

## **Impact of Right To Education Act on the Marginalized Children: A Case study of the Private English Medium Schools in the Bhubaneswar City**

**Miss Ankita Pattnaik**

*MPhil Research Scholar, Department of Sociology, Utkal University, Bhubaneswar, Odisha*

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**Abstract:** This study hovers around the marginalized children who are socially and economically backward. It focuses on the Right To Education Act that came up in 2009 with description about section 12 that provides for 25 percent reservation for these children in admission into all private schools. The objectives of the study aims to trace out socio-economic profile of the sample beneficiaries, to study the awareness and knowledge of the children on Right To Education Act and their enrolment, to bring out the gap between Right to Education vision and its implementation, to solicit the opinion and suggestions of functionaries and beneficiaries to make Right To Education Act effective. The intellectual area of the study focuses on the broad vision of the inclusive education through reservation of seats for socially disadvantaged groups in private schools. The study is based on the exploratory and descriptive research design. Stratified proportionate sampling & purposive sampling techniques have been adopted to fulfil the requirement of the study.

**Keywords:** Right To Education Act, Section 12 of Right To Education Act, 25 percent reservation for marginalised children in private schools, socio-economic profile of sample beneficiaries, awareness and knowledge, problems faced by socially disadvantaged groups, opinion and suggestions, Broad vision of inclusive education

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### **I. INTRODUCTION**

Education is a necessary condition for the development of any country. It directs the political, social, cultural and economic life into desirable channels. The economic growth theory has clearly established the superiority of human capital in the growth process as compared to all other forms of material capital. The growth of human capital depends upon the quality and quantity of education. Wide spread education also helps to hold political leaders accountable, and to address social issues in a co-operative and non-authoritarian way. Wide spread education is indeed essential to the practice of democracy (Dreze & Sen, 2002) [1]. These multifarious advantages of education for human and social development have paved the way for universalisation of education as a necessary condition for the development of any society. This concept of Universalisation signifies that education is for all and not for a selected few. It accepts that education is the birth right of every child. Universalisation Of Elementary Education is the educational provision for all children to educate elementary or primary education without any dropouts. It also means free and compulsory elementary education for all children till they complete 14 years of age.

Universalisation Of Elementary Education (UEE) is a constitutional mandate and a rational commitment in India. It basically means to educate all children upto the age of 14 which is equivalent to the completion of upper primary level of education. The government of India took a pledge in the constitution that within a period of 10 years from 1950, free and compulsory elementary education would be provided to the children up to the age of 14 years. There are also various commissions and committees appointed by Government Of India that gave recommendations to universalize elementary education and lots of programmes such as District Institution of Education and Training (DIET), Total Literacy Campaign (TLC), District Primary Education Programme (DPEP), Sarva Siksha Abhijan (SSA) are initiated in this direction.

Education is thus, a major thrust area of the Indian constitution. The constitutional provisions with regard to education are as follows:-

- Article 21.A Part 3 of the Fundamental Rights states that-“ The state shall provide free and compulsory education to all children between the age group of 6-14 years in such a manner as the state by-law determines.”

- The constitutional mandate 1950 suggests that-“The state shall endeavour to provide within the period of 10 years from the commencement of constitution for free and compulsory education to all children until they complete the age of 14 years.
- From 1950-1976, education was essentially a state subject .The 42<sup>nd</sup> Amendment Act,1976 shifted education in general from state list to the concurrent list.
- The 11<sup>th</sup> and 12<sup>th</sup> Schedule of the constitution provide a list of item which was made by law devoid of local bodies The 11<sup>th</sup> Schedule leads education upto secondary level, vocational education, adult and non-formal education for the development of Panchayati Raj Institutional bodies. However, all these attempts of constitution emanate from the Charter Of Human Rights to which India was signatory in 1945. Article 45 of the Charter Of Human Rights declares education as a human right ,which get vivid representation and reflection in the India Constitution.

The Constitution realizing the lacking and laggings of disadvantaged groups and minorities in the field of education clearly directs the state government to look into education and economic interest of the disadvantaged groups in it's Directive Principle Of State Policy.

### ***1.1. International Conventions-***

India also became a signatory to several international conventions ,which stress the importance of the fundamental right to education. The Right To Education is codified in the Universal Declaration Of Human Rights(UDHR),International Covenant On Civil and Political Rights (ICCPR),International Covenant On Economic, Social and Cultural Rights(ICESCR),the Convention On The Elimination Of All Forms Of Discrimination Against Women(CEDAW), and Convention On The Rights Of The Child(CRC).

The United Nations Educational Scientific And Cultural Organisation (UNESCO) <sup>[2]</sup>, placed the right to education at the forefront of it's activities and the Education For All(EFA) is high on it's agenda . The Dakar Forum agreed on 6 goals,which were considered to be essential, attainable and affordable, given strong international commitment band resolve. The Dakar Framework For Action committed governments to strengthening national and regional mechanisms to ensure that EFA was on the agenda, interalia, of every national legislature. It also emphasised that at the national level concrete measures are to be taken so that legal foundations of the right to education are strengthened in national systems. India became a signatory to “EDUCATION FOR ALL” Summit of 9 high populous countries held at New Delhi in 1993 which was the offshoot of the “World Conference Of Education For All” held at Jomtein, Thailand in 1990.

### ***1.2. Major Commissions And Programmes***

Education Commission (1964-66). Kothari Commission very well recognized the role of education in the national development. The Commission opined that it is the responsibility of educational system to bring the different social groups together. It further remarked that instead of removing the class distinctions education is perpetuating them. A large proportion of the good schools are private but charge high fees, which are normally beyond the means of many, therefore only the top ten percent of the people send their children to them (EducationCommission,1966)<sup>[3]</sup>.

So, the Education Commission (1964-66) recommended a common School system of Public Education (CSS) as the basis of building up the national System of Education with a view to bring the different social classes and groups together and thus promoting the emergence of an egalitarian & integrated society .It opined about equalization of educational opportunity to all without any discrimination on the basis of merit and also to provide a prescribed proportion of free studentship to prevent segregation of social classes (Sadgopal, 2008) <sup>[4]</sup> . It recommended that all these provisions made for universalisation of elementary education are for the fulfillment of the directive principle contained in Article 45 of the constitution and the state should strive to provide free and compulsory education for all children up to the age of 14 years (Education Commission, 1966).

National Policy on Education (1968).Human Resource Development is considered to be a key instrument of national development and individual welfare. On this path the National Policy of 1968 marked a significant step in the history of education in the post-independence of India. It aimed to promote national progress, a sense of common citizenship and culture, and to strengthen national integration. The government of India accordingly resolves to promote the development of education in the country with these principles: free and compulsory education for all children up to the age of 14 years, give attention of status of teachers and equalize educational opportunity.

The most notable development has been the acceptance of the common structure of educational throughout the country and efforts to enroll girls and weaker section. Though the NPE (1968) was introduced with positive attitude but many of its recommendation could not be implemented due to lack of fund and adequate manpower. Therefore the goal of universalisation of elementary education could not be achieved. During this period a major constitutional amendment was passed which put education on the Concurrent List to

solve this problem. With this background the Indian Parliament introduced the New Education Policy which was passed by the parliament in 1986 (Rao & Harshita2000) <sup>[5]</sup>

National Policy on Education (1986). The New Education Policy 1986 was formulated with a view to preparing students for the 21st century to face the challenges associated with global developments, emerging technologies and cross-cultural complexities. Some of the Cardinal Principles contained in the National Education Policy 1986 were old but they had been stated in new spirit and perspective. The policy laid emphasis on creation of common school system as recommended by Kothari Commission. The NPE (1986) reiterated the issues of equality of educational opportunity and free and compulsory education for all children up to 14 years. The NPE (1986) opined the National System of Education and envisages a common education structure. It also launched the programme of NFE (Non Formal Education) to solve the problem of children dropping out of school and to adopt an array of meticulously formulated strategies based on micro planning and applied at the grass-root level all over the country, to ensure children's retention at school. The NPE also had a special provision for afternoon centers for girls.

The NPE tried to justify non-formal education by presenting various arguments. According to the NPE essentialities are organizational flexibility, diversity in learning activities to relate the learner's needs decentralization of management and relevance of the curriculum. Though the NPE took a significant step of proposing new way of increasing enrolment of that particular section of the population which is unable to get school education, but by doing this it paved a way to parallel schools rather than a common school system as proposed by Education Commission 1964-66.

Thus, NPE (1986) stressed on essentiality of NFE for universalisation of elementary education and the reason was that the formal education could not cope up the increasing demands of elementary education for universalisation. Alternative had therefore been developed in the form of NFE, Distance Education, Correspondence Courses etc. With the help of NFE, NPE (1986) wants to solve the problem of children withdrawing from education which was the biggest challenge on the path of UEE. But through this provision the quality of education got diluted where instructors took the place of teacher (Sadgopal, 2001) <sup>[6]</sup>

Viewing that the target of universalisation of elementary education can be achieved only if all classes of society were literate, for this the NPE proposed National Literacy Mission which was launched on 5, May1988. Through the NLM, special emphasis was on the removal of disparities and equalization of educational opportunities of educationally backward social groups particularly Scheduled Castes, Scheduled Tribes and Educationally Backward Minorities (Harshitha and Rao, 2000:175). In this way NLM was another step to literate adults within the age of 15-45.

The National Policy on Education (1986) also lead to Operation Blackboard in 1987, which aimed at strengthening the infrastructure in primary schools making them fit places as seats of learning (Pathania, 2009:41) <sup>[7]</sup>

The Policy of 1986 was modified in 1992 and was tabled in the parliament on 7th May 1992. The scheme of OB which was launched by 1986 was extended by the 1992 by covering more area under the OB with minimum three rooms, three teachers in which 50% teachers to be women and the scheme OB was extended to upper primary. In 1992 Minimum Learning Levels were also introduced. The policy commended MLL to be laid down for each stage of education. This was a very important contribution of the policy towards equity and quality. The 'minimum' was not something which was of lower quality for some, but it meant some assurance of essential learning to be internalized by every learner. The MLL was also stated in operational terms keeping in view the hierarchy involved in the learning of different concepts.

National policy of Education 1986 and its programme of Action, 1992, accorded an unqualified priority to universalisation of elementary Education (UEE). The policy received a further impetus as a consequence of the declaration of the 1990 Jomtien World Conference, which called upon the countries to take effective steps for achieving Education for All by the year 2000 AD.

The Jomtien Conference fixed some goals and the ultimate goal was to meet the basic learning needs of all children, youth and adults. It did not affirm education as a human right but spoke about 'access to education' and 'meeting learning needs'. Terms with defined meaning such as 'primary' or 'compulsory' education were replaced by the term 'basic education'. The previous emphasis on governmental obligations to ensure that education, at least at the elementary level was free and compulsory was replaced by the 'societal responsibility' and 'partnership' (Tomasevski, 2003:93) <sup>[8]</sup>. It propagated the slogans, 'education for all' and 'lifelong learning opportunities', without questioning the fundamental structural reasons for why children remain outside the school.

The Government Of India in order to fulfill its constitutional mandate and to implement its educational policies have launched different programmes from time to time. These programmes are discussed below:-

- District Institution Of Education And Training(DIET)-This was established in 1988,inorder to strengthen the teacher component in schools. It was noticed that the teachers lack in many cases in-service training and

DIETS are expected to acquaint the teacher with the newly prepared primers, to provide them knowledge about pedagogy, curriculum and to improve the quality of classroom teachings.

- Total Literacy Campaign(TLC)-India has the discredit of having the large host of illiterates and in order to promote literacy among them and also to literate the children in schools in true sense, the TLC was introduced. This was successful to a great extent, but failures are many because it couldn't operate successfully among the working population, among the poor households, and among the working women for whom the literacy was secondary to livelihood.
- District Primary Education Programme(DPEP)- The DPEP was the first programme initiated as a part of the larger Social Safety Net Credit Adjustment Loan under the Structural Adjustment Programme of the World Bank to India in 1991(Kumar, Priyam & Saxena, 2001) <sup>[9]</sup>. The goal and the objectives of funding and assistance of DPEP were within general discussion of universalisation of elementary education in India, with emphasis on access and quality. It aims to reduce the difference in enrollment, drop-out rate and leaving achievement among boys and girls, raising learning achievements in terms of measured achievement level and further the project is described as a first investment in long-term programme to improve the literacy and numeric skills of the citizens of India. So, keeping in view the large number of out of school children in 6-14 age groups the DPEP began in 1994 with 42 districts spread over seven states in the first stage and further expanded to 271 districts covering fifteen more states which were most educationally backward. The focus was on decentralized and participatory planning and monitoring of development initiatives (Pathania, 2009:83-84). Another feature of DPEP was its funding source. There was an attempt to argue DPEP as a programme having a strong national character, even though a substantial share of the funds was drawn from the external sources. So, DPEP signified a process of contested mainstreaming, of the national model of external assistance for primary formal education in the states (Kumar, Priyam & Saxena, 2001). This programme was based on the decentralization and also fulfillment of the required things like filling up of the posts of the teachers, but not regularly, hence ban on the appointment of full time teachers in primary education and middle schools. The main agenda of post Jomtien policy had been to replace the teachers with under qualified, untrained or under-trained and unpaid persons appointed on short-term contracts to be called Para-teachers (Sadgopal, 2010) <sup>[10]</sup>. So, after 1990's education policy underwent a drastic change. Education coincided with literacy. Foreign aid began pouring in for elementary education and instead of regular appointment of teachers, contractual appointments got legalized and contractual teachers were given different names like Para teachers, Siksha Karmis, Service Providers etc.
- Janshala Programme-In order to provide support to the ongoing primary education programme and to make education accessible to all children, the Janshala Programme was launched in 1998. It is a joint venture of the government of India along with UNDP, UNICEF, UNFPA, UNESCO and ILO. The main objectives of the programme are-  
Protection of child rights  
Improve the performance of teachers  
To make education interactive, child-centered and gender neutral  
To improve attendance and performance, especially of the girls.
- Sarva Siksha Abhijan(SSA)- The SSA was a major attempt of the government to universalize primary education and to guarantee quality education to students. SSA has been operational since 2000-2001 to provide for a variety of interventions for universal access and retention, bridging of gender and social category gaps in elementary education and improving the quality of learning. The special provisions are:-  
Free textbooks  
Separate toilets for girls  
Recruitment of 50% women teachers  
Teacher's sensitisation programmes to promote equitable learning opportunities  
Bridge courses for older girls  
Gender –Sensitive teaching learning materials  
Intensive community mobilisation efforts.
- Mid-Day Meal Scheme- In 2002, this scheme was introduced. Its basic aim was to provide a square meal to the child in order to allure him for the school. It was introduced long back by the Kamraj Government in Tamil Nadu and noted that, by this the drop-out rate was reduced to a great extent.

- National Programme For Educating The Girl-Child At Elementary Level(NPEGEL)- It is a focussed intervention of the government of india to bring into ambit the girls. It was launched in January 2003 and started as a component of SSA.

- Kasturba Gandhi Balika Vidyalaya Scheme(KGBVS)- This scheme was launched in August 2004 to provide education to those belonging pre-dominantly to the SC,ST,OBC and MINORITY in different areas.It was launched in harmony with SSA and the NPEGEL Programmes and this was one of the major educational programmes of the 10<sup>th</sup> Five year plan.

The Right To Education to Free and Compulsory Education Act or Right To Education Act was passed by the Indian Parliament on 4 August 2009. The Act came into force from April 1,2010. This is a historic day for the people of india as from this day the right to education will be accorded the same legal status as the right to life as provided by Article 21-A of the Indian Constitution. In his speech, Manmohan Singh ,PM of india stated that-“We are committed to ensure that all children, irrespective of gender and social category, have access to education, an education that enables them to acquire the skills, knowledge, values and attitudes necessary to become responsible and active citizens of india.” It provides a justiciable legal framework that entitles all children between the ages of 6-14 years to an education of reasonable quality, based on the principles of equity and non-discrimination. The Right To Education (RTE) Act is the first legislation in the world that puts the responsibilities of ensuring enrolment , attendance and completion on the government. It is the parents responsibility to send the children to schools.

### ***1.3. Salient Features***

- Free and Compulsory Education to all children of India in the 6 to 14 age group;
- No child shall be held back , expelled or required to pass a board examination until completion of elementary education;
- A child labour of 6 years of age has not been admitted in any school or though admitted, could not complete his or her elementary education , then he/she shall be admitted in the class appropriate to his/her age; provided that where a child is directly admitted in a class appropriate to his/her age, then, he/she shall, in order to be at par with others, have a right to receive special training in such manner, and with in such time limits, as may be prescribed: provided further that a child so admitted to elementary education shall be entitled to free education till completion of elementary education even after 14 years;
- For the purposes of admission to elementary education, the age of a child shall be determined on the basis of the birth certificate issued in accordance with the provisions of the Births, Deaths and Marriages Registration Act, 1856 or on the basis of such other document as may be prescribed. No child shall be denied admission in a school for lack of age-proof;
- A child who completes elementary education shall be awarded a certificate;
- Calls for a fixed student-teacher ratio;
- This act will apply to all of India except J&K;
- Section 12 of this act provides for 25 percent reservation for economically disadvantaged communities for admission in all private schools (Aided & Unaided);
- Mandates improvement in quality of education;
- School teachers will need adequate professional degree with in 5 years or else will loose job;
- School infrastructure ( where there is problem ) to be improved in 3years, else recognition cancelled;
- Financial Burden will be shared between state and central government.

### ***1.4. The Problem***

Section 12 of Right To Education (RTE) Act makes special provisions for the marginalised gender. It makes it a mandate for the private English medium schools to ensure 25 percent reservation for the children of marginalised communities. This has been done not only to universalise education but to guarantee access equity, quality education to under privileged groups.

This is no doubt a step forward to put an end to the social exclusion long practiced by Indian society and to promote inclusive growth and development. Keeping this in view , the present piece of research work aims at studying of impact of this provision on the marginalised communities and to make a gap analysis between the provisions, practices, intentions and implications.

## **II. REVIEW OF LITERATURE**

In his book “Who goes to school?”,R Govinda(2011) <sup>[11]</sup> writes about the unprecedented increase in school enrolment in india as a result of the boom in private sector education and the attempts to universalize elementary education. Despite such reasons, large numbers of children, especially from disadvantaged

communities are deprived of quality education, which has thwarted the equitable access to basic education. He explores such exclusion and the policies and actions required to develop an inclusive education system and also focuses on aspects ranging from malnutrition, gender and social equity, migration, drop-out and differentiation in school provisions to matters of teaching and governance.

A Sankarnarayanan (2012) <sup>[12]</sup> in an article-“Beyond the Right To Education lies a school of hard knocks” writes about the reservation of 25 percent of seats for underprivileged children in the private unaided schools. As per him, the spirit of the decision is remarkable as it reflects the egalitarian ethos of the Right To Education (RTE) Act. Thus, as private schools open their doors to the children from marginalised sections of society, the government pats itself on the back for engineering a social revolution.

Puja Marwaha (2012) <sup>[13]</sup> says that the provision of 25 percent reservation for economically and socially weaker section in private schools under the RTE Act is an important clause that allows integration of these children with private school system. However this clause should not allow the government to abdicate its responsibility to provide not only free and compulsory but quality education to all the children from 6-14 years of age. More than 80 per cent of the children continue to study in government schools in India whose quality of education has often been a great cause of concern.

Annual Status Education Report (2012) <sup>[14]</sup> observes that in the all India level private school enrolment has been rising steadily since 2006. The percentage of children (age 6-14 years) enrolled in private schools rose from 18.7 percent in 2006 to 25.6 percent in 2011. This year this number has further increased to 28.3 percent. In 2012, among all private school children, 57.9 percent were boys. Dr. Wilima Wadhwa says, even if private schools reserve 25 percent of seats for economically backward children, the vast majority attend government schools. According to the DISE 2010-11, as many as 84 percent of children in villages attend government schools. If the RTE Act has to be implemented in letter and in spirit, the government can't ignore the quality of education it provides under its roof just because it has won the reservation battle with private institutions. Even as the government makes private schools “socially responsible”, it still has to bear the onus of educating the majority of children.

Annual Report (2012-13) <sup>[15]</sup> states that section 12(1)(c) of RTE Act provides that a specified category school and a private un-aided school shall admit in class 1 to the extent of at least 25 percent of the strength of that class, children belonging to weaker sections and Disadvantaged groups in the neighbourhood and provides for free and compulsory elementary education till its completion. It further states that this provision shall apply for admission to the pre-school stage where the school imparts pre-school education. The definition of child belonging to disadvantaged group includes a child belonging to SC/ST and now also, children with special needs. In 2009-10, before enactment of RTE Act, the enrolment of SC children was 3.72 crores and ST children was 2.05 crore which has increased to 3.94 crore and 2.17 crore respectively in 2011-12 in elementary education.

The Right of Children to Free and Compulsory Education (Amendment) Act, 2012 was passed by the parliament and published in the Gazette on 20<sup>th</sup> June, 2012 and has come into force with effect from 1<sup>st</sup> August, 2012. The Amendment to the Act inter alia provides-

- Inclusion of ‘children with disabilities’ within the meaning of child belonging to disadvantaged group.
- Children suffering from cerebral palsy, autism and multiple disabilities as defined under National Trust Act.
- Option of home based education for children with severe and multiple disabilities; however to be used as a preparatory step to schooling.

Suman Sachdeva (2013) <sup>[16]</sup> writes that the EFA agenda and MGDs have had both positive and restrictive impact on the education scenario in India. India has taken significant education policy reforms and the Education for All campaign (a flagship program of the Government of India) has made phenomenal efforts to reach the remotest corners of the country to impart inclusive elementary education to children from all sections of society.

However, there has also been a progressive erosion of public schooling, a push for meeting enrollment targets often at the expense of quality. Heavily driven by restricted EFA agenda, the issues of equity, disability, learning achievement, children in conflict remain a neglected agenda. Gaps remain in terms of educational provision, availability of resources, infrastructure, and adequate numbers of qualified, trained and regular teachers. Much is desired for contextualized, relevant curricula and quality teaching and learning. Increasing privatization and commercialization of education have emerged as barriers, especially for social inclusion. Notwithstanding legal and policy measures, enhancement in enrollment, expansion of school infrastructure, narrowing of gender gaps in literacy and a reduction in child labour; 16 million children in India remain out of school, especially from the most marginalized sections including scheduled caste and tribes, urban poor and amongst them girls. The Post-2015 deadline has an additional significance for India which finally has the Right to Education as a legal right after a century long struggle. The RTE Act expects all schools to be compliant with the infrastructure norms by March 2013, however, considerable challenges remain.

Education For All Report(2010)<sup>[17]</sup> states that Governments across the world constantly reaffirm their commitment to equal opportunity in education. Under international human rights conventions they are obligated to act on that commitment. Yet most governments are systematically failing to address extreme and persistent education disadvantages that leave large sections of society marginalized. These disadvantages are rooted in deeply ingrained social, economic and political processes, and unequal power relationships – and they are sustained by political indifference. Marginalization in education matters at many levels. Having the opportunity for a meaningful education is a basic human right. It is also a condition for advancing social justice. People who are left behind in education face the prospect of diminished life chances in many other areas, including employment, health and participation in the political processes that affect their lives. Moreover, restricted opportunity in education is one of the most powerful mechanisms for transmitting poverty across generations. Extreme deprivation in education is a particularly striking case of what the economist and philosopher Amartya Sen has described as ‘remediable injustices’. The Report looks at the scale of the injustice, examines its underlying causes and identifies policy remedies. The key message to emerge is that failure to place inclusive education at the centre of the Education for All agenda is holding back progress towards the goals adopted at Dakar. Governments have to do far more to extend opportunities to hard-to-reach groups such as ethnic minorities, poor households in slums and remote rural areas, those affected by armed conflict and children with disabilities. Measuring marginalization in education is inherently difficult. There are no established cross-country benchmarks comparable to those used in assessing extreme income poverty. National data are often not detailed enough to enable marginalized groups to be identified. An underlying problem is that many governments attach little weight to improving data availability relating to some of the most disadvantaged sections of society – child labourers, people living in informal settlements and individuals with disabilities – and to remote regions. This year’s Report includes a new tool, the Deprivation and Marginalization in Education (DME) data set, which provides a window on the scale of marginalization within countries and on the social composition of marginalized groups. Despite the progress of the past decade, absolute deprivation in education remains at extraordinarily high levels. On any global scale, having fewer than four years of education, the minimum required for basic literacy, is an indicator of extreme disadvantage. The DME data set establishes this as a benchmark for ‘education poverty’, with less than two years in school as an indicator for ‘extreme education poverty’. The factors leading to marginalization in education do not operate in isolation. Wealth and gender intersect with language, ethnicity, region and rural-urban differences to create mutually reinforcing disadvantages.

### **III. METHODOLOGY**

#### **III.1. Objectives**

The study has been initiated and completed having the following objectives which includes:-

- i. To bring out conceptual clarity about the Right to Education (RTE) Act along with its objectives and target groups.
- ii. To trace out the socio-economic profile of the sample beneficiaries.
- iii. To study the awareness and knowledge of children about Right to Education and their enrolment into Private English Medium Schools.
- iv. To bring out the gap between Right to Education intention and implementation by soliciting the opinion of teachers and students.
- v. To solicit the opinion and suggestions of functionaries as well as beneficiaries to make Right to Education provisions practically delivering in character.

#### **III.2. Scope**

Scope refers to the area and arena of the analysis. It determines the study area and the dimensions from which the analysis can be made. The intellectual area focuses around the broad vision of inclusive development and universalisation of education through the reservation of seats for the socially disadvantaged groups and weaker sections in private schools under section 12 of Right to Education(RTE) Act. The geographical area covers the study of four different public schools in Bhubaneswar with respect to the implementation of section 12 of Right to Education (RTE) Act and its consequent impact on the marginalised groups and reactions of the advantaged groups and teachers to this suggested inclusive measure.

#### **III.3. Research Design-**

- The study makes a combination of exploratory and descriptive research design .
- So far as secondary sources , particularly ,in relation with historical aspect, the descriptive design is resorted by the researcher and for the evaluation of the impact , awareness and reactions the exploratory design is applied.

### III.4. Universe And Sample

- The universe of the study covers 21 private schools of Bhubaneswar out of which, 4 schools are taken as sample.
- From these schools , the number of enrolled marginalised children are found out. Then from these 50 selected samples are taken.
- The researcher here applied the stratified proportionate sampling, and purposive sampling to give equal coverage to boys and girls.
- The percentage of samples are found by using the mentioned formula:-

$$\frac{50}{\text{Total number of children}} \times 100 = \text{Percentage of samples}$$

### III.5. Research Tools

- The present work relies on primary and secondary methods of data analysis.
- For secondary data analysis, desk reviews of the research articles, journals, books, popular articles in periodicals, content analysis of newspaper have been made along with the browsing of internet source materials.
- For primary data analysis, the researcher took recourse to observation, personal interaction methods along with the canvassing of well-defined interview schedule.

### III.6. Rationale Of The Study

- After making the thorough review of the existing literature, researcher identified certain areas and mentioned them as grey areas which became the propelling factor for the objectives of the present research.
- These areas are therefore, have not emerged in the available literature, yet are vital areas of concern and are the yardsticks to measure the success of Right to Education (RTE) Act. So the present study has been taken.

## IV. FINDINGS OF THE STUDY

- From the Table 1, it is evident that the principals of some schools told that there is a problem with lottery system of admission. For example- if there are two children who come for admission-one child from very poor economic status and the other from a family with slightly better economic status, then in lottery system, there is equal opportunity of getting admission for comparatively high income child. In such instances, school can't give admission to the child from lower economic status. At times, school authorities face resistance from poor parents.
- The private school authorities also shared that the government have not provided clear guidelines for admission process except verbal instructions regarding provision of 25 percent admissions to disadvantaged children. It is indicative of communication gap from the government's side.
- 96 percent of the school authorities said that the reimbursement done on per student basis is not sufficient.
- Teachers say classroom transactions become difficult as they have to teach children from diverse backgrounds especially the children belonging to weaker and disadvantaged sections. These children often commit theft in classrooms, speak very abusive languages and thus, disturbs the decorum of the classroom.
- 62 percent of the teachers said that their learning achievement scores is also very low as compared to the general students.

**Table 1:** Views of School teachers and authorities

Sl no.	Views of School Authorities, Teachers	No. of Responses	Percentage
1	The Lottery System of Admission is Problematic	42	84
2	Reimbursement done on per student basis is insufficient	48	96
3	The children of disadvantaged groups are mischievous, steal many things from other students	20	40
4	Government Authorities have not provided clear guidelines for admission process as per sec-12 of RTE Act	35	70
5	The learning achievement scores is very low, Teachers require specialised training to teach them	31	62



- When some children are being interviewed, they said that they are sometimes facing segregation by the teachers and friends. They are made to sit in back benches in the classroom and their lunch boxes are checked before entering into the class to assure the good quality of food.
- They are of opinion that they are not able to mix freely with the high class children. They have different culture and their behaviour, mannerisms , eating habits etc differs a lot. Moreover, in day-to-day practice, Table 2 shows 54 percent of parents are of the opinion that segregation is occurring due to prevalence of traditional caste system in the minds of people.
- 84 percent of parents viewed that the private schools don't strictly adhere to the section 12 of Right to Education( RTE) Act. As such, they don't get any kind of relaxation in admission fees, books, transportation fee etc. They have to pay the same amount like that of the general students.
- The schools covered under the study charges the same fees from the disadvantaged children like that from the general children except the Loyala School which has a separate shift for the disadvantaged children with special concessions in admission fees, books, uniform etc.
- Those parents who are aware about this provision asked for the relaxation in fees from the school authorities, but the authorities gave them a very negative reply of leaving the private schools and taking admissions in government schools.

**Table 2:** Views of Parents regarding section 12 of Right to Education Act

Sl No.	Parent's Views	No. of Responses	Percentage
1	No relaxation in admission fees, books, transportation fees etc.	42	84
2	Their children faces segregation in the classroom, sharing lunch boxes etc.	27	54
3	Sec-12 of RTE Act is strengthening social exclusion	35	70
4	The behaviour / attitude of teachers is Good	40	80
5	Teacher's don't give much emphasis to their children while teaching resulting in low learning achievement scores	19	38

## V. SUGGESTIONS

In this part, an honest attempt is being made to suggest the interventions from the opinion and suggestions given by the sample respondents as well as that emanated from researcher's experiences. The researcher had sought for the opinion and suggestions of sample respondents. In this context, the suggestions emerged from respondents were varied and are documented in this piece of research work.

- Redefining the definition of weaker sections under section 12 of Right to Education(RTE) Act, currently includes all economically poor, but most of the benefits are availed by educationally aware and politically connected parents who manage to get certificates to meet admission requirements.
- It has been found that the documents required as a proof of poverty for the children to get admission in private schools like certificates of BPL/ income certificates of parents from government authorities is limited to the parents who have either political connections or have the ability to pay to the government authorities. Therefore, steps should be taken to make the accessibility and availability of such documents to all the children belonging to the disadvantaged groups.
- Reimbursement process needs to be strengthened in terms of verification of enrolled children by the schools. Process should be made more efficient by giving adequate amount of money on per child basis by the government authorities. Additional charges should be borne by the government, for example, the charges of transportation stationaries and uniform so that poor parents can get access to such high budget schools.
- Monitoring / verification- Government has to develop separate body for monitoring implementation of section 12 in private schools. For example, Government can give responsibility to Non-governmental organisations and social activists for monitoring at school level implementation. They can closely look into the matter relating to discrimination, admission process, classroom teaching and community awareness programmes.
- Strict monitoring and policy provisions is required to penalise the schools those violate the rules and procedures of section 12 of Right to Education( RTE )Act.
- The government has to give special emphasis on section 12 by providing training to responsible officers, providing more resources for monitoring in order to handle the discretion of bureaucrats and to lay down more standard strategies for implementation.

- Teachers should be given specialized training to teach the marginalised children. Curriculum should be developed meeting the educational needs of these children.
- Section 12 of Right to Education (RTE) Act can't be translated into a program of actions unless and until it gains support from parents of the marginalized children as well as parents of better-off sections. For this knowledge has to be disseminated, awareness has to be made to make demands stronger to ensure supply.
- Parents of the marginalized communities should support the civil society organisations for helping their children in providing entry to private schools.
- Monitory wing of the government has to check the enrolment status of the marginalized children and also the progress of achievements and failures of these children under Right to education.
- Motivation and penalty mechanisms are to be implemented for private schools for promotions as well as lapses to section 12.
- Grievance cells of the government should be set up where the prevented parents can lodge complaint.
- Specialized and additional academic support should be given to the marginalized children to mainstream them in the real sense of the term.
- Teachers should be trained to make attitudinal changes towards the children to make classroom transactions congenial and motivating in character.
- As it is a sensitive issue, Parents-Teachers meeting have to address such issues. Parents of well-off sections are to be convinced about the mandate of the school to implement the provision of 25 percent reservation of seats for the marginalized children under Right to Education( RTE) Act.

## VI. CONCLUSION

The present study was about the impact of Right to Education (RTE) Act on the marginalized children through their enrolment in the private English medium schools. It focused on the salient features of this act with description about section 12 that provides for 25 percent reservation for economically disadvantaged communities for admission in all private schools. The Geographical area covered the study of 4 different public schools in the city of Bhubaneswar, Odisha with respect to the implementation of section 12 of Right to Education (RTE) Act and it's consequent impact on the marginalized groups and reactions of the advantaged groups and teachers to this suggested inclusive measure. The study showed the challenges faced by parents, school, children and provided some suggestive measures. Some problems includes lottery system of admission, insufficient reimbursement , no relaxation in admission fees, books, transportation fees, segregation of marginalised children by their friends and teachers , low learning achievement scores. The list of Suggestive measures includes strengthening of reimbursement process by giving adequate amount of money on per child basis, monitoring and verification of section 12 in private schools by government, authorities, NGO's in matters relating to discrimination, admission process, classroom teaching and community awareness programmes, provision of specialized training to teachers to teach the marginalized children, curriculum development, setting up of grievance cells, parents-teacher meeting and so on. Despite several problems, if these measures are taken seriously then the broad vision of inclusive education can be achieved.

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