in enrolment of Scheduled Caste, Scheduled Tribe and Other Backward Caste and Muslim minority children has increased in the year 2014-15 as compared to the previous year. However, the share of general caste students has reduced significantly. This also reiterates the fact that government educational institutions continue to be the mainstay for disadvantaged groups (Table 4).

Table 4. Total Enrolment (I-VIII) by social groups

Year	General	SC	ST	OBC	Muslim	Total
2014-15	1005145 (8.4)	2380528 (19.8)	1810690 (15.0)	5892648 (49.0)	937007 (7.8)	12026018
2013-14	2009631 (15.1)	2448234 (18.4)	1852598 (13.9)	5979789 (44.9)	1030389 (7.7)	13320641

Note: Number in parentheses are percentages

Source: DISE 2014-15

An area of concern is the drop out of children from schools. A Child Tracking Survey carried out by the State department of Education in 2010 estimated that there were about 12 lakh children, who were out of school with the percentage of girls being 12.98%. There is no data to indicate how many of these children were mainstreamed in schools. In 2013-2014, the annual average drop-out rate at primary level was 8.39% and Rajasthan ranked 29th in the country. Despite various incentives for promoting girls education, their drop- out rate continues to be higher than boys across social groups.

RTE and School Infrastructure

The foremost pre-requisite for education provisioning is the availability of a functional school with facilities. The RTE has laid down specifications for infrastructure facilities for schools i.e. availability of all weather school building, an office cum store for the head teacher, separate toilets for boys and for girls, kitchen for cooking the mid day meal, access to safe drinking water, library, playground and barrier free access.

The State Elementary Education Report Card 2013-14 notes that there were 25% primary schools with single teacher; drinking water facilities were available in 96.3% schools; separate toilet facilities for boys and girls were available in 98.1% and 96.1% schools respectively. Electricity was available only in 50% schools and computers were available only in 23.1% schools. 82.5% schools had boundary walls and playgrounds were available only in 48.9% schools. 76.5% schools are approachable by all weather roads. Mid Day meals were provided in 96.3% schools.

The ASER 2014 report informs that the usable toilets were available in 81% schools and usable toilets for girls were available in 73.7% schools.

An enabling environment is influenced and shaped by resources available, both human and material. While SSA has focussed on improving school infrastructure, i.e. construction of additional classrooms, toilets, boundary wall, ramps alongwith provisioning drinking water facilities, field level observations reveal that various gaps continue across districts. Recent media reports of the NEEV campaignⁱⁱ show that many schools have poor infrastructure facilities and schools continue to function in the open, under trees. Lack of adequate classrooms, toilets and maintenance of toilets are other issues that impact regular schooling. The issue of clean toilets has been constantly debated at all levels in the state. Lack of clean toilets further acts as a deterrent for girls, especially those in the older age group.

Having infrastructure in place does not necessarily mean that it is always functional. The SSA monitoring reports note that “though toilets are available in schools, it was found that usability is a major concern”. Most toilets are being used by boys as urinals. It was observed that maintenance of toilets is not priority area and they were found to be unclean and unhygienic. It was also found out, of 160 schools surveyed water in toilets is available only in 20.6 % schools. Only 31.8 % schools reported that toilets were cleaned though not on a regular basis. No incinerator facility was found in the surveyed schools. Many of the newly constructed toilets are also kept locked by teachers (IDSJ, 2011/12 as cited in Rajagopal, 2013).

The government primary school in Nataniyon ki Dhani in Sindhri block, Barmer has an enrolment of 39 students. It is located right on the national highway and students have to cross the road to reach the school. There are two women teachers posted in the school. On the day of the visit only 4 children were present in the school. Toilets had been constructed in the school but the doors were broken and were very dirty and there was no water facility in the toilets (field notes, IDSJ 14-15).

Play ground and Library facilities are also other weak areas. It was observed during monitoring that while library books were available in schools they are not distributed to the children; in some schools the books are torn and the upkeep was found to be poor.

Availability of teachers

The role of teachers is critical in ensuring the ‘inclusion’ of every child in the classroom and in ensuring schooling outcome. Teachers are expected to be aware of this responsibility and equipped to make every child feel accepted and comfortable. The issue of teacher deficit and teacher recruitment are ongoing concerns that have plagued the education landscape in the state. According to the State Report Card 2014-15, the total number of teachers working in the state at the elementary level is 493877. The total number of government teachers is 259046 (Table 5). The gender distribution of teachers is as follows:

Table 5. Gender distribution of government teachers

School category	Male	Female	Total
PS	48557 (72.0)	18814 (27.9)	67371
UPS	83667 (69.5)	36622 (30.4)	120289
Sec/Sr.Sec	49135 (68.8)	22251 (31.1)	71386
Total	181359 (70.1)	77687 (29.9)	259046

Note: Figures in parentheses are percentages of total no. of teachers

Source: DISE, 2014-15

The low percentage of women teachers and the absence of women teachers in schools inhibit regular participation of girls in schooling, particularly at upper primary and senior levels. A recent study on women teachers in Rajasthan clearly points out that the presence of women teachers is supportive and makes a positive difference in ensuring presence of girl students in school (ERU, 2014).

According to the norms laid out in the RTE Act, the *pupil teacher ratio* should not exceed 1:30 in primary schools and 1:35 at the upper primary level. According to DISE 2014-15, the current pupil teacher ratio in government schools is reported 21.75 (26.59 at the primary level and 13.19 at the upper primary level). Field observations indicate that in the desert districts like Barmer, the PTR was 1:50. It is also evident that at the upper primary levels the availability of subject teachers continues to be a problem. While the state has tried to address the issue of teacher deficit and teachers have been appointed, there continues to be a gap.

The non-availability of teachers in schools has also led to students and community members protesting and demanding teachers. One such case widely reported in the print media was related to a school in Bhim, in Rajsamand district where girls from three schools locked the gate of the schools and organised a protest against lack of teachers in their schools. They raised slogans “Hum sat sau aur shikshak paanch” (we are 700 and only 5 teachers). They also demanded that the provisions of RTE be implemented. This demonstration led the district administration to fill up the vacancies in these schools and appoint teachers (Times of India, 2015).

Another worrying aspect is that the information regarding RTE is not distributed evenly among teachers. Despite trainings being organised by the state department, many teachers are not aware of provisions, responsibilities and implications of RTE. Notably, most teachers did not know that the RTE makes it the fundamental right of every child between 6 and 14 years of age to attend a neighbourhood school and enjoy schooling with certain quality parameters, including a 1:30 *teacher-pupil-ratio*, no corporal punishment and continuous and comprehensive evaluation of his/her scholastic progress.

RTE and Quality Parameters

The issue of improving quality of education has been extensively debated within the education discourse. The gap between expectations and actual performance in terms of children’s learning & continue. Part V of the RTE Act, Section 8 clearly specifies those terms, under which the quality of elementary education is to be ensured, which include a comfortable *teacher-student ratio*, curriculum reform and improvement in evaluation methods.

In Rajasthan, the academic performance of students has not kept pace with overall improvements in enrolment. It is common knowledge that the nature of engagement within the classrooms leaves much to be desired. National-level educational surveys have consistently shown that the vast majority of students fail to attain grade-level competencies at the end of five years. The evidence produced year after year by Annual Status of Education Report (ASER), even though highly debated & give a broad indication of the poor learning levels within government schools. ASER 2014, indicates that in the State overall reading levels were low in grade V and only 46.7%

children were able to read Grade II level textbook and the percentage of children who could do at least one subtraction was 45.9%. The percentage of students who can read English sentences was poor at 15%. The situation in Grade VII was also not very encouraging.

The recent National Achievement Survey (2014) carried out by NCERT, notes that in Rajasthan the performance of students in language and mathematics was found to be significantly below the national average. In Class III the performance of both boys and girls in language and mathematics is lower than national average and all social groups also performed below national average.

On the other hand, the state government has been conducting *Sambalan Abhiyan*ⁱⁱⁱ programmes and every year similar findings have emerged. While academic performance and learning outcomes of students is dependent on a variety of factors, it is evident that teachers maintain a social and physical distance from children of disadvantaged groups.

Continuous and Comprehensive Evaluation

To improve the quality and evaluation system, Right to Education (RTE) Act eliminated the traditional examination system and introduced a system of Continuous and Comprehensive Evaluation (CCE). CCE prescribes a more “comprehensive” assessment of student achievement than traditional testing. It assigns scores not only on the basis of scholastic performance, but also on the basis of co-scholastic activities (such as arts, music, or athletics) and personality development as reflected in life skills, attitudes, and values. CCE’s mode of assessment is also meant to be “continuous,” in that teachers identify students’ learning progress at regular time intervals on small portions of content (such as a single module or lesson). This regular assessment incorporates a variety of techniques, including unit tests, projects, and evaluation of class participation. It is designed to reduce the stress of preparing for major exams, while enabling teachers to closely monitor student progress and better tailor their teaching to student needs.

In Rajasthan, the CCE was implemented in three phases. The State government has partnered with Bodh Shiksha Samiti, a well known non government organisation working on education in taking forward this provision.

Box I. Phases of Implementation of CCE

Phase I (2010-2011)	A pilot project was implemented in May 2010 in 60 schools in Alwar and Jaipur with NCERT textbooks of Grade I-V.
Phase II (2012-13)	CCE was implemented in Grade VI-IX, in 3059 government schools of 178 blocks in the State
Phase III (2013-2014)	CCE was extended to 9 more blocks covering all blocks across 2500 schools. CCE is being implemented in 5811 government schools in the State.

Source- rajssa.nic.in

The implementation of the CCE as per RTE presents a mixed picture. It is reported that CCE is being implemented in a systematic way with support from Bodh; according to the Annual Survey of Education Report (ASER) 2015, in Rajasthan, while 72.8 percent of schools had heard of CCE, only 22% of these had received manuals. During SSA monitoring many teachers reported that it is extremely difficult for them to understand what CCE entails, especially in schools in remote and rural areas, let alone implementing it. They also articulated that the assessments take too much time as record of each child has to be maintained. It therefore impacts teaching time.

An intrinsically linked issue that has implications on quality is the current debate on no detention policy. Section 16 of the RTE Act, mandates that no student can be held back in any grade, before completing elementary education (Class I to VIII). In September 2015, the State government cleared a proposal to amend the RTE Act. Two major amendments were proposed-

(i) the repeal of the 'no detention' policy and (ii) the monitoring of teacher performance by School Management Committees (SMC). Instead of 'no detention', the amendments proposed to introduce exams in at least three classes between Grades I and VIII.

Discontinuing the no detention policy has been a demand that has been raised across several states, the fact that it has been misinterpreted as no assessment and the move to go back to a onetime assessment is problematic. As Dhankar (2015) notes 'if we were to understand the educational worth of no detention, we have to take into account three important ideas promoted by RTE simultaneously: (i) admission in age appropriate class; (ii) continuous and comprehensive evaluation and (iii) no detention policy. If classroom processes have to be guided by children's interest and learning through activities, it is important that there is active engagement where children can work together and progress in rational enquiry in a free atmosphere. Since children progress with varied speed and not necessarily through same conceptual routes, one periodic examination on fixed questions for all becomes inappropriate and leaves much of the child's progress in scholastic as well as moral and emotional development un-assessed. Hence, the need for CCE. Since children progress as per their own speed which is necessary for conceptual clarity, there is no point in pass-fail in class and the need for no detention policy'.

It is important that if CCE is seen as burdensome by teachers there should be consistent attempt to clarify the concepts and help them to improve teacher-student relationship.

Curriculum Reform

The role of the SIERT, the mandated academic authority for RTE, has not been proactive. The SIERT initiated review of textbooks on lines of NCF 2005, as part of the School and Teacher Education Reform programme supported by ICICI Foundation. A state level Steering Committee was set up by Government with subject experts to review the textbooks in 2011-12. On the basis of the review, new text books were prepared for the primary and upper primary classes and reintroduced in the schools over a period of three years. However, after the change in government, SIERT was instructed to rewrite the textbooks on the pretext that the earlier textbooks are flawed. Media reports note that the changes are being made to give prime importance to national issues and the focus will be on learning about culture and social values

Ref. (Times of India, 2015). Initially the content of the textbooks were also kept under cover. When the textbooks came into circulation, it was found that that textbooks had many errors and limitations from the pedagogical point of view.

A review carried out by group of educational experts from Rajasthan and Delhi, teachers and members of various groups campaigning for implementation of RTE, noted that “the current textbooks by every parameter of content, knowledge acquisition, pedagogy and scientific temper; have completely failed to achieve their pedagogical objectives”. The books introduced in 2016 are actually edited versions of the 2015 textbooks. The editing has been done in the framework of right wing ideology. For example, in the Class IX Social Studies book Sindhu Ghati Culture (Indus Valley Civilization) which is known by this name throughout the world has been called the Sindhu Saraswati Culture,. Without offering any factual evidence, the Indus Valley Civilisation has been described as a part of the Vedic culture. These books do not adequately represent marginalized communities like the Dalits, tribals, etc. In addition, in other subjects too there was less focus on developing the skills of observation, classification, comparison and drawing conclusion, (Shiksha Ka Adhikar Campaign, 2016).

This ad hoc nature of decision making regarding the curriculum is not in keeping with the spirit of RTE.

Age Appropriate Admission and Special Training

Chapter II Section 4 of the RTE Act enables out-of-school children to be admitted to an age-appropriate class and complete elementary education. The Act says: “Where a child above 6 years has not been admitted in any school or though admitted could not complete his or her elementary education, then, he or she shall be admitted in a class appropriate to his or her age. Provided that where a child is directly admitted in a class appropriate to his or her age, then, he or she shall, in order to be at par with others, have a right to receive special training in such manner and within such time limits as may be prescribed”.

It is evident that implementing this provision has been challenging in terms of scale, time frame and complexity of the task as majority of the out of school children belong to disadvantaged communities-schedule castes, scheduled tribes, Muslim minority, children with special needs, working children and children in other difficult circumstances. Girls comprise a bulk of out of school children. Ensuring their retention and completion once they are mainstreamed are critical areas of concern as they continue to face a variety of coping problems.

School Management Committees

The RTE makes it mandatory for every school to constitute a School Management Committee (SMC) under the RTE. The composition of the SMC include elected representative, parents/guardians of the children admitted in schools and a representative of teachers out of which a minimum of 3/4th members will be parents/guardians with a proportionate representation of parents/guardians from the disadvantaged and weaker sections. Overall membership should comprise of 50% female representation.

One of the main objectives of the SMCs is to promote meaningful participation of parents in the schooling process. According to the SSA monitoring reports, out of 120 schools surveyed across districts of Rajsamand, Barmer and Sirohi, 62.5% SMC members were generally aware about their role as SMC members but not aware of their financial powers and their role in the process of redressal of grievances. 72.5% schools reported to have organised training for the SMC members. 48% schools have been provided with a copy of the guidelines to the SMC members. The information regarding RTE was found to be average. In these districts, in several schools the SMCs had not been reconstituted after 2012-13 session. The role of the SMCs in the school development plan is also found to be marginal. The participation of women and members of the disadvantaged communities is also reported to be negligible.

However, a recent government order of August 2015 notes that the meeting of the SMC will be held on Amavasya days every month and a Samuday Jagriti Diwas will be organised on the same day.

Grievance Redress and Monitoring

Monitoring of children's right to education has been given at the first level to local authorities and then to SCPCR. The Rajasthan State Commission for Protection of Child Right (RSCPCR) is an independent state level statutory body which was set up in February 2010 by Government of Rajasthan by virtue of power given to it U/S 17 of the Commissions of Protection of Child Rights Act, 2005. RSCPCR works to recognise, promote and protect all rights of all children in the state of Rajasthan. The role, power, function and other modalities of the RSCPCR is enshrined in the Rajasthan State Commission for Protection of Child Rights Rules, 2010 notified in April 2010.

A chairperson and members were appointed to the RSPCR in 2012 for a period of 3 years. Several workshops were organised by the Commission to discuss various aspects of implementation of the Act. According to a report, within a period of three years, the RTE cell received 563 complaints on various infringements of RTE provisions of which 186 were disposed. Discussions with erstwhile members of the RSCPCR, point out that one of the key roles of the RSPCR was to create awareness on the RTE Act and also look into cases and complaints. However, one of the problems that came up was even when the complaints were followed up, the response of the DEO was not positive. There was no system of reporting back to the Commission. This made the role of the members and the Commission a mere formality. In addition, the Commission had a small secretariat and RTE was only one of their mandates. They had to be dependent on the bureaucracy for support (personal communication with ex-members of RSCPCR). The appointment of the current chairperson of the SCPCR has also come under criticism, as it is a political appointment, with the incumbent having no established credentials of working on issues of child rights.

Section II

While the education system has expanded significantly across the state, it is evident that the public education system has failed to ensure the right to education for every child. In the context

of a changing political milieu, a number of issues have got mired in ideological considerations wherein the rights of children are being sidelined. These signs do not auger well for a State that has struggled continuously to improve its educational status over the past two decades.

Some of the issues that need to be addressed without delay include:

- i) **Improving the quality of schooling in government institutions:** There has been extensive discussion on improving the quality within government schools. The overall trend shows that enrolments in government school are decreasing. It is pertinent that the state governments seriously follow all the norms in making every school RTE compliant. In addition, if the government does not succeed in making its delivery system more responsive and if the quality does not improve significantly, the situation may deteriorate as more children will discontinue schooling.
- ii) **Addressing the gender gap:** Girls constitute 46.17 percent of the total enrolment in rural areas at the elementary stage. Even though the state government has put in place various incentives to promote education of girls i.e free textbooks, transport vouchers, scholarships, the gender gap at 8.22 percent at the elementary level continues to be challenging. The gender parity continues to be low in several districts. It is evident that the institutional structures would need to gear up to the paradigm shifts envisaged and demands raised by RTE. The major challenge is how to deliver gender just quality education given the diversity of conditions under which elementary education is provided and demanded in the State. The Kasturba Gandhi Balika Vidyalayas (KGBV) scheme functioning in the State has helped a large number of girls to complete elementary education. The potential of KGBV model to help in bridging the gender gap needs to be harnessed in the state.
- iii) **Reviewing the recent decision on no detention:** It is imperative that the decision to re-introduce examination system in Grade VIII be reviewed. It has been well argued that the traditional examination system does not necessarily enhance learning comprehension and understanding. It is also hasty to assume that the no detention policy and CCE are solely responsible for the low learning outcome levels of recent years. The question is one of making our teachers, our educational administrators and all those who are connected with our schools - accountable to children and their learning. There is no guarantee that children will start learning if the no-detention policy is revoked.
- iv) **Affirming role of the teacher:** It is important that there is a reiteration of belief in the teacher and classroom interaction. There is a need for a constant dialogue with the teachers and to give dignity to the teachers rather than shift the entire blame of poor quality on teachers. There needs to be constant investment in training teachers through creatively designed teacher training programmes to help improve classroom interaction.
- v) **Effective teacher recruitment policy:** The lack of a teacher recruitment policy has also contributed to uneven distribution of teachers in rural and urban areas. The shortage of

teachers in schools has a direct impact on academic performance and quality. An effective teacher recruitment policy to fill the gaps is the need of the hour.

- vi) **Strengthening the SMC:** There is enough evidence to show that the SMCs are not contributing to the functioning of the school in an effective manner. There is a need for improvement in the training and capacity building of SMC members. The state government has now fixed the dates when monthly SMC meetings are to be held. These need to be monitored closely for effective functioning.
- vii) **Reviewing Public Private Partnership policy:** A big threat looming over the education system is the move to bring in PPP in the education sector. According to the policy document prepared by the government, the state government aims to involve the private sector in improving management and operation of government schools through PPP. The assumption that private schools have better learning outcomes despite low per student expenditure is misleading.
- viii) **Altering the Curriculum:** Changes to the existing curriculum has been initiated without a public debate. Textbooks for classes I to XII have been rewritten by a select group constituted by the state department. Recent media reports indicate that many literary authors in the English textbooks have been dropped as part of education department's directive to the textbook drafting committee to include content that evoke a sense of pride in the state and the country. The Hindi textbooks have also been overhauled and many Urdu writers have been dropped. These ad-hoc changes based on a particular ideology would impact teaching learning processes in the long run.

Conclusion

In the initial years, the State was a forerunner in implementing the RTE by putting necessary mechanisms in place. However, a number of decisions taken subsequently by the State government have been contrary to the spirit of RTE. The overall assessment of the implementation of RTE in Rajasthan denotes that there are many governance challenges and gaps in terms of educational provision, availability of resources and in ensuring contextualised and quality teaching and learning. It is pertinent that issues of quality and inclusive education are addressed systematically and in a transparent manner to ensure that the entitlements of the children are realised.

Notes

ⁱ A version of this paper was presented in the National Consultation on: Right to Education: The Next Phase organised by Ajit Foundation And UNICEF, Rajasthan, 30-31 October, 2015 at IDS, Jaipur.

ⁱⁱ In 2015 a year long campaign was initiated by Rajasthan Patrika (a local daily published in Rajasthan) and *Soochana Evam Rozgaar Adhikar Abhiyan* (SR Abhiyan) Rajasthan, using Right to Information (RTI) as a means to initiate citizen monitoring of government schools and public education across the state.

ⁱⁱⁱ to improve the educational standard in government schools, Rajasthan government carries out the '*Sambalan Abhiyaan*' across the state in September wherein education officers Block Education Officers (BEOs) and District

Education Officers(DEO) inspect the elementary schools. After the analysis of results, resources and support are to be provided to improve the educational outcomes.

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