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COMMON CAUSE VISION
An India where every citizen is respected and fairly treated

MISSION
To champion vital public causes

OBJECTIVES
To defend and fight for the rights and entitlements of all groups of citizens
TEACHING AND LEARNING: TIME FOR ACTION!

Can India afford to guarantee quality education for all children? What should be the benchmark for an assured minimum quality? Is learning outcome more important than infrastructure? The extraordinary thing about such questions 68 years after Independence is that they are still being raised. We, as a nation, are fiercely debating what should have been non-negotiable half a century ago.

And if the emerging trends are any indication, we will perhaps go on debating them for another fifty years. Says a UNICEF report, “In India, the richest young women have already achieved universal literacy but based on current trends, the poorest are projected to only do so around 2080” which is 64 years away! Obviously, it is time for action.

Titled ‘Teaching and learning: Achieving quality for all,’ the 11th UNESCO Education for All Global Monitoring Report 2013-14 notes that children who learn less are more likely to leave school early. It has found that our children who achieved lower scores in mathematics at age 12 were more than twice as likely to drop out by age 15 than those who performed better. This means that providing good quality education is not just the right way but the only way to achieve universal education.

We are perhaps the only country on the planet with millions of children out of school despite a constitutional Right to Education. The constitution now provides that every child of the age of six to fourteen years shall have a right to free and compulsory education in a neighbourhood school till the completion of elementary education. True, the enrolment has crossed 96% mark in 2014 but the achievement is tarnished by an alarming dropout rate, as high as 45% in some states. According to ASER 2014, in rural India, 15.9% of boys and 17.3% of girls in the age group of 15-16 years are out of school.

A good way of assessing a nation’s progress is by examining the child’s environment, which also has a direct bearing on education. For instance how well will a child be able to comprehend lessons of science and mathematics is directly linked to her or his nutritional levels. The cognitive abilities also depend on whether the mother was fed nutritional food during pregnancy or not. The education levels are also determined by things like immunization, health and sanitation, safe drinking water, livelihoods and well-being of parents.

Much as one would like to see the glass half full rather than half empty, one cannot close one’s eyes to the pessimistic picture in front. According to National Family Health Survey (NFHS) two third of babies born in India are anaemic and about half the children under five years of age are stunted, which means that for no fault of theirs they enter the world with an inborn handicap. As high as 20 per cent of all children are severely stunted or wasted because of high malnutrition. This is not all, millions of Indian children are abused, trafficked and forced to work as child labour. Does this have a connection with enrolments, dropout rates, learning outcomes or motivation to do better? Can things be improved radically from here?

This issue of Common Cause journal seeks to address some of these questions. Curated by Anumeha, the issue covers some critical concerns, policy perspectives, aberrations and success stories about right to education. It is meant for anyone who has interest in making a difference through policy advocacy, voluntary work or direct intervention. The writing is largely simple and jargon-free and the emphasis is on positive social change.

Please write in to us or share your thoughts via commoncause.in, our website. Your ideas will help us serve you better, as also to improve our advocacy efforts on every child’s right to (quality) education.

Vipul Mudgal
The quality of education imparted, especially in the critical developmental years, lays the foundation for the holistic growth of an individual. Every child is born with an innate cognitive ability which needs to be sharpened and enhanced. A sound education system should be capable of churning out a generation of such empowered, inquisitive, ‘educated’ students. In the primary grades a student is supposed to acquire basic abilities for reading, writing and calculating. Also, the importance of observational learning and the capability to construct new ideas and concepts or to solve real life problems cannot but be over emphasized.

It is well known that the Right to Education Act (RTE) has not yielded desired results. It focuses on access to education and enrolment for all but there are concerns about quality being neglected. It brings us to the inevitable question as to what comprises quality education. It is an education system that helps a person to adapt herself to her environment and allows her to rationalize, analyze, synthesize, hypothesize and above all, question and explore. It should include the identification and cultivation of talent and equip each person to perform her role effectively as both economic and political participant in an organized society.

The RTE Act in its five years of journey has failed to raise the abysmal educational standards. A discussion and analysis of the education system will open a pandora’s box. A sound educational policy needs to be based on the diagnosis and cure for all such problems along with objective information and analysis. This would not only be important for the policy makers in developing judicious plans and monitoring frameworks but also help us, as members of civil society, engage in meaningful public debates. Achieving RTE goals requires medium to long term planning, bold administrative decisions, a renewed focus on improving standards of education in schools, besides infrastructure and support services. It requires serious systemic reforms and a strong vision for change at the school and classroom level.

The deteriorating quality of education especially in the government school system has been an issue taken up by Common Cause during a number of consultations and brainstorming sessions held with like-minded organizations. This special issue covers a gamut of themes, from some insights by Anita Lodhi into the challenges faced by children with disabilities to a discussion on the status of implementation of this Act by Ambarish Rai of RTE Forum. We have a thought provoking essay by Amartya Sen, in which he touches upon a range of significant issues such as the problems of the unschooled and the overlooked and the value of mid day meals for better learning outcomes. Dr. Divya Jalan of Good earth Foundation in her piece provides an inspiring account of the successful Bodh Initiative in Quality education.

There is an interesting insight by Shailendra Sharma of Pratham who writes about the negative consequences of overambitious curriculum resulting in flat learning trajectory in the primary schools of our country. Avani Kapur of Accountability Initiative reflects upon the lessons learnt from the ground based studies of real expenditure. Vincy Davis, also of the Accountability Initiative contends that the Right to Education Act’s successful implementation lies in the hands of its foot-soldiers – education officials. Syed Rafath Parveen, a teacher, reveals in her article the shocking attitudes of fellow teachers and officials towards students from the Economically Weaker Sections. The themes thus covered are diverse, touching upon multiple components of RTE Act, status of its implementation and attitudinal changes desired.

We are optimistic that the different perspectives and ideas on education will help us formulate a common ground to initiate our next plan of action for concrete results. We also sincerely hope that this issue serves as a ready resource for schools, community groups, research organizations, policymakers, educationists, and above all, non professionals who wish to do something to change things.

*Ms. Anumeha is a Senior Research Analyst in Common Cause.*
SUNLIGHT AND OTHER FEARS

The Importance of School Education

*Amartya Sen

Francis Bacon has observed that the child’s fear of the dark is ‘increased with tales’. He was drawing some kind of analogy here with people’s exaggerated fear of death—the comparison occurs in a grim essay called ‘Of Death’. Unfortunately, invented tales are not needed to drive fear into the minds of a great many children in the world. Fear of not just the dark night, but also of the sunlit day. There is much to fear in a day that begins without a meal, without a friendly school to go to along with other children, without relief from illnesses and maladies that are constantly present in a precarious childhood, and, not least, without anything much to look forward to in the future. Nothing brings out the poverty of India today as much as the state of many—indeed most—of our children.

The tragedy in all this lies not only in the bleakness of the real world in which Indian children live, but also in the fact that these deprivations are not hard to overcome, even within the means that India now has. Our children remain in the dire state in which they are mainly because of the lack of political and social engagement, not because of the lack of resources.

The Underfed and Undernourished

Consider the hunger of Indian children. Even though the famines of the British Empire disappeared rapidly enough in India with Independence, India’s overall record in eliminating hunger and undernutrition, particularly of children, is quite terrible. Not only is there persistent recurrence of severe hunger in particular regions, but more amazingly, there is a dreadful prevalence of endemic hunger across much of India. Indeed Indian children do far worse in this respect than do children even in famine-ridden Sub-Saharan Africa (as has been well discussed by Peter Svedberg.¹Judged in terms of the usual standards of retardation in weight for age, the proportion of undernourished children in Africa is 20 to 40 per cent, whereas the percentage of undernourished Indian children is a gigantic 40 to 60 per cent. General undernourishment—what is sometimes called protein-energy malnutrition—is nearly twice as high in India as in Sub-Saharan Africa.

And yet, India has continued to amass extraordinarily large stocks of food grains in the central government’s reserve. In 1998 the stock was around 18 million tons, which is just around the official ‘buffer stock’ norms that are adequate for protecting India from the vicissitudes of nature. However, since then the stocks have climbed and climbed, hovering between 50 and 70 million tons—food enough to fill sacks of grain that would stretch more than one million kilometers, taking us to the moon and back, and then some more. The stocks exceed 1 ton of food grains for every family below the poverty line. There is, of course, no plan to give it to them.

The government, we know, spends a very large sum of money to subsidize food prices. But to cut a long story short, subsidies can be used either to keep producer prices high (that is having elevated sale prices for the farmers who sell food to the government), or to make consumer prices low (reducing the prices at which the indigent Indian buyers can afford to buy food and feed themselves and their children). Political pressure of the farmers favours the former and they certainly have much more clout than the indigent consumers—and hungry Indian children—have (or can even dream of). The consequent regime of high food

prices in general (that is, high procurement prices and high sale prices, even though the latter are lower than the former) both expands procurement and depresses demand. The odd price system, while generating a massive supply of food, also keeps the eager hands of Indian children away from the food. Stocks accumulate and remain large, and much of the ‘food subsidy’ goes to meet the cost of maintaining a massively large stock of food grains, with a gigantic food administration.

A thorough overhaul of India’s food policy is needed right now, with hard-headed economic assessment of costs and benefits, including the unequal toll of placating farmers and also of bearing the cost of carrying unnecessarily large food stocks from one year to the next. That assessment must also include a humane understanding of why Indian children fear the morning light, with another hungry day to come.

The Unschooled and the Overlooked

What about schooling? India has many more children out of school than any other country. These statistics may not be seen as significant by some who would point to the fact that India is a large country. And so indeed it is. But China is larger still, with a much smaller—indeed a relatively tiny-number of children out of school. Also, even in proportionate terms, India does not do very much better than Africa in getting a high proportion of children to school. Bangladesh, which was much behind India, has been overtaking India recently.

Of course, the official statistics of school administration can provide some immediate comfort, since they claim that very few Indian children are unregistered in school. But these official statistics have never been reliable: the schools have built-in incentives to exaggerate school registration and to inflate attendance even more (by confounding registration with attendance, for example). Independent findings, such as the Census of India, or the National Sample Survey, still show that a significantly large proportion—about one out of five of Indian children are not in school on a normal day. The regional pattern shows great asymmetry here, with nearly all children at school in states such as Kerala or Himachal Pradesh, while in other states like Uttar Pradesh or Rajasthan, a very high proportion of children are not there at all.

We certainly need to build many more schools. Also, we have to run them much better. These are serious needs. But the alleged lack of interest of parents in educating their children (particularly girls), which is often mentioned as a difficulty, is nothing quite like that. That alleged ‘fact’ is, of course, the oldest chestnut around, but all the probing empirical studies of this presumed phenomenon have brought out its falsity. The picture comes through particularly clear in the most extensive study of Indian schooling problems done by the PROBE team (including Jean Dreze, Anita Rampal, and many other dedicated investigators), and published in 1999.\(^2\) It appears that not only do nearly all parents-across the regions—want their children (including girls) to go to school, but also a very high proportion (often more than 80 per cent of parents) want to make it obligatory for parents to send children to school (if a reliable school exists in the neighbourhood). This applies not only to those regions in which most children do go to schools, but also in those areas where children are very often not in school: the explanation of non-attendance has to be sought elsewhere.

The regional studies have also tended to confirm a similar picture. The first educational reports of the Pratichi Trust, which I was privileged to set up with the help of the Nobel award, also show how overwhelmingly anxious the parents in the surveyed region (mostly in West Bengal) are to send children—including girls—to school.\(^3\)


\(^3\) ibid
The wrong diagnosis of parent reluctance is very unfortunate for several distinct reasons. The first is the long history of using this false diagnosis as an excuse that is given by governments to explain away their failure to do the duties of a decent state: a failure that is more than any other factor-responsible for the problems of Indian school education in general and of girls' education in particular. Over the decades since Independence, one government after another—at the Centre and in the states—have referred to the alleged reluctance of parents as one big reason for the failure to get children, especially girls, to school. But as the PROBE report and indeed all other field studies bring out, there is very little general reluctance of parents to send all children-girls as well as boys-to school.

The explanation of non-attendance lies mainly elsewhere. The absence of schools that are conveniently close and proximate is one reason. Further, if having more schools is a crucial policy issue, so is generating the confidence of parents that their children, especially girls, would be safe in school (while the parents may be away at work in various activities, from tilling land to carrying merchandise). Many of these schools are single-teacher schools, and the absenteeism of teachers is quite high in some areas, so that the parents cannot be sure, in many cases, that there would be someone to look after their children through the day. This can be a particularly serious fear in the case of girl children. To overlook the real and legitimate concern of parents, and to blame instead the nastiness of parents, is a good way of adding a little insult to much injury.

Further, many schools have no lavatory facilities at all. Some do not have rooms either. In understanding why there is some parental reluctance to send their children to school in specific cases—even when in general the parents insist that they would like to send their children, including girls, to school—it is important not just to count the existence of schools, but also to go into the running of schools, involving physical facilities as well as teacher participation.

When I was a student myself, trying to learn some economics at Presidency College in Calcutta, I remember joining movements of school teachers who demanded some increase in their woefully low salaries. That was fifty years ago. With the new pay awards for public servants, the salaries of school teachers have risen enormously. Indeed, if one compares the relative differential between school teachers' salaries and the earnings of agricultural labourers, the differential in favour of the former has grown by leaps and bounds, and is now absolutely enormous. Some commentators object to raising this issue of relative pay: why should this comparison in particular be made? This is a good riposte, and there are indeed many other comparisons that can also be instructive. The immediate relevance of the teacher-labourer differential arises, however, from an economic consideration, and no less importantly, a fundamental social concern.

The economic issue relates to the cost of educating the children of the Indian underdog in rural as well as urban areas. The fact that in so called 'alternative' schools—such as Sishu Siksha Kendras (SSKs) in West Bengal—it is possible to get qualified teachers with the same educational credentials at a fraction of the standard school teachers' salary in the public sector, indicates how the cost of educating the children of the Indian illiterate masses has been artificially raised. While there is much to be happy about in the fact that Indian school teachers now get a fine salary, the cost implications of expanding the reach of the school system also have to be taken into account.

Not surprisingly, many states (including West Bengal, Madhya Pradesh, and others) have gone increasingly in the direction of expanding 'alternative' schools, rather than having standard schools. The Pratichi Trust reports indicate that these alternative SSKs do no worse than standard schools. There may be some comfort in that (and the dedication of SSK teachers is often exemplary), but the alternative route cannot be a long-term solution, given the limited facilities of these alternative schools and the difficulty of expecting
that the alternative system, with its ad hoc structure, can really become the principal mainstream for educating Indian school children. The SSKs are a plausible stopgap solution, but the basic issue of having an adequate number of standard schools—and being able to afford expansion—has to be addressed.

The social problem is no less immediate than the economic crunch. The Pratichi Education Report brings out how the parents of children from less privileged families feel neglected and ignored in the running of schools. Absenteeism of teachers is quite high in general, but it is outrageously large when the bulk of the students come from lower class backgrounds, with little income and less social status. There is a big 'class divide' between the poorer children and their families, on the one hand, and the well-paid teachers in the schools, on the other, who—as the studies suggest—often have little time for the underdog children.

The rapid increase in private tuition as a system for supplementing primary education that is offered in school not only shows how inadequate the school system has become, but also how the better-off can escape the penalties of bad schooling by spending money to get additional teaching for their own children. Use of primary tuition for primary school children is virtually unknown outside India and South Asia: I had some difficulty in my conversations last year with educationalists in China in explaining what exactly the phenomenon to which I referred was. They have never heard of primary education through private tuition. The evil of this unusual Indian arrangement consists not only of the inequity that it generates, but also its efficiency implications. Since rich parents do not suffer that much from the low quality of schools, given their ability to remedy the deficiencies through supplementary private tuition, they have far less interest in using their influence to make the schools run better.

The teachers' unions which have been extremely supportive of the teachers' right to a good salary as well as to their independence (and rightly so) must have a big role to play in advancing social justice and equity in India by improving the functioning of primary schools. There is also an important role for institutional reform, which can take the form—it has been suggested by the Pratichi team—of both insisting on having school-based parent-teacher committees (with effective representation of poorer and less privileged parents) and demanding that these committees have an operative voice in the running of schools and even perhaps in the renewal of budgetary allocations. Also, the system of school inspections, now defunct in many states, can be revived in an attempt to make the schools run better. If the hunger of Indian children, on which I commented earlier, is largely due to the inefficiency as well as inequity of public policy, there is a similar issue to be faced in addressing the illiteracy of Indian children.

**Plural Benefits of Mid-day Meals**

Similar issues can be raised about health care as well as medical delivery to the poorer Indians and to the Indian children who have had the misfortune of being born in less well-off families. Rather than trying to extend the analysis in that direction, let me probe further some of the issues already raised, and devote the rest of the essay to two specific questions about the schooling of Indian children. First, can the problem of hunger and undernourishment be tackled along with school education through such programmes as providing cooked mid-day meals in school? Second, why is schooling so important anyway for the future of Indian children?

Mid-day meals are not an Indian innovation. They have been used for centuries in Europe and elsewhere to make schools more attractive to children and to feed them better. There has been considerable public agitation lately to make cooked mid-day meals standardly available in all Indian schools. It is to the credit of the Supreme Court of India that it has recently spoken up in favour of the 'right' of Indian children not only to go to school, but also to have cooked mid-day meals there. Many states in India have argued that they do
not have the funds to make this possible. There are indeed financial difficulties that several Indian states actually do face at this time. The big rise in public sector salaries, discussed earlier, which has a much wider coverage than the salaries of schoolteachers specifically, has certainly had a role in contributing to the relative insolvency of some states. To the extent that the Centre can help the states in this respect, there is a need to think about ways and means of cooperation in this tremendously important endeavour.

However, the states must also reexamine their commitments and priorities. Indeed, many states, with the pioneering example of Tamil Nadu, run good programmes of providing mid-day meals. Others, such as Rajasthan, are moving in that direction. There is no basic economic reason why all states cannot do this, if they decide that this is indeed one of their principal priorities. The question that does, however, arise is whether mid-day meals should be seen as being pre-eminently important, so that it acquires the status of an overwhelming priority. That case is not hard to establish. Cooked mid-day meals served in schools provide a number of interrelated and far-reaching benefits.

First, since Indian children suffer from exceptional under-nourishment, the possibility of reducing that deprivation through giving meals to every schoolchild has a strong case based on health grounds. The schools are an excellent point of delivery to those in greatest need. The loss of physical fitness and mental ability due to undernourishment in childhood is a major predicament of the Indian people, and the adversity can be dramatically reduced through school meals.

Second, school meals increase the attractiveness of going to school. It is not surprising that empirical studies have shown that attendance tends to be very favourably influenced by this provision. Feeding, in this sense, complements the effectiveness of the school system.

Third, the attention span of children from the poorer families is often severely restricted by the fact that they come to school on an empty stomach (the Pratichi team found how common the incidence was). Feeding not only supplements schooling, it can actually contribute to the effectiveness of the process of teaching.

Fourth, if school meals are served in the schools in cooked form, rather than students being given so-called 'dry rations' the gender bias in distribution within the family is avoided. It also appears that the provisions of meals for school children also has a particularly favourable effect in releasing girls from family work to go to school.

Fifth, the experience of eating together in schools, without differentiation of caste, religion, class, or ethnicity, is also a contribution towards building a more united India. Being schooled together is itself an egalitarian experience, and eating together in schools can add greatly to promoting a non-discriminatory outlook.

As against that, those opposed to the mid-day meals point to several difficulties. The financial one has already been discussed and can certainly be overcome. There may, in addition, be organizational problems, particularly when the chosen food requires very heavy cooking (as seems to be the case with the grains used in Rajasthan), and apparently there is the possibility of illnesses resulting from corners being cut. These organizational problems demand serious investigation and engagement (including further scrutiny of the type of grains to use and whether less heavily cooked food may be nutritionally better anyway for the children). These problems have been surmounted in many states, and the others can overcome them too.

It is sometimes argued that schooling is concerned with educating, not with feeding, and that teachers do not have to supervise cooking. That argument takes an artificially fragmented view of the lives of children. Indeed, going further, it can be argued that not only the absenteeism of children, but also that of teachers can be reduced if providing regular school meals becomes the standard practice. In a school of the traditional
type (with no meals), if a teacher does not show up, the children may suffer in the long run (education brings benefits over years, rather than over hours), but there may not be any great immediate discontent, if only because children reasonably enough love playing as well. On the other hand, if a child relies on having a cooked meal at the school, absenteeism has an immediately disquieting effect. The fact that absenteeism of staff at the schools may cause more protests under these circumstances may be an entirely positive influence in making the schools run in a more orderly way. Rather than ‘disrupting’ normal teaching (as is sometimes alleged), providing cooked school meals can add to the effectiveness of teaching through a lowered likelihood of the distressing phenomenon of teacher absenteeism.

What's the Point of Going to School?

I come now to the last question. What is so special about schooling? There has always been much skepticism about the value of formal school education in India, a scepticism to which even Mahatma Gandhi lent his voice. Indeed, skeptical questions about prioritizing school education are so often asked in India that there is a real contrast here with almost the whole of the rest of the world (from Japan, China, Korea, and Vietnam to France, Britain, USA, Brazil, and Cuba). So, at the risk of labouring the obvious, let me discuss what the point of schooling might be.

Indeed, the importance of school education is truly immense and many-sided. First, illiteracy and innumeracy are major deprivations—profound ‘unfreedoms’—on their own. Not to be able to read, write, and count makes a person less free to have control over one’s own life.

Second, basic education can be very important in helping people to get jobs and to have gainful employment. India has suffered greatly from the neglect of basic education, both in the domestic economy and in the reduced ability of the Indian masses to gain from the opportunities of global commerce. Whenever the educational opportunities have been good in India (like in high-level technical education and specialized skill formation), Indians—with the appropriate educational background—have been able to make superb use of the global facilities, but the need to extend that openness to basic education (and also to spread basic technical skills more widely) remains extremely strong. India casts envious eyes on the recent economic successes of East and Southeast Asia and sees the opportunities of globalized trade writ large there. These opportunities are indeed enormous, but to make good use of them, basic education of the population can be a greatly facilitating factor. This connection, while always present, is particularly critical in a rapidly globalizing world, in which quality control and production according to strict specification is critically important.

Third, schooling is not only an educational occasion, it is also a social opportunity to come out of one’s home and to meet others, who come from different families, have dissimilar values and have knowledge of disparate walks of life. The discipline of schooling can also provide experiences of a very different kind from what one gets within the family. The education of the school-going child comes not only from the formal lessons, but also from the experience of schooling itself.

Fourth, when people are illiterate, their ability to understand and invoke their legal rights can be very limited. This can, for example, be a significant barrier for illiterate women to make use even of the rather limited rights that they do actually have. This was well established many years ago in a pioneering study by Salma Sobhan. Lack of schooling can directly lead to insecurities by distancing the deprived from the ways and means of countering that deprivation.

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5 Salma Sobhan, Legal Status of Women in Bangladesh (Dhaka: Bangladesh Institute of Legal and International Affair, 1978).
Fifth, illiteracy can also muffle the political voice of the underdog and thus contribute directly to their insecurity. The connection between voice and security can well be very powerful: the observed fact that substantial famines do not occur in democracies is just one illustration of the effectiveness of political voice and participation. The enabling power of basic education in making people more effectively vocal has a significantly protective role and is, thus, central to human security.

Sixth, empirical work in recent years has brought out very clearly how the respect and regard for women's well-being are strongly influenced by such variables as women's ability to earn an independent income, to find employment outside the home, to have ownership rights, and to have literacy and be educated participants in decisions within and outside the family. Indeed, even the survival disadvantage of women compared with men in developing countries seems to go down sharply—and may even be eliminated—as progress is made in advancing the agency role of women. ⁶

The different characteristics that favour a better situation for women (such as women's earning power, economic role outside the family, female literacy and education, women's property rights, and so on) may at first sight appear to be rather diverse and disparate, but what they all have in common is their positive contribution in adding force to women's voice and agency—through greater empowerment. The diverse variables identified in the literature, thus, have a unified strengthening role.

This role is of importance not only for women themselves, but can also have far-reaching impacts on the lives of all through its influence on the forces and organizing principles that govern decisions within the family. There is considerable evidence, for example, that fertility rates tend to go down sharply with greater empowerment of women. This is not surprising, since the lives that are most battered by the frequent bearing and rearing of children are those of young women, and anything that enhances their decisional power and increases the attention that their interests receive tends, in general, to prevent over frequent child bearing. For example, in comparative studies of the different districts within India (done by Mamta Murthi and Jean Dreze), it emerges that women's education and women's employment are the two most important influences in reducing fertility rates. ⁷

There is also much evidence that women's education and literacy tend to reduce the mortality rates of children. The influence works through many channels, but perhaps most immediately, it works through the importance that mothers typically attach to the welfare of the children, and the opportunity they have, when their agency is respected and empowered, to influence family decisions in that direction. Similarly, women's empowerment appears to have a strong influence (Murthi and Dreze provide evidence on this too) in reducing the much observed gender-inequality in the survival of children (that is, in reducing the bias against young girls).

These connections between basic education of women and the power of women's agency are quite central to understanding the contribution of school education to human well-being and freedom. The removal of survival disadvantages of women (and of young girls in particular), the reduction of child mortality (irrespective of gender), and moderating influences on fertility rates are all among the basic issues involved in removing the downside risks that threaten life and dignity, and the schooling of girls can be a critically important vehicle for social change.

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⁶ This is discussed in my essays 'Gender and Cooperative Conflict', in Irene Tinker (ed.), Persistent Inequalities: Women and World Development (Oxford University Press, 1990), and 'Missing Women British Medical Journal, number 304 (March 1992).

Finally, in addition to the provision of schooling, it is necessary to consider the coverage of education and the curriculum. The issues involved here include the importance of technical skill in our globalizing world, but there are also other matters involved, since schooling can be deeply influential in the identity of a person and the way we see each other. Recently, the perspective of clash of civilizations has gained much currency. What is most immediately divisive in this outlook is not the idea of the inevitability of a clash (that too, but it comes later), but the prior insistence on seeing human beings in terms of one-and exactly one- and exactly one-dimension only. To see people in terms of this allegedly pre-eminent and all-engulfing classification is itself a contribution to political insecurity.8

The issue has received attention, if only indirectly, in the context of the role of madrasas in the growth of fundamentalism in Pakistan and elsewhere, but there is a danger here from other sources as well, given the way cultural and educational narrowing is being advocated by some political groups in India. Schools texts have also been messed around to exaggerate and embellish a specifically 'Hindu' perspective in understanding the history of India. Well-known historical phenomena, important for India's exceptionally pluralist heritage (from the flourishing of the pre-Indo-European Indus Valley civilization to the absorption of wave after wave of new entrants), are being buried in political attempts to rewrite India's past. This is an ominous development. The importance of a good, non-sectarian curriculum can be quite central to the role of education in securing a better future for the children of India.

Like food, education is a source of nourishment, Indian children need not have their minds poisoned any more than they need to have their bodies famished, skills neglected, or potentials wasted. We have been shooting ourselves in the foot for a long time now-through our biased food policies, negligent educational efforts, inadequate health arrangements-and now there is also the curricular barbarism in schools that encourages us to shoot ourselves in the other foot.

Indian children deserve better than that. They need daylight, nor darkness, nor the fears that 'increase with tales'.

8 This problem is discussed in my essay “The smallness Thrust upon Us’, published in Little Magazine in an earlier volume.

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Article 45 of the Directive Principles of the Constitution of India made it the duty of the State to provide free and compulsory education to all children up to age 14 in ten years (by 1960).

In the mid 1980s, realizing that the country was nowhere near this target, with children from economically weaker sections being farthest in the process, a group of young people in Jaipur decided to initiate a process of education for children in the slums of Jaipur. The organization was called Bodh Shiksha Samiti.

These ‘schools’ were quite different from the traditional schools. The initiators believed in the need for the community to be an integral part of the education of their children. So classes were held in some community location—a room in a home, a terrace of a house, a verandah of the local temple or even the side of a quiet road. Since typically homes and other spaces are small in slum communities, classes were held in multiple locations.

Teachers were from within the community as well as from outside. Thinkers and initiators of the programme ensured that they understood the most important elements of pedagogy—that the child is hungry to learn, that the child would learn in an environment free of fear, that the child would learn by using his senses, hands and by moving around, that the child would learn by using his mind actively through questioning and expressing, that the child would learn when he is respected and validated irrespective of his/her socio-economic situation, that the child would learn only if he/she is encouraged irrespective of success or failure and so on. Teachers, of course, had to understand how to teach reading, writing and numbers but it was believed that no teaching would succeed in the absence of a positive learning environment. Those who were teaching had to have not only knowledge but a strong conviction in this basic methodology.

Around the late 90s, Bodh decided to move into the most backward rural areas of Alwar district and set up schools in the villages of two blocks—Umrein and Thanagazi. These villages had no schools—government or private. Some of the settlements were relatively easy to reach but others were on top of hills (Kraska). Some were in remote areas where there were neither roads nor any transport system (Rund Binak) and reaching schools required tedious walks. In any case, most teachers stayed in the school during the week.

By 2005, these primary schools were opened in 40 villages. These are called community schools, samudayik bodhshala. They are located in the communities on land provided by the community. Good Earth Foundation started supporting Bodh from the beginning of its rural programme and the partnership has continued to become richer and stronger over the years. Most schools have been functioning for 12 to 15 years now. Over time, some things had to change in response to new Government regulations. Bodh now is fully compliant to the norms and directives set out in the Right to Education Act.

As required by Right to Education Act, all schools are recognized by the relevant authority. Teachers’ working hours are two hours more than the children’s school hours. This time is used for preparation of lessons as well as visiting the families in the community to ensure admission and regular attendance of all children. Typically each teacher has groups of less than 25 children at a time (though multi-level) to the
prescribed RTE norm of 1:30. Working days in the year are way beyond the essential requirement of the RTE Act.

Here are pictures of how some of the norms of RTE are implemented in the community schools. It is important to mention here that this is done with minimal funds in the most deprived areas.

**RTE: ensure that the child belonging to weaker section and the child belonging to disadvantaged group are not discriminated against and prevented from pursuing and completing elementary education on any grounds**

All children belong to economically weaker sections and children with disabilities have always been included in the schools.

**RTE: provide infrastructure including building, teaching staff and learning equipment, at least one classroom per teacher, barrier free access**

All schools have a building. Indoor and outdoor spaces are used as seen appropriate. All schools have teaching learning material, trained teachers who sit on the floor with the children to provide free of fear learning environment

**RTE: Separate toilets for boys and girls**

Every school has a water pump which is often used by the villagers also. Every school has toilets though children often use outside spaces!

**RTE: school shall constitute a School Management Committee**

Meeting of the SMC underway at a village

Parents are encouraged to visit the school not only for the SMC meetings but to ensure that the school is functioning according to their expectation
- RTE: learning through activities, discovery, exploration and in a child-friendly and child-centred manner

Active, exploratory, child-conducted learning

When children are not able to work at the level of other children in the class, they are neither held back nor held responsible for not learning. Work is modified for them and they are taught in smaller groups. Bodh is able to successfully implement two important provisions—that of no child to be held back and also that of continuous comprehensive evaluation. RTE prescribes that minimum number of working days should be 200 from class 1 to 5 and minimum numbers of working hours 45 per week including preparation time. In Bodh schools teachers have only two weeks off as summer vacation. A large chunk of time is used for residential training and brainstorming during children’s summer holidays.

Quality Education

The purpose of initiating an education programme in Bodh was to work towards equity in our society through providing quality education to children from the most marginalized sections of the society. The issue of quality has been addressed in the RTE Act in one line: “ensure good quality elementary education confirming to the standards and norms specified in the Schedule”. The assumption here is that if these provisions are put in place, good quality of education would automatically follow. The reality is that most of these provisions are only part of the hardware and do not in themselves ensure quality education. The software that goes with this structure needs to be designed and specific dos and don’ts need to be included. For example ensuring that teachers attend school is essential, (RTE: a teacher would maintain regularity and punctuality in attending schools) but this is only the first step of the process. Engaging with the children (rather than spending a large part of the day chatting outside the class) is the second important step. Creating a suitable learning environment would be the third step and skillfully directing children’s learning would be the last stage. These are not spelt out in RTE in the way that infrastructure has been spelt out. Also, experience shows that even the first step of regularity and punctuality is not happening today so the question of other steps being taken does not arise.

The RTE does list teachers’ responsibility to complete the curriculum in time and to make assessments. It does talk about the need for teaching to be child-centred and assumes that if the teacher is in school he/she would be engaged in teaching and if he/she is teaching it would be child-centered. In reality this is not happening. To take another example, availability of teaching learning material and a library (as prescribed by the RTE Act) is a very important first step. But it becomes completely irrelevant when teachers neither know how to use them nor have the experience of perceiving how they facilitate learning. Not experiencing success with Teacher Learning Material (TLM) and not seeing the connection between a library and development of language skills, teachers are not convinced about the usefulness of TLM. As a result,
making TLM or having a library remains a formal unproductive exercise. These are either not used at all or not used effectively and therefore do not contribute to improving the quality of teaching and learning. Low academic achievement of our children in government schools is well documented now. In a scenario where ‘of all children enrolled in Std V, about half cannot read at Std II level’ (ASER January 2015), an external evaluation of children in Bodh rural schools in 2009 (no external evaluation has been done after this) found that out of the randomly selected 25% of children from each class, 100% children of grade 2 were able to read at grade 2 level and 93% children scored above 50% marks in hindi language evaluation (which included reading, comprehension, writing and creative writing).

Making Education Effective

Using Bodh as an example, and there are many such examples in the country, let us try to extrapolate some obvious reasons why teachers who are similarly trained and who work with children of families with near zero resources, are able to ensure effective teaching-learning despite earning less than one-third the salary of more privileged teachers in government or rich private schools. The most important thing that comes to mind is the commitment and determination on the part of the management to work towards ensuring effective education. Given that elementary education is conducted through local administration, whenever there is a committed collector or an energetic sarpanch or a determined headmaster/headmistress, the results are magical. Once there is commitment, efforts are made to learn the ropes. Systems are organized to ensure success. A culture of working towards a goal is established. Teachers are trained, supported, inspired and enthused to work. Constant reflection and evaluation takes place to ensure that the work is moving on the right path and in the right direction.

Commitment comes from within and it may not be possible to ensure in every teacher (though it must be said that in my experience I have found teachers willing to walk the extra mile in the right environment). Teachers, like any other human being, moving from one work culture to another, adapt and conform over time. They move both in the positive and negative direction depending on the more dominant work culture. So in a scenario where teachers are a part of a large bureaucracy with poor work culture, it is not surprising that they have low inherent commitment. In the process of education today, when the legal, physical and curricular structures are in place, why does India rank 72nd in 73 countries included in the International Students Assessment (PISA 2012). Directly linked to this is India’s ranking of 135 in 187 countries in the human development index (Human Development Report 2014).

Teachers are well accepted as the most crucial element in education. Today in India, in the public funded schools system, they are also the weakest link in this process. It is the individual teacher who is responsible for understanding, interpreting and delivering the curricula. It is in the hands of the teacher to run a class truly free of fear. Equally, she/he can demotivate the children to a state of zero-learning by complete apathy or active emotional abuse even while abstaining from physical punishment. Schools and teachers are operating in every village and every hamlet of the country. Visits to and conversation with teachers in remote areas of Himachal Pradesh, Maharashtra, Madhya Pradesh and Uttar Pradesh over the years have revealed that many do not see a supervisor in school for months. Teachers are isolated and are more or less their own masters in everyday functioning. They neither get recognition for good work nor face any consequences for poor work. If teachers are not effective, we will continue to have low learning outcomes.

A large number of teachers are not effective today. To begin with, today’s teachers themselves are the product of poor primary and secondary schooling. So their own academic skills and knowledge are often low. In addition, though most have some or the other certificate of being trained as a teacher, often the quality of teacher-education is very poor (Siddique 2012). Add to that the number of courses where no teaching takes place and also where certificates are issued without even appearing in the exams (the recent report of 12000 candidates appearing for B.ed exams in Agra and 20000 passing, reported in Times
of India, October 12, 2015). Again, it is not teachers alone. Medical education is happening in colleges where doctors, students and patients are imported from neighbouring districts for the day of the inspection (narrated by a doctor who was part of the inspection team)! Beautiful infrastructure stands empty on all other days. Being aware of the state of teacher-education in the country, the Government set up the National Council for Teacher Education (NCTE) in 1992. Despite 20 years of efforts, the Council is yet to see vast improvement in teacher education.

Due to poor education, lack of supervision and corruption, we have a large number of dysfunctional and ineffective teachers. Even if we accept that 10-20% teachers are highly motivated (as suggested by Mr. Azim Premji, reported in Times of India, December 22, 2015), that is just not enough to ensure that all children are getting what they are coming to schools for. Their right to education is not being realized.

Teachers do not seem to be aware of their legal/ethical obligation or their influence with or responsibility to young children. In my interaction with hundreds of teachers in government schools over the years, I have not found one teacher who initially considered himself/herself as a possible contributor to the academic failure of children. It was either the situation of the family (parents who cannot read and write, no resources at home, need for the child to participate in household and earning activities, dysfunctional families, etc) or the administration (too much paper work, too many non- academic activities like election or census duty, too little support, etc) that were held responsible for child’s non-achievement. The positive note is that after discussions and analyzing all factors, teachers in a ‘safe’ environment were willing to look at their teaching practices. With support, they were also willing to change some of them. Teachers, like all others, long to experience success. But in a situation where they are able to transfer the responsibility on other factors, there seems to be no incentive for even trying. The pedagogically sound idea of no testing till class 8, has been interpreted by teachers as ‘no need to worry about children learning’ (In 2001 a teacher in a rural school in Vasai district of Maharashtra, on being asked about her problems at work, told me that all the problems have now been removed because now they promote all children to the next class. All they had to do was to inform the next teacher about weak students!).

In the absence of understanding and commitment, accountability becomes the most important tool for ensuring effectiveness. When there is understanding and commitment, accountability comes from within. However, in the absence of commitment, external accountability must be built in. The diversity of India requires diverse solutions and diverse consequences. So the solutions and consequences for each situation would need to be worked out by local authorities but once commitment is made, every educational authority and every teacher must be held responsible for the outcomes. Those 15-20% teachers who are functioning well, will not need to make any changes. All others need to be shaken into better functioning. Perhaps the time is now right, when the basic infrastructure is in place in most parts of the country, to consider strong action including public interest litigation by the families of children whose rights are not being fulfilled and who have not learnt the basics of reading, writing and maths after attending schools for 5 or 8 or 10 years. Civil society organizations need to support this movement. Perhaps the time is now right to ensure, through instruments like public interest litigation, that the budgetary allocation of crores of rupees (Rs. 42219.55 crores for literacy and school education in the budget of 2015-16) is justified and used to provide literacy and education to all children. The state and civil society need to fulfill their constitutional obligation. This may sound a bit drastic but a firm and bold step is now needed to ensure that the right to education is actually realized. We have waited for far longer than the ten years that our constitution foresaw.

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STATUS AND CHALLENGES FOR RTE ACT, 2009

The RTE Act, 2009, implemented in India since April 2010, was an attempt to universalise elementary education in India by providing free and compulsory education to all children between six and fourteen years of age. Some of the prominent features of the Act, apart from free and compulsory education, include-accessibility of school in the neighbourhood of a child, infrastructural norms and standards, a comprehensive national curriculum, no denial of admission, enforcement of standards for teacher training, prescribed pupil teacher ratio, filling up the teacher vacancies through the recruitment of qualified-trained teachers, continuous comprehensive evaluation system (CCE), no detention of students till class VIII, prohibition of corporal punishment and creation of a friendly, child centered teaching learning experience for the children.

Although it has been more than five years since the implementation of the Act, the situation with respect to school education in India is worrisome. Less than 10% of the schools in the country comply with all the norms and standards specified within the Act. While almost 97% of children are now enrolled in schools, dropout rates remain high and attendance remains a challenge. Moreover, as many as six million children continue to remain out of school. During the enactment of the Act, the government had set two deadlines for the implementation of all the provisions of the Act: March, 2013 by when all the norms and standards (other than those pertaining to teacher training & regularization) had to be implemented and March, 2015 by when qualified teachers had to be recruited and the existing contractual staff had to be regularised as permanent staff. However, the deadline has passed and little efforts have been made by the government to implement the Act in its true spirit. Presently, the Act is without any road-map or action plan. The Right to Education Forum, a collective of educationists, teachers’ union representatives, activists, members of Non Governmental Organizations (NGOs) and International Non Governmental Organizations (INGOs) and other networks operating in the 20 states of the country, has been continuously monitoring the implementation of the Act on the ground. Every year, the Forum takes stock of the status of implementation of the Act through its National Convention in Delhi. At the same time, it comes out with a report reflecting upon the status with respect to six parameters- systemic readiness, role of community, teachers, quality in education, privatization of schools and issues of inclusion and exclusion.

1. **Systemic Readiness**: One of the foremost tasks after the implementation of the Act was the formulation of state rules and their notifications. It must be noted that within the first three years, all the states had drawn up their rules and guidelines for implementation of the Act and notified the respective authorities. However, both the Centre & the states continue to treat this Act as a mere scheme with optional implementation. There is a violation of some provision almost every other day. Unfortunately, what is forgotten is that the RTE is the product of the fundamental right to education (Article 21-A of the Indian Constitution) and therefore, the legal right of every child (between six to fourteen years of age) that cannot be denied. The mechanism of redressal of grievances is extremely weak and the National Commission for Protection of Child Rights (NCPCR) which was created to serve as a monitoring agency as well as a forum for resolution of grievances has failed in its mandate. Although the State Commission for Protection of Child Rights (SCPCR) have been constituted at the state level, only 174 cases have been registered so far and 484 cases from 2010-11 remain unresolved.

On the other hand, the government continues to reduce its allocation towards education, a major hindrance to the implementation of all the provisions of the Act. In 2015, the Sarva Shikhsa Abhiyan (SSA) saw a budget cut of 23%. Since the funds to implement the Act are processed through SSA, a
trend of the union budget allocations for SSA reveals the financial commitments of the Centre. The education cess which was supposed to compliment the education budget, has now become a basic source of funding to education in place of Government's own allocation. In addition, a large percentage of funds continue to remain under utilized.

2. **Community Participation**: There is hardly any doubt that once the local community is fully aware and truly empowered, it can emerge as a critical stakeholder. The RTE Act identifies the importance of the community and has created provisions to ensure community participation in school education. It has provisions for the creation of a School Management Committee (SMC) for all Government schools. One of the main purposes of setting up a SMC is: to increase community ownership and participation in RTE. Other functions of the SMC include preparation of School Development Plan (SDP) and monitoring the functioning of the local school. Although SMCs have been created in as much as 91% of the schools, certain challenges persist, mainly related to the formation and functioning of the SMCs. For example, most of the SMCs have been formed in an undemocratic manner. There are instances where members are not even aware that they are a part of SMCs. Hardly any trainings have been conducted by the government to enhance the capacities of the SMCs. One of the key responsibilities of the SMC members, as per the RTE Act norms, is to develop a SDP. The SDP is to be the basis for the plans and grants to be made by the appropriate Government or local authority for the school. However, such work requires training, as local SMC members, being parents and other community members have no expertise or experience in this field. Also it has been noticed that SMC members lack awareness with respect to the financial powers given to them.

3. **Teachers**: Teachers are considered to be the key agents if the quality of education is to be improved. Therefore it is essential to assess the changes made in staffing teachers, filling gaps of vacant posts, and ensuring no deployment of teachers in non-teaching tasks. It is unfortunate that India continues to face a major challenge with respect to teachers. After five years of the commencement of the Act, there is a shortage of 9.4 lakh teachers in government schools (5.86 lakh in primary schools and 3.5 lakh in upper primary schools). Under SSA, though 19.8 lakh posts for teachers were sanctioned till 2012-13, only over 15 lakh teachers have been recruited up to 2014. There are delays in appointment of teachers as a result of which posts remain vacant for many months. In addition, around 6 lakh teachers are untrained. About 8.32% of the schools in India are single teacher schools. The number of teachers teaching multiple grades, often at the same time, raises questions regarding the intention of the government with respect to improving the quality of education. Although by 2015, all the vacant teacher positions had to be filled, contract teachers were to be converted into regular teachers and untrained teachers had to be provided teacher training, no satisfactory effort was made by the government to adhere to the deadlines.

Contract teachers continue to be hired by some state governments, in gross violation to the RTE norms. They do not qualify for full employment, and while they are cheaper to afford, research suggests that they are not as productive in ensuring quality education as full time regular teachers. As of 2013-14, 55.55 percent of teachers in India were contract teachers. The service conditions of teachers and amount of time spent in doing non-teaching work is also a big concern. The condition of teacher training institutes is equally poor in the country. Most of the District Institutes of Education and Training (DIETs) are dysfunctional and suffer from shortage of academic staff. The Cluster Resource Centres (CRCs) and Block Resource Centres (BRCs) which were supposed to provide academic and research support to the teachers are also non-functional. Studies have shown that 17% of the DIETs do not have their own buildings, 40% do not have their own hostel facility while 70% have no librarian. There is also about 80% vacancy in faculty positions in some states. Most of
the DIETs are situated in isolated locations. Staff and faculty members have not been adequately trained. It is also important to note that 90% of the pre-service teacher education courses are in the non-government sector. The states need to play a more active role in improving the institutional capacity of its training centres, especially in the eastern and north eastern part of India.

4. **Quality**: While access to schools has indeed improved post the implementation of the RTE, the quality of education continues to remain a big concern. However, it is necessary to understand that quality in education cannot be seen in isolation and limited to assessment of learning outcomes alone. There are certain precursors that have to be ensured without which quality of learning cannot be enhanced. The infrastructure quality has improved over the years, except in the case of hand washing facilities and percentages of schools having libraries. In both instances, in 2013-14 the percentages have dropped, which raises cause for concern. Both library facilities and hand washing facilities in schools need to be addressed. It is also to be noted that the issue is not of having just the infrastructure but also their use and maintenance. Many of the toilets lay unused due to lack of maintenance and cleaning, resulting in dropouts, especially for girls.

<table>
<thead>
<tr>
<th>Indicators</th>
<th>2010-11</th>
<th>2013-14</th>
</tr>
</thead>
<tbody>
<tr>
<td>% of schools having boys toilets</td>
<td>81.14</td>
<td>94.45</td>
</tr>
<tr>
<td>% of schools having girls toilets</td>
<td>72.16</td>
<td>84.63</td>
</tr>
<tr>
<td>% of schools having hand wash facilities</td>
<td>58.14</td>
<td>44.66</td>
</tr>
<tr>
<td>% of schools having boundary wall</td>
<td>58.16</td>
<td>61.87</td>
</tr>
<tr>
<td>% of schools having library</td>
<td>80.32</td>
<td>76.13</td>
</tr>
<tr>
<td>% of schools having drinking water facilities</td>
<td>94.45</td>
<td>95.31</td>
</tr>
</tbody>
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The other determinant of quality of education, the outcome of learning of children in schools is a major concern. If children are not learning in schools – even basic language and mathematics – then their attendance in school remains futile. In terms of outcomes of reading levels we find some improvement over the years, however, it is very slight. The language in which children are taught is crucial both in terms of quality and equity. Research evidence from across the world shows that children starting formal education in their mother tongue, have a tremendous academic advantage. On the other hand, children whose first medium of instruction is not their mother tongue are at a serious disadvantage. While the question of what constitutes the most suitable medium of instruction has always been a central issue in the diverse, multi lingual Indian context, it acquires even more significance in the context of universal elementary education and the Right to Education in order to provide an "equal opportunity to learn " at the primary stage. However in this debate, political and economic concerns have often eclipsed educational concerns. This may explain why year after year, reading and comprehension levels of children are low, as children are made to learn in a language they don't understand. Specific to this, in our context, is the question of English. While the elite of India have always opted for English medium for the schooling of their children, this has been a growing trend in the last 10 years, with increasing number of private schools aimed at the economically weaker sections of society, whose key selling point is often "English medium" instruction.

5. **Privatization of Education** - It is important to note what the State initiatives have been, towards addressing privatization of education, when at the same time, the RTE Act aims to provide for free and compulsory education to all children. A study done be Azim Premji Foundation on "Privatization of
Education’ reveals that the widely held belief about private school education being better than public school education, is nothing but a myth. Well-designed researches show how it is assumed that just because a school is run privately; it would be providing quality education. However, in reality this may not always be the case.

The RTE Act asks the state government to enrol children from EWS category in private schools and 25% seats to be reserved for them. In the initial year, there was a strong resistance by private schools vis a vis this provision. There is lack of transparency and accountability in the admission process. The number of seats available in the private schools under 25% quota and data of children admitted under this category is not available, yet. While there is a rise in different types of privatized schools, the government of India seeks to check all unrecognized schools, in order to ensure quality education. Low cost schools (budget schools) are mushrooming in different parts of the country providing sub-standard education to the poor while corporate and international business companies are also jumping into this business to grab the opportunity for profit. Still, there are cases reported in the study by RTE forum, that children have been denied admission by 7% of the schools examined of which most of the schools were in Bihar, Jharkhand and UP. 2% schools were found to be collecting fee from students. 53.6% schools have asked children to produce their identity at the time of admission, which is the complete violation of the Act.

6. Inclusion and Exclusion in Education - 60 lakhs children remain out of school and 41% drop out before completing their elementary education. In fact, the process of data collection is so poor in our country that different data sources indicate different numbers of out of school children (OOSC). UP continues to have the highest number of OOSC with 16.12 lakhs. However, even among those children who are at school, we find that many of the children with special needs (CWSN) are minimally enrolled. As of 2013-14, only 1.30% of the children with special needs are enrolled in schools.

The groups of children who are out of school include victims of disaster (natural, manmade), children who are under juvenile justice homes/observation homes, children affected by seasonal migration, nomadic children, children involved in labour and so on. Census 2011 data shows that we have 43.5 lakhs children employed as child labour. There are issues in addressing these children through a coherent strategy. Some residential education schemes targeted at children are infested with serious issues of abuse-physical, sexual and mental, which have not been addressed strongly at any level. To conclude, it is urgent that the government allocates substantial amount to educate all the children. Moreover, qualified teachers must be recruited on priority. There is no way in which quality of education can be improved without qualified teachers. Moreover, teachers must be distanced from any non-academic work. In 1966, the Kothari Commission had recommended that the India’s public spending on education should be raised to the level of 6% of Gross National Product (GNP) by 1986. Both the UPA and the BJP election manifesto had made promises on the same lines.

It is important to note that Government must declare a timeframe and recalculate, the current resource gaps to fulfil the goals of universalization of elementary education. Taking into account the impact of the cumulative shortage over the years, it is felt that the allocation to education should not be less than at least 10% of GDP. We are still far from realising the objectives of the RTE Act, 2009. The situation is extremely poor and if immediate actions in the right direction are not taken, it will only worsen.

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MEASURABLE LEARNING OUTCOMES:
Spirit of Sections 24(1) and 29(2) of RTE Act

*Shailendra Kumar Sharma

I did not know that some children in my class could not identify numbers beyond one thousand or do a simple 3 digit by 1 digit division. I always thought that these children are not interested in studies and are just trouble makers. Therefore, I chose to focus only on those who showed interest and could follow what I teach”.

“Did it not occur to you to find out what they know and whether they are ready for the topic you are going to teach?” I asked, during the course of my conversation with a government school teacher of Std 8 in Delhi¹.

“Never felt the need because we do Continuous Comprehensive Evaluation and all the evaluations confirmed what I already knew that these children are not at grade appropriate level”.

“These children are in Std 8 now, did no one down the line, including you, ever try to help them with basics?” I continued.

“Not sure, perhaps teachers in earlier grades took the easy way out by promoting them to the next grade thanks to no-detention policy. However, we teachers have to complete the curriculum also. Where do we have the time to focus on these children as well?”

“But then, what is the purpose of CCE? Is it not supposed to help you in understanding the learning needs of every child in your class so that you can design your classroom activities accordingly?” I persisted.

“No, the CCE data is the requirement of the system. We collect and send it to them. Besides, we have to complete the curriculum also in time.”

“And that too is the requirement of the system!!” I commented with all puns intended. “So are the children for the system or system for the children?” I questioned.

In reply, he just smiled.

15 days later, the same teacher had a different story to tell. This time he initiated the conversation.

“After getting to know their level, I realised it was a good idea to do number games and word problem involving simple subtraction. They felt they could do it. These children who never took initiative actually started coming upto the board and solve sums. Now they are attempting more complex sums.”

I did not ask any further questions.

He however continued, “You know, now I understand. The strategy that we apply when a vehicle is stuck—put it in reverse gear, create some space between the wheel and the point where it gets stuck, push the accelerator and the vehicle is back on track. This works in learning as well”. He goes on, “I could do this

¹ This teacher is one among the 500 teachers who teach Maths or Hindi to students of Std 6-8 from 54 schools of Directorate of Education, Government of NCT Delhi. A pilot programme, in partnership between the Government of Delhi and Pratham is currently operational in these schools to strengthen the foundational skills of children of Std 3-5 and Std 6-8 in Hindi and Maths.
because the system gave me the space to try a bit of reverse gear and you gave me a tool to find out where the vehicle is stuck”.

In order to locate the above discussion in the context of the Right to Education Act, we need to look at Sections 24(1) and 29(2) closely. Particularly the three sub-sections of Section 24(1) which deal with duties of teachers and a sub-section of Section 29(2) which lays down the curriculum and evaluation procedure by the academic authority. While two of these sub-sections have the potential to place child-specific assessment and its ongoing communication at the centre of children’s learning, the other two can push it to the periphery of the learning process.

The provisions of the RTE Act at the core of this discussion are:

- Section 24(1) (d): a teacher....... shall “assess the learning ability of each child and accordingly supplement additional instructions, if any, as required.”
- Section 24(1) (e): a teacher......shall “hold regular meetings with parents and guardians and apprise them about the regularity in attendance, ability to learn, progress made in learning and any other relevant information about the child”.

And those provisions which pull the teaching-learning process in a different direction and effectively limit the scope of the previous two sub-sections are:

- Section 24(1) (c): A teacher.......shall “complete entire curriculum within the specified time.”
- Section 29(2) (h): this is the function of the academic authority. It says, “the academic authority while laying down the curriculum and evaluation procedure shall take into consideration.....comprehensive and continuous evaluation of child’s understanding of knowledge and his ability to apply the same”.

Section 24(1) is the obligatory function of the teacher and there is a penalty prescribed in Section 24(2) in the event of default. Therefore, going alphabetically, the teacher, first of all is expected to complete the entire curriculum in time. Non-completion of the curriculum can be ascertained very clearly and would invite punishment, as prescribed in the law. Hence, the first goal of the teacher is to complete the curriculum. Next, assess the learning ability of children using the tool prescribed by the academic authority, in pursuance of its role under section 29(2)(h), which is Comprehensive and Continuous Evaluation (CCE). There are at least three potential challenges here: first, whether the tool actually measures the learning gap of the child (or where she gets stuck); second, is it simple to administer and third, can the findings be easily understood by the teachers, so that they can – in turn – communicate the same to parents/guardians, who should know their child’s learning levels and if they have made any progress, since the previous feedback. However, Aide Memoire of the 21st Joint Review Mission (JRM) in February 2015 notes, “CCE is proving very difficult to establish and the results that emerge may well be too unreliable to be of much value.” It adds further, “Much of the effort and energy is understandably going into the process of establishing SLAS (State Learning Achievement Survey) and CCE across states. These are both massive undertakings, requiring high levels of technical expertise and administrative skill to do it well. There is as yet insufficient emphasis on what the assessments are actually showing. The purpose is not simply to measure learning outcomes, it is to improve them and this depends on what happens after the results are available. Results were generally available at the State level, but the extent to which these were known, understood and used at lower levels remains weak”.

...
The need for effective measurement of learning levels, however, remains and is recognised by the JRM. Before concluding, it underscores the importance of learning assessment and its communication to some key stakeholders and says, “It is however vital that every child in India, and her or his parents/guardians, receives a periodic and reliable indication of what she/he can do in relation to what is expected. This is fundamental to RTE. How to do this simply and reliably is the key issue.”

New attempts have been made to state the learning indicators for measuring outcomes, as a supportive tool in the hand of teachers. National Council for Education Research and Training (NCERT) published “Learning Indicators and Learning Outcomes at the Elementary Stage” in 2014. The preamble of this document strikes just the right note. It says, “The learning indicators would help teachers to understand the learning levels of children in her class individually as well as collectively. In the absence of learning indicators it will be difficult for a teacher or for a system to move further for improving the learning levels. This precisely is the background for developing well defined learning indicators to ultimately meet the curricular expectations”. It contains class - wise learning indicators and stage-wise curricular expectations up to the elementary stage in different subjects. However, grade-wise learning indicators do not offer much value to the teachers as they are aligned with the current grade wise curricular expectations. It is built upon the assumption that children would have the background knowledge of the content being transacted.

A longitudinal study, “Inside Primary Schools- A study of teaching and learning in rural India” by ASER Centre points towards a serious disconnect between assumptions and realities of the classroom. One of the major assumptions is in the very “Level” of the textbooks and what the child is expected to know to be able to understand the textbook. This study found that “most children remained at least two grades below the level of proficiency assumed by their textbooks.” Given this situation, conducting an assessment based on grade specific curriculum, would not help the teacher understand the extent of the gap between the current and expected competency. Further, the teacher would always feel compelled, in accordance with the requirement of Section 24(1) (c), to complete the curriculum in time despite the fact that most children of his class do not possess even the basic competency to deal with the content at hand. The focus of the classroom, therefore, shifts from learning by the child, to the completion of the curriculum by the teacher.

Another study, “The Negative Consequences of Overambitious Curricula in Developing Countries (2012)” by Lant Pritchett and Amanda Beatty, indicates that the curriculum goal in many developing countries, including India, is much higher than the learning level of children, resulting in flat learning trajectory. The study, using simulation, affirms that “if children do not acquire reading and writing skills early, then textually based teaching in higher grades is pointless. If children don’t acquire simple arithmetic concepts—like place and common denominator—then more sophisticated operations like adding fractions is impossible. If children don’t acquire basic reasoning skills—like filling in a word to complete a meaningful sentence—then asking for creativity or critical analysis later is impossible. This is how it can be that children enter—and leave—third grade without being able to read or to do addition: the curriculum has moved on.” The researchers of the study conclude “that an overambitious curriculum causes more and more students to get left behind early and stay behind forever”. The findings from these studies points out to the fact that there is a huge gap between the curricular expectations and the current level of children. So, when such an over-ambitious curriculum gets coupled with a legal requirement of completion within a given time-frame, child specific learning assessment and instruction becomes secondary.

Besides, “the report of the Yash Pal Committee, Learning without Burden (1993) had pointed out that the burden was from bombarding children with information that they could not understand at that age, resulting from an erroneous notion of ‘knowledge’. National Curriculum Framework (NCF)-2005 and the NCERT syllabi based on it have made an attempt to redress this problem to a certain extent, but the tendency
persists and takes different forms. In several states, syllabus revision at the primary stage has not been particularly radical, and a lot of age-inappropriate material continues to be taught during the primary classes. The fear that deletion of complex concepts in the early classes will result in ‘dilution’ of standards has prevented many States from taking necessary measures”. Sarva Shiksha Abhiyan framework for implementation (2011), is based on Rights of Children to Free and Compulsory Education Act 2009. Therefore, grade appropriate indicators may not be able to effectively tell the teachers where the child gets stuck in the learning process; as a result, the possibility of additional instructions – as envisaged in section 24(1) (d) following the assessment – would remain a non-starter. This was the issue with the Std 8 teacher (in the conversation above) who knew that some children in his class were not at grade appropriate level. However, this information was not useful for him because he did not know the level at which to start with them or whether the system allowed him enough scope to step back from the prescribed curriculum, and engage with the student at their actual learning level. Thus, he carried on his journey towards curriculum completion even if some children were unable to be part of that journey. To further elaborate the inextricable relationship between assessment and action, within the framework of learning, the example of Pratham may be considered here. Also as an organisation that conceptualised the Annual Status of Education Report (ASER) and having played some role in emphasising the importance of Assessment and Learning Outcomes as a measure of quality education, it would not be out of place to share its quest for “simplicity” and “reliability” along with “relevance” and “scale” that the JRM pointed out as fundamental to RTE.

Prior to the launch of ASER in 2005, Pratham already had strong linkages with communities and schools for almost a decade; by the year 2005, Pratham's presence had spread across 14 states in India. Having worked with hundreds of thousands of parents- many of them not very keen to send their children to schools in the first instance- and also having worked alongside the government school teachers to integrate newly enrolled children in the classroom setting, Pratham already had a first-hand experience of the challenges involved. It was a unique situation for all- children, parents, teachers and school administrators – wherein, on one hand, the teachers and administrators had to grapple with scale and diversity, while on the other hand, parents and children- particularly the first generation school comers - were faced with a big cultural shift. Keeping everybody motivated - particularly the teachers and children – was important and one of the ways it could be done was for them to see and appreciate the immediate learning outcome of their own efforts. A simple loop was created, starting with a small and tangible learning goal, designing a quick assessment tool to see what kind of support was required by different children in attaining that goal, followed by some activities to support the learning and post test to track progress. Thus, assessment “by the teachers, for the teachers and parents” became the guiding principle of Pratham’s programme, and the primary objective of the data generated through these assessments was for self-understanding, followed by action and onwards communication of the learning progress to all other stakeholders.

Having been through the rigor of many such cycles of assessment and action based on it, Pratham was able to design ASER in 2005 and administer it with ease. Hence, when the first ASER reported that 39.7 % children of Std 5 cannot read a simple story which a child in Std 2 is expected to read, the message was not merely of bad news, but of a need for action, that something needed to be done to help this child. In the classroom, this is precisely what the first part of section 24(1) (d) of RTE would expect the teacher to know about her children and the second part would be her “additional instructions” to help this child learn to read. Further, the requirements of section 24(1) (e) could be met if the teacher uses this piece of information to communicate with the parents about the current level of their child, what she intends to do with it and the ongoing progress of that effort. This communication can go a long way in getting parents to be partners in the learning process of their children and build their faith in the system, in that it really cares for their child.

However, given the scale of ‘left behind’ children in every class (more than 50% children in Std 5 itself not being able to read a story fluently as per ASER 2014), using rough calculations based on Census 2011
data, there are about 25 million children estimated in each single grade in India. Translated into actual numbers and using estimates from ASER data, calculations suggest that about 50 million children in Std 3 to 5 alone would need immediate and urgent help if they are to have a real chance to complete elementary school meaningfully. Thus, the “additional instructions” that the teachers would require, might come in conflict with their statutory responsibility of completing the curriculum in time as per Section 24(1)(c). It is here that the other teachers also, like the one in the conversation above, would require support and assurance from the system, to be able to take a few steps back in order to get those children out of their current situation. Thus, the limitation that section 24(1)(c) applies can be overcome with the creative application of Section 29(2)(h) by the academic authority which has been vested the power not just to create the framework of evaluation but also the design of the overall curriculum within the ambit of Section 29)(2)(a)-(g). While the law rightly aspires to have a curriculum that would lead to “all round development of the child” or “development of physical and mental abilities of the child to the fullest extent”, it also expects the learning to be under “child centric” environment. If the curriculum becomes a limiting factor for the teachers and the pedagogy turns to being curriculum centric instead of child centric then that is clearly against the spirit of RTE Act. Hence, a child centred curriculum along with simple assessment tools should be used to create a dynamic, feedback loop that can be used by the teachers to assess the child’s level and support the child accordingly.

Section 30(2) of the RTE Act says that every child completing his elementary education shall be awarded a certificate in such form and in such manner, as may be prescribed. Before concluding my conversation with the Std 8 teacher of the school in Delhi, I asked for his opinion on whether the certificate should merely state that the bearer has completed 8 years of schooling or something more. He thought for a while and said.

“Yes, something more but not sure what”.

I said, how about this, “I hereby certify, based on evidence, that the bearer of this certificate possesses the foundational skills and is on the path of lifelong learning”.

He nodded with a smile, and confidence.

References

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BUILDING A COMMUNITY OF FISCAL DETECTIVES: LESSONS FROM THE PAISA PROJECT

*Avani Kapur

I. Introduction

In December 2015, 100 volunteers across 10 districts of India visited 300 schools, 300 anganwadis and around 7500 households to ask a set of 5 basic questions: Did you get your money? When did you get it and did you get the entire amount? Did you spend the money, when and on what? The mission: to understand the processes through which financial resources reached the last mile for key schemes. In this case, we were tracking funds for Sarva Shiksha Abhiyan (SSA), the Integrated Child Development Services (ICDS) and the Swachh Bharat Mission - Gramin (SBM-G). The exercise was part of Accountability Initiative’s flagship project known as PAISA (Planning, Allocations and Expenditures, Institutions: Studies in Accountability). Since 2009, PAISA has been working to develop a comprehensive picture of the planning, budgeting, expenditure and decision-making systems of elementary education. This year, we expanded our focus from education to include nutrition and sanitation. Moreover, through a partnership with Social Cops- (a start-up motivated to use, collect and collate data for evidence based policy making), for the first time, our team of community volunteers, consisting of students and other enthusiastic youth used technology for real time data collecting and monitoring. So what is PAISA all about? And what led us to initiate the project? This article will look at some of the reasons why PAISA and PAISA-type studies are required in a country like India, the lessons we have learnt from it and finally some thoughts on solutions that are needed in order to ensure effective delivery of social services, including elementary education.

II. The What and Why of PAISA?

The importance of approaches such as PAISA stem from the inherent weaknesses in India’s public finance management systems. PAISA began at a time when expenditures on core social sectors were increasingly rapidly. Public expenditure on education rose from 3.3 percent of GDP in 2004-05 to over 4 percent in 2011-12. In per capita terms, the increase was over 3-fold from Rs. 888 in 2004–05 to Rs.2,985 in 2011–12.1 A bulk of this expenditure was on elementary education. In 2010, the implementation of the Right to Free and Compulsory education Act (RTE), set norms for teachers and basic facilities in schools leading to a further enhancement of resources for elementary education. Yet, as financial allocations were increasing, Annual Status of Education (ASER) reports regularly highlighted that learning outcomes were stagnant and worryingly, even worsening. According to ASER estimates, in 2010, just over 50 percent of students in standard 5 could read a standard level 2 text2.

Simultaneously, it was clear that the trust between parents and government elementary schools was eroding - with a large number of families, even in rural areas choosing to send their children to private schools. Between 2007 and 2011, the percentage of children in private schools in rural India increased from 19 percent to 25 percent3. Some states such as Kerala had over 60 percent of their children from rural areas in private schools.

While a clear relationship between outlays and outcomes is not always obvious and a number of factors may influence household decisions, this widening gap between financial resources and outcomes and the movement away from government schooling point to systemic failures in accountability. For accountability

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2Annual Status of Education Reports, various years. Available online at: http://www.asercentre.org/  
3ibid
to work, two things need to work simultaneously. First, a system of institutions with clear roles and responsibilities designed in a manner that is transparent and incentivised to make accountability possible. And second, an informed and mobilised citizenry that has platforms available for it to engage with the system and voice its demands. Clearly, somewhere the accountability chain in the elementary education system has broken. PAISA started its work trying to understand what happens with money once it leaves the government treasury. To answer this question we needed to understand the processes of government functioning. Critical to this are the links between plans, allocations, expenditures and institutions. Who plans and is there a link between plans and allocations? How do funds flow through the system to arrive at their final destination? What are the links between school needs and increased expenditures? However, the process of collecting government data pointed to another inherent weakness - the opaqueness of government fiscal management systems. It is well-recognised that access to information on processes and outcomes of services is a critical component for accountability. Meaningful, accessible and reliable information can help governments identify gaps or bottlenecks that result in accountability failures. Moreover, it can help generate evidence on what works and in so doing, encourage innovation. Government aside, better information empowers citizens and enables them to monitor the effectiveness of government programs and demand accountability.

In India however, data below the national level is neither standardized nor always publicly available. Moreover, data is collated only up to the state level and not to the point where services are actually delivered. Even where data is available, information is collected and disseminated in a very complex manner thereby limiting its effectiveness. Information however, is only the first step towards creating an accountable system. For information to be a catalyst for change, people need to be involved both in the process of collecting the information but more importantly, the information collected needs to be shared with the actual users and stakeholders of government services. Recognising this need, PAISA launched India’s first large scale citizen led expenditure tracking surveys. PAISA thus is an exercise in getting citizens to participate in governance processes. Simply put, PAISA aims to connect the implementation processes on the ground (or the micro) with the macro national level resource allocation decisions. Embedded in the approach is the belief that greater citizen engagement with government resources is critical to ensuring accountability for outcomes. As such, we develop practical, scalable, people-friendly tools and use these tools to collect data on fund flows, expenditures and implementation processes.

The development and data collection process is accompanied by a capacity building initiative to empower citizens undertake tracking exercises and use data collected to direct and monitor service delivery. Over the past 5 years, we have expanded our work to 12 districts across 5 states and have built a team of fiscal detectives working on getting more and more citizens to participate in tracking service delivery in social sectors.

I. Lessons from the PAISA
PAISA studies have broadly pointed to two main inefficiencies in the elementary education landscape. The first, is a design challenge which will require systemic shifts towards a decentralised financial architecture focused on incentivizing learning. The second is a process and implementation challenge – which could be fixed via minor tweaks and using IT-based solutions to build a transparent and efficient public finance management structure. Each of these is discussed in detail below:-

A) The Design Challenge
Traditionally, elementary education was mainly in the domain of states. In 2001, the Union government launched the Sarva Shiksha Abhiyan (SSA), - a centrally sponsored scheme aimed at universalisation of elementary education. One of the main goals of the scheme was to address the fiscal constraint

4 For more details, please visit www.accountabilityindia.in
5 PAISA works in Bihar, Madhya Pradesh, Maharashtra, Rajasthan and Himachal Pradesh.
faced by states by providing them additional resources to enable them to increase their expenditure on elementary education. In order to ensure no state is left behind, the scheme set a series of national benchmarks and SSA norms and guidelines provided the link between the overall objective and actual implementation on the ground. In 2010, with the coming in of the RTE, SSA became the programmatic vehicle for delivering this fundamental right. The law envisages a decentralized delivery framework. Sections 21 (1) and 21 (2) of RTE mandate the creation of School Management Committees (SMCs) tasked with making annual school development plans and monitoring school level finances and activities. This emphasis on decentralization was anchored in the recognition that delivering a right to education requires a focus on the local – the school and the individual learning needs of children. To quote from the revised framework of the SSA, “the need for the creation of capacity within the education system and the school for addressing the diversified learning needs of different groups of children who are now in the school system” (Ministry of Human Resource Development, 2011). However, while the programme design of SSA incorporates elements of decentralization such as the creation of SMCs, requirement of micro-planning through School Development Plans (SDPs), and monitoring of school functioning by the local community; the Act also prescribed a set of defined norms that all schools are expected to adhere to. Moreover, norms for unit costs used for budgeting are set at the national and at times state level with limited flexibility at the lower levels of authority. This creates an inherent tension between the dual goals of financial centralisation through national norms and a “one size fits all approach” and theoretical decentralisation.

Three examples illustrate this best.

Changing Nature of Financing

First, is with respect to the changing trend of financing elementary education. While SSA was envisaged as a “top-up” to states own elementary education budgets, for some states it has become the primary vehicle of financing elementary education. (See Table 1 below).

Table 1: Predominance of SSA as a mode of financing Elementary Education

<table>
<thead>
<tr>
<th>States</th>
<th>Increases between 2010-11 to 2012-13</th>
<th>Share of SSA to total Elementary Education Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>State Budget (including MDM)</td>
<td>SSA</td>
</tr>
<tr>
<td>Andhra Pradesh</td>
<td>25%</td>
<td>98%</td>
</tr>
<tr>
<td>Bihar</td>
<td>36%</td>
<td>63%</td>
</tr>
<tr>
<td>Himachal Pradesh</td>
<td>23%</td>
<td>32%</td>
</tr>
<tr>
<td>Madhya Pradesh</td>
<td>66%</td>
<td>5%</td>
</tr>
<tr>
<td>Maharashtra</td>
<td>23%</td>
<td>26%</td>
</tr>
<tr>
<td>Rajasthan</td>
<td>22%</td>
<td>30%</td>
</tr>
</tbody>
</table>

Source: Calculations by Accountability Initiative

Given that SSA norms are set by the Government of India (GoI), the increase in both the quantum as well as proportion of SSA budgets has led to increasing centralisation of elementary education financing and compromised the autonomy of the state governments in terms of decision-making. In fact, given that states themselves also have to contribute 35 percent (as of 2015-16, it has been raised to 40 percent) of their state budget to SSA, a significant portion of state budgets are also now tied to GoI determined activities and norms.
The differences between GoI and State priorities can be best understood through an analysis of the differences between proposed and approved allocations under SSA. Under SSA, annual budgetary allocations are finalized through a process of negotiation between GoI and State governments. In February to March every year, state governments present their Annual Work Plan and Budgets (AWP&B) to MHRD who approves the final AWP&B post negotiations. However, the design of the current financing system is such that GoI priorities tend to take precedence over state needs. For instance, with the coming in of RTE and its consequent emphasis on meeting school infrastructure norms, the proposed allocations for schools in Rajasthan received a significant increase with approved allocations constituting 284 percent of initially proposed allocations. Similarly, in Andhra Pradesh, the focus on entitlements has meant an increase of 216 percent in that component in 2010-11. The differences in GoI versus State priorities were particularly significant in 2013-14 - a year of budget cuts. The quality component was cut across all states. Substantial cuts were also made in school infrastructure (6 percent of proposed allocations were approved in Andhra Pradesh; 10 percent in Madhya Pradesh and Rajasthan). Uniform norms also mean that resources flow to schools with little consideration of school size. In fact, in 2010, the MHRD’s Joint Review Mission (the MHRDs monitoring committee for SSA) recommended that the government move away from the current system which they described as a ‘one size fits all’ method of determining grant allocations to a system that “…reflect(s) the student strength of the school rather than providing the same grant for all schools, a scale or “slab” system could be devised which would provide larger school grants for larger schools.” However, till date, this has not been adopted.

**Links between school needs and expenditure decisions**

While SSA requires that expenditure decisions be taken based on plans made by SMCs that are then aggregated up at the district and state level, evidence suggests that this is often not the case. Directions on spending are usually received from GoI or state governments often resulting in a mismatch between school needs and expenditure decisions. For instance, PAISA surveys in Himachal Pradesh revealed that, the pressure to meet RTE infrastructure requirements resulted in money for boundary walls being sent to all schools despite the fact that construction couldn't be undertaken due to land unavailability. Moreover, SMCs have spending powers over a very small percentage of SSA funds, which are based on fixed norms. In fact, as SSA allocations have increased, the share of funds which are in the inclusive control of SMCs has decreased from 6 percent in 2009-10 to less than 1 percent in 2013-14. Schools thus have little discretion over expenditures incurred.

**Incentivising Input Driven Resource Prioritisation**

Finally, an inherent weakness in the current design of elementary education financing is its focus on inputs. A breakdown of SSA budget finds that nearly 80 percent of the total SSA budget in 2013-14 was allocated for inputs – teacher salaries and infrastructure activities. Linking resources to inputs inevitably creates incentives for the entire education machinery to focus on meeting input driven targets rather than outcomes. Further, in the absence of clear measurement on outcomes, SSA financing was tied to information collected through the District Information System of Education (DISE) – which only collects information on schooling inputs, further incentivising the system to focus on schooling rather than learning.

**A) Implementation Challenges**

Design challenges aside the second major area of weakness in the elementary education financial architecture is the process in which funds flow through the system. Some of these are described below

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7 Similarly, in Purnea centralized directions were given to buy fire safety equipment, even schools without buildings were forced to buy them.
Inefficiencies in the Flow of Funds

For expenditures to be efficient and effective, they must be incurred in a manner that meets needs and priorities. This however is not the case. SSA funds are expected to reach the state society in two installments: the first- an adhoc grant is to be released in April and the second in September upon the fulfillment of two conditions – the transfer of the state government share to the state society and progress in expenditure and quality of implementation. Analysis of the timing of fund releases by both GoI and state governments in the PAISA states suggests that there is no predictability in fund flows. While GoI usually releases the first tranche of around 25 percent funds in May/June, in Madhya Pradesh for instance, GoI released as high as 41 percent of its share in the last quarter of the financial year 2012-13. Similarly, in Himachal Pradesh, 34 percent of GoI’s share was released in the last quarter of the financial year. Variations exist even in terms of the quantum of funds released. In 2012-13, 3 PAISA states namely Bihar, Andhra Pradesh, and Maharashtra received close to 60 percent of their approved budget. In contrast, Rajasthan received as high as 92 percent. Delays at the GOI and state level have a knock-on effect at the lower levels. For instance, Bihar districts of Nalanda & Purnea only received 45 percent and 52 percent of their allocated funds in 2012-13.

Rush to Spend

Delays in fund release has an impact even at the school level. PAISA survey data highlights that many schools do not receive this money, annually. On average, 73 percent schools reported receiving all three school grants in 2012-13. Moreover while school grants are meant to support basic daily expenditure, they often reach schools halfway through the school year. Thus if a school needs funds to fix a leaky roof before the monsoon season but money only arrives in December, school needs remain unfulfilled. Late arrival of funds has two main consequences:- a) rush to spend without consideration of school needs or priorities or b) large amounts of unspent balances lying in school accounts. This in turn leads to further budget cuts and delays in the next financial cycle.

Layered Bureaucracy and Administrative Weaknesses

Inefficiencies and bottlenecks such as complex paper work, approvals from different authorities, utilization certificates, and technical sanctions, exacerbate the problem. In addition, numerous vacancies in many administrative and financial management posts often means that expenditure decisions are a consequence of “coping” strategies, rather than an informed decision directed towards achieving a specific outcome. For example, despite infrastructure shortfall, in one district of Maharashtra, civil work activity could not be undertaken due to high vacancies in posts for Junior Engineers.

I. Solutions: From Tinkering to Restructuring Elementary Education Financing

Over the past few years, PAISA has been trying to advocate for a restricting of elementary education financing. This section describes some of these solutions, focusing first on the “quick fixes” to smoothen the implementation challenges:-

The first important change is in improving the quality of budgeting information by investing in a public finance management system. To address this problem, the government could move towards building a transparent just-in-time system for expenditure management such that each level (schools, districts, or even the state) can receive funds directly in their accounts, on a needs basis. This will eliminate delays of

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8 PAISA data has shown that a large number of schools often end up whitewashing their walls every year, despite having other deficits in teaching materials such as blackboards or requiring minor repairs.

9 As of September 2013, 20 percent of the posts at the state level, 21 percent at the district level and 20 percent of posts for Block Resource Coordinators – the first point of contact at the school level were lying vacant.
transferring money across different levels of government, and also reduce the large degrees of unspent balances lying at different levels. Further it would ensure greater transparency by enabling regular, real time tracking of funds. Steps in this regard have already been taken through the creation of a Public Finance Management System (formerly CPSMS). However, greater uptake by state governments would be required and complete integration across implementation units will be needed to ensure its efficacy. Linked to this is the importance of strengthening the planning process. The unpredictability in fund flows, delays in releases and inability to capture school priorities and needs have eroded the efficacy of the planning exercise. A simple way in which this can be done could be by increasing the planning cycle to a three year cycle. This would allow for enough time to make an effective plan (particularly with respect to infrastructure activities) and give districts the incentive to better estimate their requirements.

Finally however, improvements in implementation aside, the real requirement of moving towards an outcome based financing structure would require a radical restructuring. Here too there is a significant opportunity. For the first time, GoI embarked on a time-bound consultative process, enabling MHRD to reach out and gain inputs from individuals and other stakeholders across the country on the New Education Policy (NEP). Simultaneously, the NITI Aayog constituted Sub-Group of Chief Ministers on Rationalization of Centrally Sponsored Schemes (CSS) submitted its report calling for a restructuring of CSSs and an integrated approach for education through the constitution of a National Education Mission (similar to the lines of the National Health Mission). These initiatives come at a time when GoI has moved towards greater devolution to states based on the recommendations of the 14th Finance Commission. The stage is thus set to redesign education financing.

One way in which this can be done is to use finances as a lever for ensuring a push towards outcomes by designing a performance-based financing system. Accountability Initiative’s research has suggested the creation of a three window financing system. The first window could be a block grant to finance states to meet RTE Act norms. Most states have now met their basic infrastructure requirements. Thus this window would decrease over a period of time. The second window could be a formula-based untied grant designed specifically to fund state specific proposals to improve learning goals, against learning targets. As this is an untied grant, states will no longer need to report on line-item wise expenditures and there would be greater flexibility in designing and spending money. And finally, the third window could be a performance-based incentive to be secured by states that show improvements against targets set. This will also force the central government to invest in measurement and building evidence on outcomes for social sector investments. Till these changes happen, it is important to continue efforts in creating a community of fiscal detectives that poses questions such as: how does money flow through the system, when does it reach its final destination, how it reaches, and finally what actually happens to it.

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FROM POLICY TO IMPLEMENTATION: BUREAUCRACY’S TAKE ON RTE

*Vincy Davis*

The Right to Education Act’s successful implementation lies in the hands of its foot-soldiers – education officials. Therefore, one needs to start paying more attention to the practices and norms that guide officials posted at different levels, and devise new ways to overcome systemic issues that prevent effective implementation of the Act’s provisions.

**Introduction – The need to reassess priorities**

Discussions on education in India are always impassioned and often meandering. Impassioned because issues plaguing the education system are so acute. Meandering because of the sheer magnitude and interconnected nature of these problems. Numerous policies and programmes, with varying degrees of success, have been implemented over the decades to improve upon different indicators including infrastructure, teacher recruitments, student enrolment, attendance and retention. The thrust created by the Right to Education Act (2009) (RTE) has undoubtedly expedited these developments. We have reached a stage where we are increasingly focusing on the intangibles, such as the quality of teaching-learning taking place inside schools, students’ actual learning-levels, and holistic assessments of both teachers and students, through continuous evaluations. This is a tectonic shift for a system that has traditionally associated good education with high memory power and test-scores.

There is, however, one area that continues to remain in the periphery of these discussions – the education bureaucracy itself. Implementation failures are frequently linked with capacity deficits and weak management processes; yet these endemic and chronic problems continue to be the most neglected ones. The standard measures that any state government applies to address these institutional issues are to increase *training* of frontline officials, and enhance *monitoring*. There is evidence to support the statement that these measures are not working effectively to increase the capacities of employees. Other than these steps, there appears to be a complete lack of imagination and interest within the system towards rectifying institutional issues. This is problematic because the original inheritors of the RTE Act’s legacy are not students, but education officials. For these officials are the ones responsible for giving form to government policies including those espoused under the RTE Act. To continue ignoring institutional issues means irrespective of the Act’s provisions, implementation will continue to fall short of expectations.

**The spirit of RTE vis-à-vis the education bureaucracy**

The RTE Act (2009) was introduced with the aim to universalize elementary education. Through this Act, the State has been made fully responsible for making sure children between the ages of 6-14 get a free and compulsory education in a neighbourhood school, till completion of elementary education. A number of provisions in the act point to the fact that the Act supports a decentralized view of education. Under the Act, appropriate governments and local authorities are required to “establish a school, if it is not established, *Education system* in this context includes public schools, bureaucracies catering to these schools, and the range of actors involved in this field including teachers, students, other education officials and non-education officials who are connected with the field in some form, working towards common education-centric goals. This conception also takes into account the work practices of these actors, and the inter-personal dynamic they share which contributes to the creation of a work environment.

*In relation to most schools, the term “appropriate Government” broadly implies the Central Government, State and Union Territory Governments in the RTE Act (2009).*

*In the RTE Act (2009), “local authority” refers to the Municipal or Panchayat level body or any legally empowered body which has administrative control over schools.*
within the given area in a period of three years from the commencement of this Act.” This is being done with a view to enhance ease of school accessibility to all children. A School Management Committee (SMC) is to be compulsorily constituted in all schools, with parents or guardians of the students forming three-fourth of its members. The mandate of the SMC is to monitor the working of the school; prepare and recommend the annual school development plan; and to monitor the utilization of grants received by the school. Granting planning and monitoring powers to a grassroots body such as the SMC is a clear indicator of the State’s commitment to the ideals of decentralized governance. To further support their smooth functioning, the Act also empowers local authorities to “give guidelines or instructions to the SMC to take necessary steps to ensure that the Act’s provisions are implemented.”

The rationale behind decentralising education is the same for why we have sub-national governments in India – for ease of administration, since states and even districts tend to be vast; and to increase accessibility to good educational facilities which would otherwise be out of reach for many. Moreover, a good way to sustain programmes is to create a sense of ownership in those previously viewed as passive recipients, by decentralizing powers and diffusing accountability to levels at which activities are being performed.

The choice to follow the decentralisation route came as no surprise since the Act was formulated in the backdrop of programmes working towards embedding the idea. The concept of the SMC builds on its predecessor, Village Education Committees (VECs) – a village level body with the mandate to manage the school’s affairs, envisioned under the National Policy on Education (1986) (NPE).

The District Primary Education Project (DPEP) (1994-2005) and the Sarva Shiksha Abhiyan (SSA) (2001-ongoing) proved to be a significant influences on the Act’s formulation. Prior to the launch of DPEP, the lowest education administration unit above the school was the Block Education Department, headed by the Block Education Officer. Overseeing activities of all schools falling under a block by one or two individuals was not only near impossible but the BEO also tended to focus more on administrative matters, whereas centres of learning also required support that was pedagogic in nature. DPEP and SSA (2001) - the Central Government’s flagship mission for universalizing elementary education were instrumental in creating a decentralized administrative structure to expand access to students, and provide better administrative and academic support to schools. By introducing a new level of administration below the block called the ‘cluster,’ creating block resource centres at the block level which included the Block Resource Persons (BRPs) whose main task is to provide academic support to cluster coordinators and teachers, and institutionalizing SMCs, the education system moved towards a new era of decentralized education which was in sync with the values espoused under the NPE.

What has been the impact of these new policies and institutional arrangements on the workers in the system? Unfortunately there is not a lot of research in this area – specifically gauging the perceptions of bureaucrats at different levels towards education policies and the system itself. But for the evidence that is

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4 Refer to sections 6 to 9 and 11 of the RTE Act (2009).
5 Refer to sections 21 and 22 of the RTE Act (2009).
6 An average cluster comprises of anywhere between 5 schools (example, Himachal Pradesh) to 20 schools (example, Bihar), depending on the state. The Cluster Resource Centre Coordinator’s (CRCC) office is in the cluster school which acts as the headquarters for the schools under her. CRCCs play the crucial role of linking block offices with schools under them since CRCCs are required to frequent schools, pass messages of the block and above to schools and vice versa; provide hands on academic support to teachers, including assessing their training requirements; develop pedagogic resources; and also collect, collate and transmit administrative data to the block.
out there, one point appears to be infinitely clear: Top-down policy enforcement and institutional expansion doesn’t automatically imply behavioral and attitudinal change. Based on the existing studies, one can glean some of the predominant features of the primary education system which are as follows:

1. **“Post-office syndrome” –** Officials at all levels of the education bureaucracy, from the senior-most education official at the district i.e. the District Education Officer (DEO) to the Cluster Resource Centre Coordinator (CRCC), report a general feeling of disempowerment. They feel like “post-offices” – individuals who are perpetually caught up in paperwork, transmitting messages, formats and records up and down the bureaucratic chain. This drains their productive energy, and they end up focusing more on form-filling or record-keeping than on more substantive teaching-learning centric activities.

2. **Paperwork precedes everything –** Linked with the previous point is the fact that paperwork appears to dominate an education official’s priority list. This is more worrying in the cases of BRPs and CRCCs whose primary task is to focus on pedagogic activities over everything else. Officials report that in the education bureaucracy, paperwork is the only thing that is systematically reviewed. It is also easier to manage than measuring the quality of a teacher’s classroom inputs, her training requirements, and assessing students’ learning levels.

3. **Lax and erratic monitoring –** There are set areas which are systematically monitored. These include Mid-Day Meal related details, student-teacher attendance, and expenditure details. The focus on learning-level assessment is sporadic, and the quality of the same is seriously lacking. This is often attributed to a lack of interest from the seniors’ end or a lack in capacity to carry out effective assessments. The idea of mentorship is new and not fully understood; innovative thinking and creating resources require a level of engagement that stretches officials to an extent that they are not used to.

4. **Hierarchy rules –** Officials respond to each other based on the level of their seniority. Work prioritization depends on who assigns them tasks. If a District Project Officer (district level official with the SSA unit) requires a CRCC to prepare and submit a report on enrolments in schools in her jurisdiction, the CRCC will almost certainly put her own plans on hold to tend to the DPO’s needs, without question. Creating individual work plans such as the ones BRPs and CRCCs are required to prepare every month are thus a sham in many ways since field level officials report such unplanned diversions are common.

5. **Policy makers vs. policy implementors –** There is a tacit understanding that preparation of plans and policies falls in the domain of the higher levels of the bureaucracy – district education offices and/or the state education department (often only the latter). While implementation is the turf of the frontline officials – those in and below the block education office. It is assumed “capacity deficits” most often lie with the frontline officials – those below the level of the district or more commonly, those below the block office. So while CRCCs, teachers and Headmasters (HMs) are subjected to many trainings, senior officials usually only receive “orientations.” This patronizing view – that the frontline officials require all the capacity development is linked with the previous point on hierarchy.

6. **Resistance to change –** The bureaucracy, in general, is not a flexible body. The rationale being that in a bureaucracy as large as the one in question, it is very hard to coordinate and manage the activities of so many individuals. So the system continuously veers towards upholding those practices that keep this organism going. In other words, maintaining the status quo is an understated goal in

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7 See, for instance, Aiyar & Bhattacharya (2015); Aiyar, Dongre & Davis (2015); Mangla (2015) for related studies set in the Indian context.
itself. So for senior officials who have seen policies, programmes come and go, new ideas are something to weather rather than to get affected by.

These resilient features of the education bureaucracy are in clear contradiction with the policies it is required to promote. In other words, while the government has in some ways restructured and expanded the bureaucracy to harmonise its functioning with the policies under RTE, its practices have remained largely unchanged.

**Instances of policy alienation**

Imagine the dilemma of the official who is required to do wonderful things like encourage innovative thinking in students and teachers to resolve problems or implant practices of participatory decision-making through SMCs. But on the other hand, her own functioning is dictated by orders of anyone superior to her by virtue of their designation, and that she is required to ultimately uphold the status quo. This is akin to asking a bird to fly with its wings tied to its back. The following quote from a CRCC from Bihar perfectly sums up this sentiment:

> “Why does the government create this drama of decentralisation when it is directly giving us the responsibility of handling everything?”

Studies set in India that are dedicated to assess the impact of this disjoint between policy and practice and how this might be affecting worker motivation and outputs, are negligible. It might also be worth exploring the impact of tried and tested ways to build capacities and internalize new policies and programmes i.e. through trainings and monitoring, because de facto they do not appear to be yielding the kind of results that were expected. At this point, I can elaborate upon my argument on this disjoint between policies espoused under RTE and their practice by citing some scenes from the field that my colleagues and I at Accountability Initiative frequently witness working in states including Bihar, Rajasthan, Himachal Pradesh, Madhya Pradesh and Maharashtra. This is not to generalize how all officials across the board are implementing policies in the field. The attempt is to illustrate some of the ways officials interpret and how they occasionally bend rules in the face of their personal disconnect with government policies.

**On no-detention and ending corporal punishment:** ‘No-detention’ policy and the ban on corporal punishment are some of the most resisted policies in the field. Most officials whom I’ve met, including senior HMs, CRCCs and block officials argue that the fear of exams and corporal punishment is crucial to get students interested in their studies. Ever since these policies were implemented, not only has interest levels in students gone down, senior officials feel that this has depleted teachers’ motivation to teach. This is because they know students will be passed on to the next grade regardless of the knowledge acquired by them in class. In some states, districts have started organizing school-wide tests called “board exams” for students in grades as low as fifth. The dread of exams conducted by State or Central Education Boards is ubiquitous in the country. Leveraging this fear by calling these tests “board exams” is the officials’ way to instill a sense of seriousness in students towards their studies.

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2 Some studies that attempt to analyse these disconnects in the Indian context include Aiyar & Bhattacharya’s “The Post Office Paradox: A Case Study of the Education Block Level Bureaucracy” (2015); Aiyar, Dongre & Davis “Education Reforms, Bureaucracy and the Puzzles of Implementation” (2015); and Mangla’s “Bureaucratic Norms and State Capacity: Implementing Primary Education in India’s Himalayan Region” (2015)
The “no corporal punishment policy” is also openly flouted, as we have observed time and again in different states. Many teachers do not approve of the policy but abide by it as it’s dictated by law. But there is a fair share of teachers who are unafraid to wield the stick to discipline students into paying attention to their lessons. The maxim, ‘spare the rod, spoil the child’ is ingrained too deeply in the Indian psyche. It might take decades to bring about a change in behaviour and eventually mindsets in this respect. To point out that little to no disciplinary action is taken against the erring teachers is not very helpful since school level monitoring by block and senior officials is too sporadic for schools teachers to feel the impact.

On SMCs: While Section 21 mandates the creation of SMCs in almost all schools, the reality of their functioning is far from ideal. Most schools have SMCs but their meetings are usually one-off or exist on paper alone. As was mentioned earlier, a SMC is primarily required to monitor the utilization of grants received by a school; monitor the school in general; and prepare annual school development plans (SDPs). In practice most SDPs are made either by the HM or the CRCC or the HM in cohort with the ward member who is also a member of the SMC. The gap between the idea behind creation of SMCs (which was to create locally relevant plans by taking different voices and views into account) and the realization of this idea appears to be preposterously vast. Moreover, what follows once SDPs are prepared and submitted is anybody’s guess in the field. Several misconceptions about the roles and responsibilities of SMC members persists across states. For instance, a number of SMC members from a particular state with whom I once interacted, were convinced that they were supposed to get salaries in return for their “participation” in the Committee which is supposed to be essentially a body of volunteers.

Teachers, HMs, CRCCs and other education officials generally have a negative view of SMCs. The dynamics between the key actors in the school – parents, SMC members, teachers and educational officials – tends to have the quality of a stand-off rather than one of cooperation. Teachers in turn feel they are often antagonized by parents for a variety of reasons. Teachers claim parents frequently level allegations of corruption, absenteeism on them and this creates more friction between the actors.

On teachers taking up additional assignments: Section 27 of the RTE Act bars teachers from being deployed for non-educational purposes, other than census, disaster relief and election related duties. It does not specify the duration for which they can be deputed since one cannot pre-determine the time one might be required to spend on these activities. But the Act also spells out that schools must function for 200 days in an academic year. In the field this dilemma ends up looking something like this – HMs, CRCCs are constantly struggling to meet the demands of the schools; they feel their hands are tied because once the teachers are deputed, commonly for election duties since local elections are far more frequent, they start reporting to the Block Development Officer. HMs and CRCCs complain they are unable to figure out the number of days or weeks or sometimes even months the deputed teachers are going to be out of their schools. Teachers could also potentially use this as an excuse, saying they have meetings or trainings to attend that are connected to their additional duty, and remain out of school.

Under Section 28, teachers are barred from teaching in the capacity of private tutors. This provision is being openly flouted across states. There appears to be no check into the matter. One also finds instances

10 Section 16 of the RTE Act (2009) states that no child shall be held back in any class or expelled from school till completion of elementary education. Section 17 states that no child shall be subjected to physical or mental harassment. Those who breach this rule will be subjected to disciplinary action (Section 17, sub-section 2).
11 Accountability Initiative’s national survey, called PAISA, which tracks plans, budgets and fund flows in elementary education points out the fact that in 2014 while 94% of the 15,206 surveyed schools had SMCs, 61% of these schools had prepared SDPs the previous year.
where teachers of government schools teach the same set of students before or after school, as private tutors, charging them as they please. This phenomenon appears to be more common among contractual teachers whose salary is significantly lower than those recruited through state education boards. Teachers report that owing to their low salary and the fact that salaries frequently reach late, sometimes as late as six months in some places, they are compelled to take up tutoring.

**Reimagining solutions to bridge policy implementation gaps**

Sections 35 to 38 of the RTE Act empower the “appropriate Government” and “local authorities” to pursue activities, as they deem fit, to implement the provisions of the Act. But the everyday practices of the bureaucracy, as I’ve briefly illustrated in the previous section, are contrary to the principles being advocated through the Act. This is not to say institutional spaces for deliberating new ideas or raising concerns do not exist. For instance, officials at all levels, from teachers, HMs, CRCCs, BRPs, BEOs and even DEOs technically have the freedom to raise issues in their monthly or bi-monthly meetings with their seniors. But “discussions” in these meetings are usually one-sided, and participants are essentially viewed as passive recipients of information transmitted by the Chair of the meeting.

How should the bureaucracy be activated to fulfill the mandate of the RTE Act? Two ways by which the state repeatedly attempts to bridge implementation gaps is through more **trainings** and more **monitoring**. Findings from a yet to be published study on select cluster coordinators from 5 states reveals that most frontline officials attend training sessions out of compulsion rather than a desire to learn new skills. Often these “trainings” end up more like orientations. It has also been observed that lessons learnt in these sessions are not actively applied once officials return to the field. There also appears to be no follow up on the things they learnt, which only makes the officials more complacent. Moreover, “monitoring,” as it takes place in the field is rather superficial and sporadic. When they do visit schools, block and cluster officials usually look at few set things, including student-teacher attendance, student enrolment figures, and Mid Day Meal related figures. The more substantive parts of teaching-learning, for instance, spending some time to observe the teacher teach and give them feedback, is most often given a miss. The inference to be drawn from this is that **trainings and monitoring** per se are not ineffective to bring about positive change. It’s the **way these are conducted** that is problematic. **Quality** and not **quantity** is what ultimately makes the difference – this must be repeatedly emphasized in the present context.

How to build up **quality** in a jaded system then becomes the million dollar question. Perhaps the answers lie with those who are actively involved in the front-line. In that case, what would it take for the upper echelons of the bureaucracy to truly listen to its own?

**Final thoughts**

In scenarios where important factors such as leadership and sound programmes are transient, the permanence of the bureaucracy (especially the lower and mid-level bureaucracy) is what keeps the education system grounded and going. Thus to continue ignoring the experiential wisdom of those deemed unfit to affect policy and the course of implementation will only go on to reinforce gaps between plans and their execution. The biggest challenge, however, is to come up with ways to inject new life into the bureaucracy so that practices start to reasonably match up to what is being preached. All while being mindful of the fact that the usual ways of conducting more trainings, and more monitoring will only continue draining more resources as well as faith from the education system.
Key references


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As another year dawns, one contemplates what one may have achieved and what promises remain to be fulfilled. For the future generations, fulfilling the right to education is a very important promise that needs to be realized. India has moved forward in fulfilling this promise which is indicated by the drop in the number of out of school children from 4.28 percent in 2009 to an estimated 2.97 percent children in the 6 to 13 age group (according to the Indian Market Research Bureau survey in 2014). This survey also found that children with disabilities constituted 28 percent of this, out of school population, clearly pointing to the need for greater efforts to include them. Besides access to education there is also a need to ensure that the schools which are admitting children with disabilities are adopting inclusive practices. It was to explore the barriers and facilitators experienced by children with disabilities in mainstream schools that, a study of 188 children with disabilities was conducted by Action for Ability Development and Inclusion (AADI). Semi structured interviews were conducted to gather the perceptions of children with disabilities with the aim of bringing their voices to the forefront. These children had, at some point of time been associated with AADI services. The study found that all children except a minuscule said that they liked going to school. This was irrespective of whether children had positive or not very positive experiences at school. While 30 percent stated that generally their school experiences had been very positive, 70 percent of the children interviewed said that they did not have or were not having a very positive experience in their school life. Overall 76 percent of the children interviewed said they faced difficulties in school as compared to the 24 percent who stated they didn’t face difficulties. The following chart showing a summary of children’s responses (in percentages) makes it fairly evident that the majority of the children, with the exception of support from peers faced many barriers during school.

![Figure 1: Summary of children's responses](image)

*Out of total sample of children facing any accessibility issues due to the nature of impairment.

Of the total children in the rural areas more had positive experiences (38 percent positive, 63 percent negative,) to report as compared to children in urban areas (23 percent positive, 77 mostly percent negative). Similarly of out of the total number of girls in the sample, 39 percent reported positively (61 percent negative) whereas 25 percent boys reported positive experiences (75 percent negative). Children going to government school appear to be having had more negative perception of their school life (71 percent negative, 29 percent having a positive experience) when compared to children going to mainstream private schools (38
percent positive, 62 percent negative). Children in mainstream open school section seemed to be having more negative perception of their school years (all children reporting mostly negative experiences). Though there was not much difference in the percentage of children reporting negative experiences across ages, more children seem to be having more positive experiences that are currently going to school as compared to children who had gone to school earlier. Children with sensory impairments appear to be having more positive experiences as compared to children with other types of impairments. As expected children with multiple impairments, appear to be having more negative experiences as compared to others. The key barriers and facilitators identified, relating to policies, systems, services, the physical infrastructure of the school and the attitudes of people that children encounter in school, are summarized below.

**Barriers**

**Attitudes:** Attitudinal barriers identified amongst teachers were seeing children with disabilities as a burden in the class, a lack of recognition of their abilities, belittling their achievements, not paying them any attention, not including them in classes, demotivating and discouraging children to come to school and having lower or no expectations from them. Worse still, poor attitudes towards children with disabilities were exposed in expressions of anger, verbal abuse and at times physical abuse as well. Along similar lines, Principals also exhibited an adverse attitude towards children with disabilities with some having no interaction whatsoever with children including children with disabilities. Other barriers identified were discouraging children to get admission in school, making children feel that they should leave school and join special schools, not listening to them or listening but not doing anything to resolve their issues, getting angry with children and at times verbally abusing them or even hitting children with disabilities. Support staff where available would refuse to help children, would not listen to them and would make them wait, even for urgent needs like going to the toilet. Poor attitudes amongst peers led to peers teasing, harassing, and bullying and even hitting children with disabilities. Peers would not interact with them, they would not provide support even if children asked for it, would not play with them, would not help in academic work and perceived them as ‘lacking’ by focusing on their impairments.

**Physical Access:** Beginning with difficulties faced in commuting to schools, children reported that inaccessible infrastructure and facilities in school hindered their participation in school activities. Inaccessibility began with inaccessible school gates, classroom doors, inaccessible higher floors, toilets, drinking water facilities, labs, playgrounds, computer rooms, libraries and uneven paths not suited for use of wheelchairs. School transport in private schools was also inaccessible, while some faced difficulties due to the lack of availability of wheelchairs in school. Provisions like toilets were not kept clean or were not functioning properly which created a barrier for all children.

**Services:** Teachers created barriers when they adopted teaching methods like teaching in a hurried manner, not explaining concepts, having a poor grasp of the subject they were teaching and not using any Teaching Learning Materials (TLMs). They also created barriers when they made no efforts to include children with disability, did not make efforts to understand children’s level, did not provide any accommodations (no extra time provided, no writers, no adaptation of content, and no alternative teaching strategies) and excluded them from extra-curricular activities and excursions. Their lack of information about disability, lack of understanding of needs of children with disability, lack of knowledge and skills on how to address their needs also created barriers. Barriers to achieving the potential in learning outcomes were identified as lack of opportunity to learn, lack of expectations of teachers, lack of appropriate communication support and expectations to cover entire syllabus in higher classes.
Admission process was reportedly difficult for some children with disability as Principal would discourage them to get admission. Provisions regarding writers were also not well implemented and appeared to be problematic because the onus of who was to provide the writer and who should be the writer appears to be usually a disputed issue. Children lacked information about their entitlements and provisions. Some reported that they didn't receive uniform and books for long period of time. Parent school relationships not being supportive also created barriers as teachers would keep complaining about the children to parents, they expected parents to come and help them in school including for toileting needs and asking parents to take children out of school when they asked for any issues to be resolved.

Systems: Posts of children and teachers were often reported to be vacant. Frequent changes in the Principals created problems when the new Principals were not supportive as compared to earlier Principals. Teachers were not performing their role very well as they were irregular, they would not come to class, if they came to class they would not teach. Some children felt they did this as they considered themselves to be secure in their government jobs, irrespective of how they perform their roles. Barriers which relate to systems and policies are that there appears to be a limited supply of resource teachers, aids and appliances and support staff in school. Even though escort facilities are a provision in the current policy framework they don't appear to be available at ground level. Transitions between classes which require regrouping of children tend to break down children's support system which they have created for themselves. Implementation of exam provisions and accommodations are not uniformly implemented.

Facilitators

Attitudes: A good relation with teachers was a crucial factor which facilitated children’s sense of being included in class. Good relations were explained by the children as- when teachers appeared to respect them, spoke nicely to them, accepted them, motivated and encouraged them, showed concern for them, and treated them like ‘equals’. When principal played a more positive role, they provided accommodations to address the needs of children with disabilities, made their schools accessible, gave admission easily, listened and encouraged children, made sure that there was no bullying or teasing, gave relevant information about schemes etc. and some even followed up on children who dropped out of the school and brought them back to school. They spread a message to all that children with disability were part of the school and should be treated well. Helpful support staff where available also helped children to cope with their school life.

Peers played a crucial role in facilitating inclusion in school. They did so by providing academic support by including them in social interactions, playing together, encouraging them, providing emotional support, listening to them, providing support in mobility or physical support where needed, in self-care needs, carrying their school bags and by simply doing things for them. Where school parent relations were supportive children were included in school activities more easily. Teachers and principal were polite and sensitive to parent’s concerns and would also seek their help to understand how to address children’s needs. This was especially so in instances where principals were known to parents. To continue studies despite difficulties children felt that besides themselves and their own efforts, support of various people around them like parents, siblings, other relatives, teachers, private tutors and AADI Staff supported them to continue their education.

Physical Access: Accessible features in buildings, ramps, lifts, accessible toilets helped children to be part of various school activities and address their basic needs.
Services: Good quality teaching was one of the primary facilitators which helped children to achieve their learning potential. Quality was explained by children to mean teachers who understood their subjects they were teaching, who taught with patience, answered their queries, made sure that children understood, paid attention and provided the necessary support to children with disability by providing accommodations where needed. Liking certain subjects helped children to achieve their best in them. In terms of learning outcomes, only children who had no intellectual impairments said they were able to achieve their potential.

Changes Suggested by Children

In the end we share the changes children suggested in schools which have been summarized below.

<table>
<thead>
<tr>
<th>Attitudes towards disability</th>
<th>Parents</th>
<th>Peers</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Attitude towards children should be changed to become more positive.</td>
<td>• Attitude of parents regarding disability need to be changed.</td>
<td>• Peers should be sensitized.</td>
</tr>
<tr>
<td>• People should be more sensitive towards them and should be aware about their needs.</td>
<td>• Parents should keep a positive attitude and should build up child’s abilities.</td>
<td>• There should be no discrimination on basis of disability.</td>
</tr>
<tr>
<td>• Should not be considered as a ‘liability’.</td>
<td>• Counselling session for parents.</td>
<td>• Peer should work in unison.</td>
</tr>
<tr>
<td>• Awareness raising is required.</td>
<td>• Parents should have easy access in the school.</td>
<td>• Social interaction should be increased.</td>
</tr>
<tr>
<td>• Should be treated as equals.</td>
<td>• Parent’s suggestions should be welcomed.</td>
<td>• They should behave properly.</td>
</tr>
<tr>
<td></td>
<td>• Parents should be the support system of the child.</td>
<td>• Peers should be supportive in education.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Teachers</th>
<th>School</th>
<th>AADI</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Attitude of teachers regarding disability need to be changed.</td>
<td>• Schools should be inclusive.</td>
<td>• Guidance and support for vocational learning should be provided.</td>
</tr>
<tr>
<td>• Teachers should not ignore the children.</td>
<td>• There should be no discrimination in the school.</td>
<td>• The organization should get them aid for uniforms, books, medicines etc.</td>
</tr>
<tr>
<td>• They should not make fun of them or ridicule them.</td>
<td>• Equal opportunity for all should be provided</td>
<td>• Guide for future prospects or livelihood.</td>
</tr>
<tr>
<td>• Should be regular in class.</td>
<td>• Everyone should be comfortable (both non-disabled &amp; disabled).</td>
<td>• Frequency of visits should be increased.</td>
</tr>
<tr>
<td>• Teacher’s should teach well.</td>
<td>• Everyone should get the choice for enjoyment.</td>
<td>• Volunteers should be provided for education.</td>
</tr>
<tr>
<td>• Teachers should include children with disabilities in extracurricular activities.</td>
<td>• The schools should make everyone feel at ease.</td>
<td>• AADI should help in getting admissions in schools.</td>
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<tr>
<td>• Teachers should be patient and listen to children.</td>
<td>• There should be a friendly environment</td>
<td>• It should bridge the gap between the education and the people who lack it.</td>
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<tr>
<td>• There should be good understanding between teachers and students.</td>
<td>• School should treat all children equally and treat children with disabilities as ‘normal’ kids.</td>
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<tr>
<td>Should treat children well and with respect.</td>
<td>There should be no physical violence in school or teasing.</td>
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<tr>
<td>Should exhibit mature behaviour.</td>
<td>The school authorities should not harm children.</td>
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<tr>
<td>They should be loving and caring and should have positive attitude.</td>
<td>Admissions should not be denied.</td>
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<tr>
<td>Teachers should try to bond with children.</td>
<td>School facility should be good.</td>
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<tr>
<td>Motivate children to study.</td>
<td>Use technology to make system better.</td>
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<tr>
<td>Teachers should not abuse the child verbally or physically.</td>
<td>Better management of schools also needed.</td>
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<tr>
<td>Frequent change of teacher should not happen.</td>
<td>Flexibility in school policies and system and curriculum.</td>
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<tr>
<td>Teachers should use different strategies or alternate methods to make children understand the concept well.</td>
<td>More facilities to be provided in the school.</td>
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<tr>
<td>Child should be taught according to his/her own capabilities.</td>
<td>Administration should provide information on disability and other government schemes.</td>
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<tr>
<td>Syllabus should be made simplified.</td>
<td>Free education and help from government should be provided.</td>
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<tr>
<td>Encourage child to study.</td>
<td>Concessions should be given.</td>
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<tr>
<td>Quality of teaching should be high.</td>
<td>Mobility aid and equipment’s/furniture should be provided by the school.</td>
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<tr>
<td>Change in teaching methods.</td>
<td>Regular check-up facilities should be available.</td>
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<tr>
<td>Seminars should be done regularly for teachers on disability.</td>
<td>Support staff should be provided and made available in the class.</td>
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<tr>
<td>Teachers should undergo upgradation every five years.</td>
<td>Helper should be trained and should be understanding.</td>
<td></td>
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<tr>
<td>Teacher trainings should be done.</td>
<td>The school staff should behave well.</td>
<td></td>
</tr>
<tr>
<td>Teachers should respect the parents and talk sensibly.</td>
<td>Skill building trainings on self-care should be given.</td>
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</tbody>
</table>

**Conclusion**

Despite the fundamental right to education, children with disabilities continue to be pushed out of the education system and face tremendous discrimination on the basis of disability. However despite the existing barriers, the facilitators identified in the study prove beyond doubt that barriers can be overcome. They provide a roadmap of the required attitudes of stakeholders within these educational bodies and also what needs to be done for education services, systems, and policies to overcome their exclusionary elements and become more inclusive.

*Anita Lodhi is working at AADI for the past twelve years as a research manager. She has previously been part of research projects in education, care givers, trafficking, and local governance. She holds a post graduate degree in sociology from Delhi University and a diploma in Special Education.*
MISEDUCATION: CRISIS OF SCHOOLING

Critical Questions from a Critical Lens

*Syed Rafath Parveen

Presented below are the observations of a teacher currently with an elite school of the National Capital Region. She has written this article after being witness to systematic exclusions and discriminations faced by children from low income backgrounds. These are distressing accounts of behavioral, verbal and at times even physical abuses endured by such children in the primary section. Such attitudes and prejudices are symptomatic of the rot in the system, which despite all the efforts by the government and civil society activists, remains unchanged. The narrator in her article has attempted to understand the practices, beliefs, perceptions and incidents taking place in her school with the implementation of 25% reservation for EWS students in private schools, as mandated under the RTE Act. The supercilious attitudes and the stereotypical misconceptions towards the economically disadvantaged are brought out starkly through the usage of narratives and episodes by the narrator. These narratives have been based on various aspects of school life such as the admission process, teacher-parent relationship, teacher-administrator relationship, peer relationship, teacher-student relationship, parent-teacher relationship, textbook and pedagogy, etc. The observations are of course subjective though every effort has been made to be objective.

Admission Process

The narratives collected after interaction with the teachers are mentioned as under -

EPISODE 1: While filling the attendance register of my new class, I had a problem. I had a total of 37 students-19 boys and 18 girls. Out of them I had to identify the number of students belonging to SC/ST and OBC categories. We were asked to refer to the information slips and the almanac’s personal details sheet that the parents fill up, each time the child is promoted to the next class. The problem was regarding the number of students belonging to the SC category. The number of SC students I had, did not tally with the record given by the previous teacher. When I enquired, she told me that some EWS parents fill up their details in both the EWS and the SC category columns leading to confusion. She said that the father of Alok (a student belonging to the SC category) does not want the child’s name to be put in that category. Since I was confused, I went to ask the Headmistress as to what needs to be written and she advised me to call up the parents to find out. The father said that I must mention his name in the General category. But since the previous teacher insisted that the parent is lying and that I must check his records, I went to the records room to find out his details. I was told by the records office in charge that if the parents have submitted the caste certificate at the time of the admission then I must add him to the SC category. When I checked Alok’s records I found out that his father had indeed submitted the caste certificate. When the records person got to know the case he said that parents belonging to the SC category want to have the best of everything. They want admission on the basis of their caste and then do not want to even acknowledge the fact. Later on, the administration in charge told me that the school gives admissions only on the basis of EWS criteria and not on the basis of being SC, ST or OBC.

The caste system is one of the many man-made inequalities plaguing the Indian society for centuries. Its inequitable ideology and dehumanizing practices have divided the society into several parts. In the above episode the parent belonging to the SC category perhaps did not want his child to be identified as such. This may be due to the stigmas attached by the society to people belonging to the lower castes. The episode also highlights the lack of sensitivity on the part of the teachers as well as the records in charge.
Why do such records need to be maintained? Whom are these records submitted to? Why are the teachers asked to identify this? Can this be done only at the level of record keeping? Does the knowledge of the child’s caste have an impact on the teacher’s attitude towards the students? These are some of the questions that need immediate answers for an attempt to understand the deep-seated prejudices existing in the minds of the society.

School Assemblies

EPISODE 2: The request for parental involvement on days such as ‘A Day out with Fathers’ (a special day where fathers are invited to attend and participate in the games organized by the school for strengthening the bond between the fathers and their wards) was on the basis of social, cultural, and economic differences. Parents of EWS children did not volunteer to attend and the teacher made no effort; however on the last day knowing that those who promised were not going to turn up, the EWS parents were called up.

EPISODE 3: The special assembly topic I have been given is ‘Republic Day’. I have to just give it to the best students of the class, whose parents happened to be very enthusiastic. They will be asked to make placards. They have to look for some facts-one liners, take out a computer printout, decorate it and paste it on the placard. They will also be able to make the students learn the lines. I will take the whole class in the normal assembly where everyone, even those who are not so good, can be a part of the larger group for choir or recitation. The EWS parents are fine with this arrangement as they know that they cannot afford to arrange for the material and train their kids.

The hegemony of the dominant class is maintained through the school assemblies. The parents of the EWS students do not question, protest or resist the activities conducted by the school. Why are assemblies conducted? What is special about the special assemblies? Whose interests do these school assemblies serve? Why are some students and groups excluded? Why should the assemblies have activities in which all kinds of children cannot participate? Who approves these activities and why? These again are some the questions which critical educators need to reflect upon.

Teacher-Parent Relationship

EPISODE 4: On the day of the Parent Teacher Meeting (PTM), many of the EWS parents did not speak with the teacher during their visit. When they did, the interaction tended to be stiff, awkward, short, rather formal, and serious and the emphasis was on academic performance and behavior. Most of the parents showed signs of discomfort: nervous shifting and generally looking ill at ease. The teacher also said as little as possible and took their signatures on the nominal roll. For some, she stressed that they need to work harder. One parent who is a cook in Greater Kailash, one of the upscale colonies in Delhi, refused to sit in front of the teacher and kept standing with folded hands. Most of them were eagerly waiting for the teacher to say whatever she had to, so that they could quickly rush back home or for their work. The teacher would talk to them and give all her comments in English. The parents responded in Hindi to whatever they understood. When they enquired about the day when the school would reopen or if they had any query the teacher answered only in English and asked the parents to see the circular which had been sent home. Difference in behavior with other parents was noticeable. The interactions with them were more frequent, and much less formal. These parents are in the habit of writing notes to the teacher in the almanac or call her up for any query or assistance at school and home. Parents also asked for homework for their children or for materials that they could complete at home with their children.

EPISODE 5(A): Another teacher mentioned the conversation that took place between two grandparents (GP1&GP2) who had come to pick their grandchildren up after school.
GP1: aap aye nahi itne dino se? (Have not seen you for long!)
GP2: bacha beemar tha. (Child was sick)
GP1: Haan in logon kesaath padega hee, hygiene ka factor toh hai nahi, toh ye beemar padte hai, ghar se das bemariyan aur late hain..hamara bacha bhi beemar padta hai. (He studies with these kids who are unhygienic and also transmit diseases to our children, no wonder they fall sick).

Everybody has this feeling in their heart, but since they don’t want to sound prejudiced and intolerant, they don’t say it.

EPISODE (B): In one of the sections of class II, two boys (one EWS) indulged in a naughty prank where they went to the washroom and cut each other’s hair. The parent of the non EWS child complained against the EWS child. The parents of the EWS child did not defend and accepted that their child was naughty. The other parent reacted furiously and went to the headmistress through the vice principal (who was his acquaintance) with the complaint and wanted the school to change the section of the EWS child. Though his child was equally a part of the prank, the father did not even give space to the teacher and the school to correctly investigate the matter and take corrective measures. According to him ‘EWS bachon ki wajah se mera bacha kyun suffer kare’. (why should my child suffer on account of EWS children).

In the first episode in this section one can clearly see that the socio economic background of a person plays a major role in his/her interaction with others. Most of the EWS parents avoided verbal communication, and if they had to, showed signs of nervousness. Since India is inherently hierarchical, the cook from Greater Kailash refused to sit, owing to the feeling that he belongs to a different class and cultural background and it is inappropriate for him to even sit before an authority. The teacher on the other hand maintains a social distance and exercises her authority in her communication with the parents. The parents’ desire to rush back also indicates their unease in this context. The deliberate use of English language by the teacher despite knowing that the parent has not understood also conveys her class consciousness and also her attempt to make the difference obvious to the parents.

**Attitude of the Teachers and Administrators**

This section, narrates interactions with several teachers have been mentioned.

- One can to a large extent easily differentiate the EWS children from the rest of the class on the basis of their appearance. All of them wear the same kind of uniform but slowly the clothes of EWS children start looking dirty and shabby - Kapde sahi hain, lekin dhote kaise hai, pani kaisa hai sabun kaisa hai… makes a lot of difference. (clothes are fine but the way they wash it, the water and the soap that they use)

- The school counselor believes that just giving admissions to EWS children does not help. The parents visit the school and beg the teachers to teach them…. aap hi sab kuch kar sakte hain…. (only you can help us) We should give special classes to these children to help them as the parents are unable to provide the academic support which the other children have access to.

- The school carnivals, school visits, picnics or trips widen the gap between the students belonging to various sections of the society. The school headmistress clearly stated in a staff meeting ’as it is we are providing them education, if they can’t afford Rs. 300/- to be a part of the carnival then, they, as well not attend school and if they want to attend school then they may, but , they cannot be a part of the carnival. They can be made to sit separately in a classroom. They are not entitled to receive any gifts which are given to the other students.
Any theft in the school puts the EWS students under the scanner. It is generally believed that these children indulge in wrong practices because this is what they witness at home.

Teachers are generally scared of punishing or being very strict with the other students whereas they are not scared of punishing and being very strict with EWS students as they feel that EWS parents don’t even bother to find out what is happening with their children in school.

EWS students are generally made to do odd jobs for the teachers--such as cleaning the cupboard, passing on things to other teachers, fetching water, ball or any other item required by the teacher. Teachers ask them to get the things from the staff room saying ‘padhna to hai nahi yeh kam hi karlo’ (as it is you don’t study, you might as well do this work)

A teacher complained that a EWS child of class V is regularly absent on the day of the test and takes retest later. She says that the support system is not strong.

One of the teachers makes a separate row of EWS children and very loudly announces ‘ye EWS, EWS hain na’ (these are EWS children). The term EWS is also used as a derogatory term to put someone down. ‘EWS ye hai nahi lekin shakal se EWS lagta hai.’ (though he is not from the EWS but looks like one)

The teacher said that, some EWS parents really try hard to make their children adjust ‘sandwich bhi dete hain to cling foil main dete hain, juice bhi dete hai, Friday canteen ke liye paise bhi dete hain’. (they pack eatables in foil, give juice too, also money for canteen on Fridays)

Many of the teachers felt that inclusion was a good thing and that teachers can develop sensitivity in the class.

EWS parents pay Rs. 500-600/- per month to send their children for tuitions. But the tuition teachers are not able to help them much. EWS parents feel that they are making an effort but it does not make any difference.

The above narratives and observations by the teachers highlight their apprehensions, resentment, anger, frustration, disgust, helplessness, insensitivity and at times hope as well. One can also see an attitude of fatalism, that, nothing can be done about the educational consequences of economic inequalities and social injustice. When students do not perform it may be seen as an act of resistance as the cultural ethos, language, curriculum and the pedagogy is far removed from the realities of their lives. One can clearly ascertain from some of the comments and observations mentioned above that the teachers clearly lacked ‘dialogue’ (Paulo Freire) in the classroom which is necessary to understand the students. In the above examples one can see that far from acknowledging the world of the EWS students, teachers talk about them in a condescending manner and often segregate and treat them differently. The critical educators can bring about a radical change if they make an attempt to understand the child’s world, his habitat, family conditions, reasons for their absence from school, reasons for missing tests, reasons for their disinterest in academics or the reasons for the use of abusive language.

Also, the stereotypical assumption that students from low-income families are disinterested in studies and that their parents are not bothered about education further alienates these students from the educational set up they are supposed to be an intrinsic part of. The teachers’ attitude can sometimes be justified on the ground that the top down system of education leaves no space for them to critique the forms of knowledge passed on to the students every year. They have neither any say in the curriculum development nor do they understand or question the rationality behind teaching various subjects and the course content within it. The classroom strength, tightly packed timetables (with hardly any free periods)- forcing the teachers to stand and teach for almost 6 to 7 hours, the regimented, highly structured and non-negotiable--planned syllabus, leaving no scope for individual freedom, the standardized tests, the extra paper work of record
keeping etc., converts them into machines. The text book is the bible and, as far as possible, the policy makers try to improve the system by ‘teacher proofing’ it. Moreover several teachers are now recruited on ad-hoc basis or on contractual terms for a long number of years before they are regularized. In the name of improving educational quality and for holding schools more accountable for their professional practice, the state has made it mandatory for aspiring teachers to clear exams such as CTET, the Centralized Teacher Entrance Test - a measure to check the competence of the teacher. How far the competence can be checked through these exams which expect the normative standards, wherein the teachers write an exam based on multiple choice questions is yet to be ascertained.

On the whole, my intention here is not to question the capacity and abilities of the teachers. It is just to highlight that since teachers are also products of a socialization process where the ‘other’ is seen as either inferior or superior they are unable to critically think and question the nature of things. I strongly believe that proper and periodic orientation of the teachers is a must, for them to continue their vocation.

Peer Relationship

EPISODE 6: In a lower primary class the EWS children were treated in a very peculiar manner. The students of the class would not play with them, neither would they include them in any activity or even sit with them. The class used to play games where a child would touch the EWS child and chase others to pass on the ‘gandagi’ (dirt). If any child happened to touch them they would scrub their hands against the wall to cleanse themselves. The children used to address the EWS children as ‘achoot’ (untouchables). The class teacher ignored this.

EPISODE 7: I was taking substitution in Class V. I had to take them to the PT ground. Some students were not interested in watching the match. They formed a group and were playing among themselves. Suddenly they had a fight. A child was requesting them to include him in their games but the group refused. Since he kept insisting some children in the group pushed him. They were asked to stop playing as they were disturbing other students who were interested in watching the match. One of the children in the group later on told me that all students generally target three kinds of students for having fun or for teasing them. They are Kamzoor Bache (Physically weak students), Rone Wale Bache (students who cry easily) and EWS students.

One cannot make out any difference in the EWS and other students in grades 1-3, but as they grow older they get largely segregated and move around and play in their own groups. EWS students form their own groups. They are virtually not allowed into the other groups.

Curriculum, Text Books and Pedagogy

Some observations –

- In the school, the Headmistress decides the textbooks to be used by the students. As an eye wash, teachers are given books of some private publishers in the morning and asked to sit together and decide what is good and give a report immediately. Since teachers do not get enough time they generally agree with what the coordinators and the Headmistress decide.

- Chapter 17, ‘Home Sweet Home’ in CCE Environment Studies book, published by Frank Bros. & Co.(Publishers) Ltd. (a subsidiary of Macmillan Publishers Limited) covers a range of houses — bungalow, multistoreyed building, from a stilt house to a boat house but do not mention a word about the kinds of houses lived by the people in slums.

- Chapter 1, ‘My family’ of the same book mentions about joint family, nuclear family. Tapan the character in the story introduces his family—where father is a doctor and mother is a teacher and his cousins live in Canada who visit India at the time of Durga Puja.
Chapter 21, ‘Need for Water’ of the same book, mentions, ‘‘In olden days the sources of water like wells and tanks were owned by the rich and high caste people. They did not allow certain people to take water from these sources. There was a lot of social discrimination for drinking water. Government has made an act against this. Now everyone can take water from a common source.’

Chapter 7, ‘The Three Runners’ in class III, New Broadway Course book published by Oxford University Press (a department of the University of Oxford in UK), begins with the following lines – “It happened in the days when the white people ruled South Africa. There were different rules then, for white people and black people. One evening two middle-aged black men met in a ‘white’s only’ section of the city of Johannesburg’. One of them had a ‘permit’ to work in the area. The other did not. This meant that he could be put in prison if the police found him in a zone reserved for whites. ‘The chapter then elaborates on how the man who has the permit tricks the policeman to save his friend’. After reading the chapter students are expected to answer questions such as- What did the policeman expect when he saw the man searching in his pocket? Why were the two men afraid when they saw the policeman, and so on.

The school legitimizes its position of being fair and just and claims to be worthy of respect and reverence without acknowledging the fact that schooling is experienced differently by different groups on the basis of their affluent or meager background. How does an EWS child relate to a family wherein the father is a doctor, the mother a teacher with cousins in Canada is not the concern of the school. EWS students need to be thankful that they have been given the opportunity to enter the school and use the school facilities. Discrimination occurs when the EWS, SC, ST, OBC and Staff students are identified separately so as to sort students into various categories. Though the relations of domination are obscured and denied, they however become apparent in the various dealings of the school with the parents and students of different groups. Fragmentation also occurs when the teachers of the class blame the students from a religious minority and their belief systems for poor academic results or for the rise in levels of violence in the schools. The knowledge based on textbooks is generally presented as the be all and end all of education.

Conclusion

The above accounts are reflections of the deep seated prejudices entrenched in the so called upper strata since millennia. The have-nots and the disadvantaged class have suffered marginalization as a consequence of these inequalities and disparities in every society of the world. Despite that, a society, a community, a state, a nation has to rise above all these man-made fissures and aspire to be just, humane, fair and equitable for each and every citizen. A good beginning has been made through the inclusion of EWS students due to the RTE Act, but admission of twenty five percent EWS students in private schools cannot be the only method to address the question of equality and access. The cultures, policies, practices and above all mindsets and the attitudes of rightful ownership, all need to be addressed in order to create an inclusive school and ultimately an inclusive society. This requires sustained engagement with the child, teachers, administrators, the parents and the communities. There are several examples of counter hegemonic education and inspiring school practices such as the citizen school project in Brazil and the culturally relevant pedagogy for African American students as popularized by Lisa Delpit. Efforts by countries such as Finland are remarkable where they are about to embark on one of the most radical education reform programmes ever undertaken by a nation state- scrapping traditional “teaching by subject” in favour of “teaching by topic”. We in India too need a radical rethinking and redesigning of our system to make it inclusive, progressive and socially just.

*Sayed Rafath Parveen is a teacher with a school in the National Capital Region and is also pursuing her M.Phil from Delhi University*
NOTICE OF ANNUAL GENERAL MEETING

To,
All members of COMMON CAUSE,

The Annual General Meeting of COMMON CAUSE Society will be held at 3rd Floor, Common Cause House, 5, Institutional Area, Nelson Mandela Road, Vasant Kunj, New Delhi – 110070, on Saturday, March 12, 2016 at 11.00 AM.

The agenda will be as follows:

2. Appointment of Auditors for the year 2015-2016
3. Activities and Programmes
4. Elections
5. Any other item with permission of the chair

It may kindly be noted that in accordance with Rule 15 of the Rules & Regulations of the Society, if within 15 minutes of the beginning of the meeting, the quorum is not present, the meeting would stand adjourned and be held after half an hour of the original scheduled time, and the members present in the adjourned meeting shall form the quorum of that meeting.

Copies of the Balance Sheet and Income & Expenditure statement will be provided during the AGM. The Director’s Annual Report along with the summary of Finance and Accounts has already been circulated in the previous issue of Common Cause journal July-September 2015 (Page 38-51).

Vipul Mudgal
Director
COMMON CAUSE

INDEPENDENT AUDITORS’ REPORT

To the Members of Common Cause

Report on the Financial Statements
We have audited the accompanying financial statements of Common Cause (“the Society”), which comprise the Balance Sheet as at March 31, 2015, and the Income and Expenditure Account for the year then ended and a summary of significant accounting policies and other explanatory information.

Management’s Responsibility for the Financial Statements
Management is responsible for the preparation of these financial statements that give a true and fair view of the financial position, and financial performance of the Society in accordance with the accounting principles generally accepted in India. This responsibility includes the design, implementation and maintenance of internal control relevant to the preparation and presentation of the financial statements that give a true and fair view and are free from material misstatement, whether due to fraud or error.
Auditors’ Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with the Standards on Auditing issued by the Institute of Chartered Accountants of India. Those Standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatements.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor’s judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Society’s preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of the accounting estimates made by management, as well as valuating the overall presentation of the financial statements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

(a) In our opinion and to the best of our information and according to the explanations given to us, the aforesaid financial statements give a true and fair view in conformity with the accounting principles generally accepted in India:
   
   (i) In the case of the Balance Sheet, of the state of affairs of the Society as at March 31, 2015; and
   (ii) In the case of the Income and Expenditure account, of the Surplus (excess of income over expenditure) for the year ended on that date.

(b) We have obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purpose of our audit.

(c) In our opinion, proper books of account as required by law have been kept by the Society so far as appears from our examination of those books.

For VKGN & Associates
Chartered Accountants
Firms Registration No. 012897N

Vijay Gupta
Membership No. 081986

Place : New Delhi
Date : September 29, 2015
APPLICATION FORM FOR MEMBERSHIP OF COMMON CAUSE.

1. Name: ______________________________________________________________________

2. Father’s Name: _____________________________________________________________________

3. Mother’s Name _____________________________________________________________________

4. Date of Birth: __________________________

5. Educational Qualification: ___________________________________________________________

6. Occupation: _________________________________________________________________________

7. Permanent Address: ___________________________________________________________________

8. Mailing Address: _________________________________________________________________________

   (a) Email ID: _________________________________________________________________________

   (b) Phone: ______________________________ Mobile: _______________________________

9. Next of Kin (Name & Address): _______________________________________________________

10. Membership Sought. (Tick any one block):

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<th>Categories</th>
<th>Ordinary</th>
<th>Life</th>
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<td>Individual (with voting rights)</td>
<td>Rs. 500.00 P.A.</td>
<td>Rs. 5000.00</td>
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<tr>
<td>Associate (without voting rights)</td>
<td>Rs. 100.00 P.A.</td>
<td>Rs. 500.00</td>
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11. Why do you wish to join COMMON CAUSE (up to 80 words)

   _____________________________________________________________________________

   _____________________________________________________________________________

   _____________________________________________________________________________

   _____________________________________________________________________________

12. Your expectations from COMMON CAUSE (up to 40 words)

   _____________________________________________________________________________

   _____________________________________________________________________________

   _____________________________________________________________________________

   _____________________________________________________________________________

Place & Date: __________________________ Signature
Developments in earlier interventions:

Supreme Court

1. **WP(C) 330/2001: Slaughter House Pollution**
   
   This petition was taken up for hearing on November 27, 2015. At this hearing, instead of Ministry of Urban Development, the Ministry of Environment and Forests was substituted as the nodal Ministry. The matter is likely to be listed on February 26, 2016.

2. **WP(C) 13/2003: Large Scale Advertisements**
   
   The matter was taken up for hearing on October 27, 2015. In view of the review filed by the Union of India on October 26, 2015, the Court decided to hear the petitions filed by the centre and the states collectively. Though this was opposed by our counsels, the Court posted it for hearing on January 12, 2016. However, the matter did not appear in the cause-list. There are no further orders of hearing.

3. **WP(C) 215/2005: Living Will**
   
   The matter was listed before a constitution bench on January 15, 2016, when the government has reported to have assured the Court of the possibility of a law on passive euthanasia. It has also been reported that the government is studying the verdict of the Court in Shanbaug case and the Law Commission’s 241st report that favoured allowing passive euthanasia with certain safeguards. The matter was listed to be heard on February 1, 2016 but was not taken up. It is likely to be heard again in February 2016.

4. **WP(C) 463/2012: Illegal allocation of captive coal blocks**
   
   A high level committee headed by former CBI Director Mr. M.L. Sharma has been constituted by the Court for the purpose of ascertaining whether the investigations conducted by CBI have been influenced in any manner by Mr. Ranjit Sinha in respect of the accused in the case. The Court also granted permission to Mr. Sharma to access the original Visitor’s Register maintained at the residence of Mr. Sinha and the list of the names of 23 personnel and four CBI constables working at his residential establishment (so far kept in a sealed cover).

   On December 14, 2015, expressing its unhappiness at the persistent delays in the investigations by the CBI, the Court allowed its request for substitution of a senior police official and noted that the investigation be concluded at the earliest without seeking further extensions or transfer of officials.

   The Directorate of Enforcement (ED) had on September 17, 2015 filed the 8th Status Report for on investigations under the Prevention of Money Laundering Act, 2012 and the Foreign Exchange Regulation Act, 1973, in respect of 43 companies. Refraining from commenting on the progress made by the ED, the Court directed both the ED and the CBI to file their reports up to December 31, 2015, by January 5, 2016. The Court also stated that the CVC reports had been taken on record and would be dealt with on the next hearing. The matter was listed for January 11, 2016 but no order has been uploaded on the SC website as yet. Noting that the Enquiry Committee constituted by the Court had started working from September 15, 2015, it also directed the UOI to grant remuneration to the committee’s members and staff.

   Previously this matter was taken up on December 7, 2015 when the Court had granted time to Mr. Sharma and listed the matter for December 14. The matter had similarly come up in October/November 2015 but was deferred for later dates. There are no further orders of listing.
5. WP(C) 114/2014: Illegal Mining in the State of Odisha

The matter were taken up at three instances in January and the Court directed the amicus curiae, Mr. A D N Rao to file his response on the issues raised in the IAs filed in pursuance of the May 2014 order of the Supreme Court in this matter. It is likely to be listed on February 19, 2016.


Common Cause has filed a contempt petition against the strike of lawyers in Delhi High Court and all district courts of Delhi on the issue of conflict over pecuniary jurisdiction. In WP (C) 821/1990 (Harish Uppal vs Union of India) the Supreme Court had observed that lawyers had no right to go on strike and could not give any call for boycott. The court also held that lawyers refusing to respond to such a call could not be visited with any adverse consequences by the Bar Association or the Bar Council. In May this year, the Delhi High Court Bar Association went on a strike against passage of a bill by Rajya Sabha increasing the pecuniary jurisdiction of district courts. The bill was expected to reduce the workload of the Delhi high court by transferring thousands of civil suits, valued up to Rs two crores, to the six district courts.

The contempt petition seeks issuance of a writ of mandamus directing the Respondents to incorporate appropriate rule prohibiting the use of strike by advocates in the Standards for Professional Conduct and Etiquette* framed under Section 49(1)(c) of the Advocates Act, 1961. The Court had issued notice in the matter on September 11, 2015.

In the hearing on November 27, 2015, Mr. Ram Jethmalani requested for time to convene a meeting of the important sections of the Bar to try sorting out the problems once and for all. The Court granted his request and also directed the respondents to file their response in the meanwhile. The matter is now listed for April 5, 2016.

Delhi High Court

1. WP (C) 7240/2013: Evidence of corruption by Shri Virbhadra Singh

The High Court on Dec 10, 2015 disposed of the petition filed by Common Cause against Mr. Singh, ruling that issue was already under investigation by CBI and income tax. During the course of hearing, the Court was informed by the counsels that with respect to the tax matters, the proceedings had been taken up for assessment and re-assessment. The counsel for CBI stated that a regular case had been registered and the investigation would be taken to its logical conclusion in accordance with law. In light of this, the petition was disposed with the observation that it was no longer necessary to go into the issue of maintainability of the writ petition.

2. W.P.(C) 8363/2010: Misuse of BSP reserved symbol

The petition challenging the order of the Central Election Commission rejecting our request for freezing the reserved symbol of BSP on account of its misuse by its government in Uttar Pradesh was taken up on December 10, 2015. The Court had directed the parties in October 2014 to file their written submissions, to which CC had complied. Entire 2015 was spent on account of adjournments by the respondent counsel, lawyers strike and non-availability of the bench. This matter has now been re-notified for February 25, 2016.

3. W.P. (C) 866/2010: Post-Retirement Activities of Former Supreme Court Judges

Common Cause had filed a writ petition in the Delhi High Court on February 10, 2010, highlighting how Article 124(7) of the Constitution of India is being violated in both letter and spirit because of certain post-retirement activities of the former judges of the Supreme Court of India. This provision forbids a person who has held office as a Judge of the Supreme Court from pleading or acting in any court or before any authority.
During the pendency of this petition the Society secured some significant outcomes. The High Court had instructed its registry to refuse to accept writ petitions in which opinions of retired judges are annexed. This was in line with our prayer for the prohibition of this practice, which is contrary to the spirit of Article 124 (7) of the Constitution.

As regards our prayer for debarring chairpersons and members of various tribunals from taking up arbitration work during their term of office, the Court was informed that a Bill to prohibit members of a tribunal or a statutory body from acting as arbitrator had been introduced in the Rajya Sabha and referred for consideration by the Standing Committee. In context of this prayer, it was observed by the Court that as retired Judges appointed as Chairpersons or Members of Statutory Bodies, Tribunals and Commissions discharge judicial/quasi-judicial functions and their involvement in any other commercial legal activity or as arbitrators would necessarily require them to interact, in all possibility, with the same set of people/professionals who appear before them in their capacity as Chairperson/ Member of the Statutory Body/Tribunal of which they are whole time office holder, giving rise to speculation about their impartiality. Thus, not only would pursuing such a vocation / occupation simultaneously with the office occupied, be at the cost of the work of the said office but may also jeopardise/appear to jeopardise the reputation of the said office. From the contention put forth by the respondents, it was obvious to the Court that the relief sought in the petition had not been refuted by the UOI. In fact the UOI had itself tried to grant the said relief but there were implicit delays in the same.

It was observed that the Courts have always stepped in whenever they have found a vacuum in legislation; however, they would hesitate to do so in this case respecting the doctrine of separation of powers and out of our deference to the legislature, which is seized of the matter.

The petition was disposed on December 11, 2015 with a direction to the UOI to give special attention to the issue and to ensure that appropriate legislation was made at the earliest.

Allahabad High Court

1. **WP (C) 48416/2015: Extension of audit jurisdiction of the C & AG of India to NOIDA, G.Noida Authority and Yamuna Expressway Authority**

   Subsequent to the detailed additional rejoinder filed by Common Cause, on December 4, 2015 the Court directed that the matter be put up as fresh on 11 December 2015. During the course of the hearing on December 11, 2015, certain factual aspects emerged before the Court, which had not been made in the existing affidavits filed earlier by the respondents. The Court was assured by the AG that a comprehensive affidavit of disclosure would be filed indicating the nature of the financial relationship between the State Government on one hand and Noida, Greater Noida and Yamuna Expressway Authorities respectively. On the request of the AG for time in order to enable him to make a full and candid disclosure, the Court allowed the matter to stand over to January 27, 2016.

   In the hearing of January 27, 2016, the Advocate General sought an extension of time to file the counter affidavit as directed in the previous order. The Court, noting that sufficient time was granted in the previous order, granted the last and final opportunity to the Respondents to file the counter by the next date of hearing on February 11, 2016.