

# Right to Education

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**Abstract:** *The RTE is universal entitlement to education. RTE includes a responsibility to provide basic education for individual who have not completed primary education. Literacy is an essential tool of self-defense in a society where social interactions are based on written media. The paper also explains the concept of RTE which includes right to free, compulsory primary education for all.*

**Keywords:** education, RTE, fundamental, schools, training, development

## 1. Introduction

Social justice and equality by themselves a strong argument for providing basic education for all. It is an established fact that the basic education improves the level of human wellbeing especially with regard to life expectancy, infant mortality, and nutritional status of children etc. Studies have shown that universal basic education significant contributes to economic growth.

In India regarding education, the constitution 86<sup>th</sup> Amendment Act, 2002 has inserted article 21A, which provides that –“The state should provide free and compulsory education to all children of the age 6 to 14 years in such manner as the State may by law, determine.”

Until 2002 the right to education was only a Directive Principle of State Policies. However, this amendment makes it fundamental right. The corresponding provision in Part IV, Directive Principles of State policy, namely articles 45 also been amended under the constitution 86<sup>th</sup> Amendment Act, 2002.

The right of a child should not be restricted only to free and compulsory education, but it should be extended to have quality education without discrimination on the ground of child's economic, social and cultural back ground. The right of child to free and compulsory education has now become a part of the fundamental rights under Article 21A of the constitution. The total indifference of the governmental authorities is leading to the violation of the fundamental rights to the children. Right to development is also considered to be a basic human right.

The RTE is universal entitlement to education. According to international covenant on economic, social and cultural rights, the RTE includes right to free, compulsory primary education for all. The RTE includes a responsibility to provide basic education for individual who have not completed primary education. This act would provide a much needed boost to country's education sector.

The Act provides:-

- The cost which prevents a child from accessing school will be borne by the state which shall have responsibility of enrolling as well as ensuring attendance and completion of years of schooling.
- No child should be denied admission for the want of the documents.

- No child shall be turned away if the admission cycle in school is over and no child should be asked to take admission test.
- Children with disability will also be educated in main stream of the school.
- The act says that schools should be within the radius of 1-3 km from where the child lives.
- All government aided schools have to reserve 25% of their seats for students from economically weak sections (EWS). Private schools that are not government aided also have to reserve 25% of their seats in class 1 for EWS students, the government will compensate them.
- The act further provides that all schools will have to prescribe to the norms and standards laid out in the act and no school that doesn't fulfill these standards within three years will be allowed to function.
- The norms and standards of the teaching qualifications and training are also laid down in the act.

Thus, India became one of 135 countries to make education a fundamental right of every child when the act came into force on 1<sup>st</sup> April, 2010.

And exemplary note:

‘SARVA SHIKSHA ABHIYAN’ program is a historic stride towards achieving the long cherished goal of Universalization of Elementary Education (UEE). SSA, which promises to change the face of the elementary education sector of the country, aims to provide useful and quality elementary education to all children in 6-14 age group. The SSA is an effort to recognize the need for improving the performance by the school system. As an intervention program, SSA has been operational since 2000-2001. This program was pioneered by Atal Bihari Vajpayee.

## 2. Components of SSA

The components of SSA includes appointment of teachers, teacher training, quality improvement of elementary education, provision of teaching learning method, construction of class rooms, school building, integrated education disabled and distance education.

SSA's present goals of 2015 are to:

- a) Open new schools in areas which do not have them and to extent existing schools infrastructure and maintenance.
- b) Address in adequate teacher numbers and provides training development for existing teachers.

- c) Provide quality elementary education including life skills a special focus on the education of girls and children with special needs as well as computer education.
- d) The SSA is an effort to recognize the need for improving the performance by the school system.
- e) **Challenges in implementing the RTE:-**
- f) **Out of School Children:** One of the sections of children which are out of school is those who have never enrolled in school. The second section includes children who have dropped out of the school. Children who do not attend school for three months are considered to have dropped out. In some states the period is fifteen days, in others it's one month.
- g) **Coordination between various implementing agencies:** Rescue of child laborers and punishing the employers is the work of labor ministry and the police. The responsibility of bringing children to schools and providing them quality education is the work of Human Resource Development Ministry. Then again, monitoring implementation of the RTE act is responsibility of the child rights commission in each state. As of now, not all states have ever notified the RTE rules. It is crucial therefore that the efforts of all these agencies are coordinated for the larger goal of providing education to all children to become a reality.
- h) **Various kinds of schools:** There are four kinds of schools under the right to Education Act.
  - Govt. schools
  - Government-aided schools
  - Private schools
  - Special schools recognized by the government such as Kendriya Vidyalayas, Navodaya Vidyalayas and Sainik schools.
  - With such a variety of schools it is natural that quality of education varies. Once again it boils down to the rich being able to afford better quality education and the poor having to compromise with something inferior with.

### 3. Recommendations

- 1) Each state should prepare a set of model rules for implementation of the RTE.
- 2) Although the RTE Act puts the applicable age group at 6-14. It has been left to the states to decide whether they want to widen this group, say from 0-18 as Kerala has done. States should think about including more children under the Act's ambit.
- 3) With the Act coming into effect, it has found that there is shortage of 12-13 lakh teachers in the schools. The state must take steps to employ more teachers.
- 4) The government should ensure that all government schools are well occupied to take in students, so that they are not left with the sole choice of going to private schools.
- 5) School management committees should take it upon themselves to spread awareness about the Act at the community level, in panchayats, so that people are encouraged to send their children to schools.
- 6) School management committees should be provided the necessary financial and other support by the state to go about their duties.

- 7) For effective implementation of RTE Act, states should give some sort of judicial to the education department.
- 8) To effectively implement the RTE Act, the Human Resource Development Ministry, Labor Ministry, Women and Child Development Ministry, Panchayati Raj Ministry and Rural Development Ministry have to work together. There should be an umbrella body that brings all these agencies together to work towards to common goals.
- 9) Something should be done to orient parents also so that they become aware of their roles and responsibility regarding their children.
- 10) The headmasters and teachers of schools should be involved in motivating the non-enrolled children to join in the schools.
- 11) Teaching should be made interactive and interesting with the use of visual aids, globes etc. co-curricular activities, games, dance, fine arts and quizzes should be made part of the teaching methodology. Such methodology will attract students to the school and help them in their personality development.

### 4. Conclusion

Basic education is catalyst to social change. Literacy is an essential tool of self-defense in a society where social interactions are based on written media. And illiterate person is certainly less equipped to take part whether successfully in modern economy political activities. Basic education is widely perceived by members of socially and economically disadvantaged groups of people as the most promising means of upward mobility. An educated person is better equipped to overcome the marginalization in a modern society and it is in this sense education is considered as an instrument of empowerment. The realization of RTE on a national level may be achieved through compulsory education. The act is source of national pride and offers unprecedented opportunities. It is challenge but with resources and political will, it is not an impossible task.

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## **Author Profile**

**Geeta Rani** is working as an Assistant Professor in SWIFT Technical Campus for last three years. She has passed M.Phil from Punjabi University Patiala and also she NET qualified. She has keen interest in findings and research work.