

# UNIVERSITY GRANTS COMMISSION



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## EXECUTIVE SUMMARY MINOR RESEARCH PROJECT

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**UNIVERSITY GRANTS COMMISSION,  
WESTERN REGIONAL OFFICE, PUNE  
SPONSORED  
MINOR RESEARCH PROJECT**

Entitled

**“RIGHT TO EDUCATION: A STUDY WITH REFERENCE TO  
IMPLEMENTATION OF CONSTITUTIONAL GOAL WITH  
SPECIAL REFERENCE TO MARATHWADA REGION OF  
MAHARASHTRA”**

-: Submitted To :-

**The Joint Secretary**  
University Grants Commission,  
Western Region,  
Ganesh Khind, Pune

-: Submitted Through :-

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Board of College & University Development,  
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# **RIGHT TO EDUCATION: A STUDY WITH REFERENCE TO IMPLEMENTATION OF CONSTITUTIONAL GOAL WITH SPECIAL REFERENCE TO MARATHWADA REGION OF MAHARASHTRA**

Education says Aristotle as the creation of sound mind in a sound body. It believes in itself the all round development of an individual. Therefore the success of spreading education to the possible area always lies in the way it is being imparted with *the* ever changing scenario. Therefore with the time being enforce the method imparting the education too has been changed and is in the process of continuous changes. Education in itself is an age old phenomenon let it be find its route throw the traditional Gurukul system or the modern educational system.

As per UNESCO education is the basis human rights and thus is a part of agenda of UNESCO and therefore is regarded as one of the most important tool to lift the economical and social marginalization of the students from the status of poverty and make them mix up into the society. The equal opportunity and the universal access to the education is to be provided to the marginalized children's to achieve the dignified life.

Education for all is an initiative of the global commitment laid by the UNESCO in order to provided quality basic education for all i.e. children, youth and adults. It has begun at 'Jomtien' of Thailand in the year 1990 through The world conference on education for all, which has stressed upon education as a human right and outlined as a holistic vision of lifelong learning.<sup>1</sup> The basic objectives of these initiatives is

- a. To expend early childhood care and education
- b. Provide free and compulsory primary education for all
- c. Promote learning and life skills for young people and adults
- d. Increase adult literacy
- e. Achieve gender parity
- f. Improve the quality of education

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<sup>1</sup> UNESCO and education, published by the United Nations educational, scientific and cultural organization <http://unesdoc.unesco.org/ark:/48223/pf0000212715>, last access on 07/10/2020 at 10.00 A.M.

In the year 2009 the legislature have enacted The right of children to free and compulsory education act. Which was an outcome of 86<sup>th</sup> constitutional amendment act 2002 thereby providing a new kind of right incorporated in the chapter of fundamental right at article 21A providing therein right of free and compulsory education to the child between 6 to 14 years of age. The Law makers while enacting these provisions have kept in mind the earlier scenario of access to education, ratio of child education, gross enrolment ratio, drop out ratio and thereby provided a mechanism to deal with the pertinent problem. This act prescribed the provisions in relation to the object as stated above. The legislature while providing the right to a child of free and compulsory education has mandated compulsory schooling, free education and a duty on the parents to send their child to school.

The crucial role for universal elementary education for strengthening the social fabric of democracy through provision for equal opportunity to all has been accepted since inception of our republic. The directive principle the state policy enumerated in our constitution lays down that the state shall provide free and compulsory education to all children up to the age of 14 years. Over the years there has been significant spatial and numerical expansion of elementary schools in the country, yet the goal of universal elementary education continues to elude us. The numbers of children, particularly children from disadvantaged groups and weaker sections, who drop out of school before completing their elementary education, remain very large. More over the quality of learning achievement is not always entirely satisfactory even in the case of children who complete elementary education. 2

Article 21 A of the constitution as inserted by the 86<sup>th</sup> constitutional amendment Act 2002 provides for free and compulsory education all the children in the age group of 6 to 14 years as a fundamental right in the manner as the state may by law determine. However while reading the definition of state it is rapidly interpreted as to either the central Government or the state Government has not been specifically mentioned and it is rather open to interpret by the will and whim.

Education is a process which engages many actors performing their role at different places it includes one who provides education i.e. either the teacher, an educational institution, parents. The one who receives the educations that is the child or a pupil. And the one who is legally responsible to provide it i.e. the state. Thus these are the players who are

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2 Statements of objects and reasons, The Right of Children to free and compulsory education Act, 2009

responsible in the course of dealing with the factors of reading on the lines of providing free and compulsory education.

### **OBJECTIVES OF RESEARCH:-**

The present research work is undertaken in order to analyse-

1. The policy laid down by the Government for the Universalization of primary education
2. The method adopted by the Government for compelling the schooling to the child
3. To study the status of free and compulsory education in the Marathawada Region of Maharashtra.

### **METHODOLOGY ADOPTED:-**

In order to determine the narrated objectives, the investigator has adopted the modalities in the nature of doctrinal as well as non doctrinal research. The data as available through various published resources by the Governmental agencies, research organizations working on the pertinent problems has been taken into consideration. An interview technique has been adopted, thereby interview of the intermediary as narrated into the concept note has been considered as the relevant source of information and thus has used into the present report.

### **HYPOTHESIS:-**

The investigator has formulated an hypothesis at the time of submission of the present proposal that, the Government have at the most level tried to implement the constitutional goal, however they could not yet implement the same effectively. Thus the universalization of right to education could not achieve the desired target.

### **REVIEW OF LITERATURE:-**

The present research has been carried out by reviewing

1. The Right of Children to free and compulsory education Act, 2009 along with the rules framed there in time to time by the Central Government as well as State of Maharashtra.

2. Educational statistic at a glance published in the year 2016 by the MHRD mentioned there in status of education in India<sup>3</sup>.
3. Annual status of education report of the year 2016, 2017 and 2018.<sup>4</sup>

### **INTERDISCIPLINARY RELEVANCE**

The Scheme for school education is supposed to support the States and Union Territories in implementation of the RTE Act, 2009. The Scheme envisages providing an equitable and inclusive quality education which can be well guided by the following principles<sup>5</sup>

- i) Holistic view of education*, as interpreted in the National Curriculum Framework 2005, with implications for a systemic revamp of the entire content and process of education with significant implications for curriculum, teacher education, educational planning and management.
- ii) Equity*, to mean not only equal opportunity, but also creation of conditions in which the disadvantaged sections of the society – children of SC, ST, Muslim minority, landless agricultural workers and children with special needs, etc. – can avail of the opportunity.
- iii) Access*, not to be confined to ensuring that a school becomes accessible to all children within specified distance but implies an understanding of the educational needs and predicament of the traditionally excluded categories – the SC, ST and others sections of the most disadvantaged groups, the Muslim minority, girls in general, and children with special needs.
- iv) Gender concern*, implying not only an effort to enable girls to keep pace with boys but to view education in the perspective spelt out in the National Policy on Education 1986 /92; i.e. a decisive intervention to bring about a basic change in the status of women.
- v) Centrality of teacher*, to motivate them to innovate and create a culture in the classroom, and beyond the classroom, that might produce an inclusive environment for children, especially for girls from oppressed and marginalised backgrounds.

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<sup>3</sup> [https://www.education.gov.in/sites/upload\\_files/mhrd/files/statistics-new/ESG2016.pdf](https://www.education.gov.in/sites/upload_files/mhrd/files/statistics-new/ESG2016.pdf) Last accessed on 27/10/2020 at 3.00 P.M.

<sup>4</sup> <https://img.asercentre.org/docs/ASER%202018/Release%20Material/aserreport2018.pdf> Last accessed on 12/10/2020 at 11.00 A.M.

<sup>5</sup> The guiding principles are based on the report for which in September 2009, the Government had set up a Committee under the chairpersonship of Shri Anil Bordia, former Union Education Secretary, to suggest follow up action on SSA vis-à-vis the RTE Act. The Committee submitted a report in April 2010, entitled “Implementation of RTE Act and Resultant Revamp of SSA”.

vi) **Moral compulsion** is imposed through the RTE Act on parents, teachers, educational administrators and other stakeholders, rather than shifting emphasis on punitive processes.

## **STRATEGY FOR IMPLEMENTING UNIVERSAL ELEMENTARY EDUCATION IN MAHARASHTRA**

Before entering the 21st century, the Government of India under National Education Policy 1986 and the plan of action 1992 assured the Universalization of Elementary Education with free and compulsory education to all children up to 14 years of age. To achieve this, programmes were implemented in a mission mode which implies that projects have clearly defined objectives, scope, and implementation timelines and milestones, as well as measurable outcomes and provide assistance at each level.

Now we shall look at a case study of a state to examine various types of project for UEE operating in Indian states. We have selected the state of Maharashtra which one need to relate to bigger state by population. Development & implementation of different project in Maharashtra for qualitative & quantitative primary education can lead to Universalization of primary education in Maharashtra.

### **NATIONAL SCENARIO:**

#### **A COMPARATIVE ANALYSIS OF THE EFFORTS TAKEN BY UTTAR PRADESH AND BIHAR**

The Researcher in order to verify the efforts taken by Maharashtra state whether sufficient has analysed the measures adopted by two bigger states in terms of population i.e. Uttar Pradesh and Bihar.

- Universalization of Primary Education, viewed as a composite programme of access to primary education for all children up to 14 years of age, universal achievement at least of minimum levels of learning.
- Orientation of the educational system so as to serve the objectives of equality for women and their empowerment.
- Making necessary interventions to provide equal educational opportunity to adults and children belonging to the lower castes, ethnic communities and poorest section of society.
- To increase enrolment capacity of the education and reduce dropout especially of girls and SC students.

## **RIGHT TO EDUCATION: IMPLEMENTATION OF THE POLICY IN MARATHWADA REGION OF MAHARASHTRA**

Marathwada region in Maharashtra is always treated as backward, while referring to the infrastructure, amenities, education etc. Marathwada region comprises of 8 Revenue District. It has 2 Boards for Education i.e. Aurangabad & Latur. The present study has been carried out in 8 districts of Marathwada i.e. Nanded, Parbhani, Hingoli, Latur, Osmanabad, Jalna, Aurangabad, Beed. The researcher could gather the data through this study, the data as to the total intake and the admitted students through Right to Education. The following chart shows the chart explaining district wise sanctioned intake under 25% quota of Right to education and the total admitted students year wise. As a matter of fact the district like Aurangabad, Nanded and Latur are more developed is known as educational superpower within the region itself. In fact the district like latur, was once known as educational hub. So barring these three districts the others are facing tremendous challenges for education and they are dealt in the present report. These three district comprises some good number of English school and thus the enrolment ratio or number of intake can be found to be larger than other districts.

### **CONCLUSION**

An analysis of the above contain shall leave no doubt to put on record, that the law framed by the parliament and as implemented by the states in the matter of free and compulsory education stands fruitful. The only lacking is the law as it aimed to provide free and compulsory education to all the children from 6 to 14 years of age, is been restrained to the children of SC's, ST's & OBC and to some extent the children from open category too can be benefitted from this scheme, provided the annual income of his parent do not exceed rupees 1 lakh.

While looking at the seats available to be allotted to the students under the 25% quota of Right to Education and the seats filled, there is a clearcut explanation offered by the table shown above that more seats are falling vacant, as such for various reason. The reason may include lack of knowledge, the distance between school and home, the choice of parents to be admitted in a particular school etc. The chart shown above elaborately explain that in districts like Parbhani and Hingoli more than 50% seats allocated under Right to education Quota are falling vacant. Upon enquiring with the parents of these districts it is learnt that either way education is not costly in these districts, and there is dearth of English Schools in these districts, thus parents are happy to admit their ward to the school which are so close to their



home. Most of the schools in these two districts are either run by Zilla Parishad or are aided one, therefore the fees is nominal as such no fees, and thus parents are not interested in taking pain to admit their ward to the school under right to education quota.

During interviews of the stake holders, the following lapses were found in to the implementation of this act.

1. Parents are not interested to admit their ward in Marathi medium school.
2. Many of the parents are unaware of the process to seek admission in this quota.
3. The procedure prescribed and set out by the state is very complicated.
4. The rationale of maximum income of parents belonging to open category is destructive of the goal.
5. The calculation of areal distance while admitting into the schools is harming the interest of parents.
6. The lethargy of Government in providing timely grant to school, is encouraging the schools of good repute to avoid the admissions.
7. The budget under this aid is required to be increased.
8. The government shall give permission to the Zilla Parishad and Aided for appointment of teaching staff, so that more teachers shall be available to teach into schools.
9. For last so many years government has not conducted Teachers Entrance Test to be eligible to appoint as a teacher in schools, thereby harming the interest of prospective teachers and to take up the job of a teacher.

## **SUGGESTIONS –**

Upon looking towards the noted conclusions the following suggestion becomes necessary to be implemented –

1. More permission for opening of English medium school be granted by the Government by providing them grant in Aid, so that a confidence in the parents shall be boosted that, their child is competing with their peers.
2. The process of admission in right to education shall be simplified, so that even a common layman shall seek an admission under this quota.

3. The maximum limit of income of parents in case of a candidate belonging to open category shall be increased at least to 2.5 lakh.
4. The procedural complication shall be avoided by the Government.
5. Government shall appoint and direct the schools to appoint required teaching staff.
6. The budget under Sarva Shiksha Abhiyan shall be increased.
7. Government shall make a mechanism to pay timely the reimbursement with out any hurdle to the school, giving admission under this quota.

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