

Acting on the Act

The Government of India has issued a Gazette Notification stating that the Right to Education Act will be enforced with effect from April 1, 2010. The Act was passed in the Parliament in August 2009 and the quick enforcement of the same, has given it a sense of urgency, which was sadly lacking since independence.

While there is no denying the fact, that the Act is not perfect and has several loopholes, but the many positive features of the same fills us with a sense of hope that in the coming years, all children of our country will have access to a more equitable system of education. One of the disappointing features of the Act is that is its silence on the increasing privatization of education., though there is an effort to get all types of schools under its purview by directing them to reserve 25% seats for underprivileged children of their respective neighbourhood.

One of the big leaps that this Act has taken is the decision to do away with para schooling and para teachers. It calls for formalization of the education system in no uncertain terms. In the last two decades, the mushrooming of large scale projects supported by multi lateral agencies, had brought about serious dilution in the concept of 'school'. The Act clearly defines that a school, to be able to be called so, has to run for full hours with fully qualified teachers. Schools run by private operators, including NGOs will also have to fulfill the criteria within a period of three years or else have to close shop. The law also spells out that schools should have a PTR of 30:1. Apart from giving specifications about infrastructure, the law also stated that the Instructional days should be 210 in a year (translating to 800 instruction hours for Class 1-5) and 220 days in a year (translating to 1000 instruction hours for Classes 6-8,). Under the provision of this Act, the government has to appoint 12 lakh teachers of requisite qualifications. What is more – the existing teachers, who fall short of requisite qualification will also have to attain the same within a period of 5 years. There are plans to modify the existing Pre Service training structure, to make it possible to create a unified Elementary Education teachers' cadre in future.

An estimated 1.71 lakh crores will be needed in the next five years to fulfill the necessities of this Act! The amount of money is mind boggling. In addition a total of 20 crore out of school children have to be immediately brought under the formal school system! The sheer volume and complexity of the task is daunting and there is bound to be some kind of cynicism in people's minds about the overall implementation of the Act. And it is here that we, the people of India also have a role to play, specially those of us engaged in the education sector. The Government has taken the onus of compulsion on its shoulders, but there should be matching efforts on the part of the citizens to ensure that the provisions of the Act are not violated. For this, the Act has made a very important provision – to make the 'justiciability' more accessible to people, by making it possible to institute public interest litigations even in civil courts.

Given below are some of the positive features of the Act:

- 1) Emphasis on equity
- 2) Abolishing non formal type of education and stress on formal schools
- 3) Clear definition of 'free' to include uniforms, mid day meals, text books, etc.
- 4) Compulsion on state and not on parents
- 5) Clear time frame put on all actions
- 6) PTR, number of school days, number of instructional hours given clearly
- 7) Emphasis is not merely on enrolment but on retention and completion
- 8) Talks of eliminating geographical as well social cultural barriers to access

The list is quite heartening and if implemented properly, and the Act will take the country forward in the right direction in spite of its other shortcomings. But then, these are mere provisions: in a democracy, the actual fulfillment of any such measure is possible through constructive action of an ever vigilant citizenry.

Written by Shubhra Di, sourced from 'Asmita', the in house Teachers' magazine of Vikramshila Education Resource Society, Kolkata