

## From Right to Education (RTE) to Right to Learning

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**Summary:** *The Right to Education (RTE) Act in India is an enabling Act for people to realize other Rights. The Act promises free and compulsory education to all children in the age-group of 6-14. The Act helps in improving access to education of marginalized groups and those in remote areas. However, in the absence of a focus on student learning, the RTE is becoming an Act for the right to schooling rather than a right to learning.*

Education plays an enabling role in an individual's social life and it enables people to access information and services provided by various agencies. The RTE Act is an enabling Act for people to realize other Rights. With the passage of the RTE Act in the Parliament in 2009 India<sup>1</sup> became one of 135 countries to make education free and compulsory to all children. The RTE Act in India guarantees all children between the ages of 6 and 14 the right to free and compulsory elementary education.

Free education in the Act implies that the government will bear the cost of elementary education of all children in the age-group of 6-14. The schools will not levy fees from students and the students will be provided with uniforms, textbooks, mid-day meals, transportation etc. The Act also makes provision for reserving 25 per cent of seats in private schools for students from economically weaker sections. The cost of universalization of elementary education will be a shared responsibility of the state and central governments.

The Act expects compulsory enrolment of all those who seek admission and mandates year round admission, no capitation fees, easy transfer certificate and non-denial of admission to any child for lack of evidence of birth, age etc. Further, a child once admitted will not be detained in any class and will move to the successive grades till the child completes the elementary level of education.

<sup>1</sup> [http://en.wikipedia.org/wiki/Parliament\\_of\\_India](http://en.wikipedia.org/wiki/Parliament_of_India)

All schools shall constitute School Management Committees (SMCs) comprising of local authority officials, parents, guardians and teachers. RTE also mandates that 50 per cent of the members in SMC will be women and parents of children from disadvantaged groups. The SMCs shall form School Development Plans, monitor the functioning of the school, the implementation of RTE and the utilization of funds received from the government.

The RTE Act, no doubt, has helped expand elementary education in India. During the period 2010 - 2013 the number of schools increased by 49,000 while the increase during the four year period prior to the implementation of RTE was only 42,400. The net enrolment rate in primary education is 88 per cent in 2013-14. The annual drop-out rate in primary education has declined. More importantly, a major share of the new admissions is in rural areas and from disadvantaged families. However, the implementation of the Act is uneven across states. It is felt that implementation is slower in states where the share of non-enrolled children is high.

The Act, no doubt, stipulates norms and standards for establishing a school. But the focus in schools seems to be more on developing infrastructural facilities such as drinking water, toilets and kitchens than on other items identified by the Act. While some of the states are reluctant to share the financial burden and expect the cost should be borne by the central government, others are making their share of contribution and it results in faster implementation of the Act.

The Act prescribes minimum qualifications for teachers, does not approve of appointment of contractual teachers and elaborates on the duties of the teachers. However, many a state is not in a position to bear the financial burden of appointing full time teachers and hence continues to rely on contract teachers.

One of the important areas where the Act is silent is on learning outcomes. The Act has not prescribed any benchmark for the level of learning to be attained by the students who complete the ele-

mentary level of education. In the absence of such benchmarks, monitoring of the teaching learning process becomes difficult. The issue of student learning is compounded by the non-detention policy whereby all students, irrespective of their learning levels, are permitted to transit from one grade to the next higher grade. It can be argued that this non-retention policy, combined with the absence of targets for learning achievement, can be a source of widening inequalities in learning.

Some of the recent surveys have shown that levels of learner achievement are not only low but have, more alarmingly, actually declined in the post-RTE period. For example, as per the Annual Status of Education Report survey of 2013, the proportion of children in grade 5 in government schools who can read a grade 2 level text decreased from 50.3 per cent in 2009 to 41.1 per cent 2013. The learning gap between students in public and private schools also widened in India. While around 44 per cent of grade 3 students in private schools could do subtraction, the same among the government school children is only 19 per cent.

The poor level of learning is indeed alarming and it points to the persistent learning crisis in primary education in India. The increase in enrolment combined with shortage of teachers and non-retention policy contributes to learning deficits which accumulate grade by grade. This cumulative learning deficit may be a constraining factor for these children to pursue education beyond the compulsory level.

The changes in enrolment are not matched with the recruitment of teachers. Many schools report a lack of qualified teachers. It is estimated that the teacher shortage is to the tune of more than one million. Many states have been relying on so-called para-teachers to teach in the primary classes. The non-availability of qualified teachers further reduces the possibility of maintaining, if not improving, the quality of education provided in the schools. In the absence of measures to ensure learning outcomes, RTE is becoming an Act for the right to access schooling rather than a right to successful learning.