



AWARENESS OF RIGHT TO EDUCATION ACT-2009, AMONG PRIMARY SCHOOL TEACHERS OF DISTRICT KULLU IN HIMACHAL PRADESH

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Abstract

The study is an attempt to understand the awareness of right to education act, 2009, among primary school teachers of district Kullu in Himachal Pradesh. The RTE Act, 2009 has come into force with effect from 1st April, 2010 in our country which is a landmark in the history of education. The said Act assigns some duties to elementary teachers also some duties to schools. Essential provisions regarding the free and compulsory elementary education for the children of the age group 6-14 years. Separate provisions have been given for the admissions of the children of this age group. Main focus of this act is to make all elementary schools in India RTE- Compliant and to provide quality elementary education to this age group. This paper mainly aims at looking into the roles and functions of the Schools and teachers to provide quality elementary education to this target group. In this paper authors studied the awareness level of male and female teachers of elementary schools about their roles and responsibilities to impart elementary education and their role to achieve cent per cent enrolment, enrolment of out of school children, retention till completion of elementary education, child centred school activities. The study focuses that the awareness of teachers towards right to education needs significant teachers - people rapport for proper implementation of the Act and also the awareness of teacher plays an important role in success of any new system. The present study has been under- taken so as to analyse the awareness of primary school teachers towards RTE Act, 2009.

Keywords: RTE, Elementary Education, Teacher Awareness, CCE, SDP.



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Introduction

Knowledge is power and the gateway to knowledge is education. Education is the investment in human capital. The development of the country can never be possible without ensuring the spread of education among the masses. Thus, for universalisation of elementary education, Indian government has taken a landmark initiative to educate children as compulsion for basic education by passing the RTE Act 2009. It is a detailed and comprehensive piece of legislation which includes provisions related to schools, teachers, curriculum, evaluation, access and specific division of duties and

responsibilities of different stakeholders.

The Right to Education Act, 2009 is a very recent Act and implemented just a year back. The initiative of the Government of India has been welcomed worldwide. Karin Hulshof, UNICEF Representative in India said “Tens of Millions Children in India will benefit from this initiative ensuring quality education with equity. Armoogum Parsuramen, Director , UNESCO, New Delhi said, “ This Act is an essential step towards improving each child’s accessibility to secondary and higher education bringing India closer to achieving national educational development goals, as well as the MDGs (Millennium Development Goal of having every child complete primary school by 2015 and Education for All (EFA). With the implementation of the Act, India joined the league of over 130 countries which have legal guarantees to provide free and compulsory education to children.

Since independence, many initiatives were undertaken by the Central and state governments to make everybody educated. No doubt, some progress has been achieved but not to the satisfactory level. Right to Education Act is good in its spirit and is an appreciable initiative of Govt. of India. But, there is an apprehension, whether this Act will be effectively implemented or will face similar fate like many other acts the country enacted and implemented. In addition to this, people offers criticism regarding some provisions made in the act. Whereas the Act guarantees a right to seek transfer to any other school where the child is required to move from the one in his/her neighborhood, there are no measures to ensure that such a transfer will be a smooth transition for the child. Some express glaring deficiency in the Act like complete absence of any qualitative enforcement mechanisms during the period of completing elementary education. While the Act espouses a no-detention policy such a provision is not backed by any steps to measure the quality and standard of education (such as child learning levels, competencies etc). A passing reference to ensuring ‘good quality’ education is enlisted as one of the duties of a school under the Act; nonetheless, the only standards and norms under the Schedule to the Act are measured by the number of instruction hours in a year. Even the duties of a teacher are assessed in terms of punctuality and attendance, and there is no attempt to secure qualitative learning outcomes from elementary education. Making huge fund available for the successful implementation of this act is another important issue needs to be addressed. Thus a study at the bottom level of operation i.e. at the teacher level may help in resolving such pertinent questions.

Present study has been designed to explore the status of awareness among primary school teachers towards providing free and compulsory elementary education to the children aging between six to fourteen years of Himachal Pradesh.

Despite significant achievement in primary education in the state in terms of schools, teachers and enrolment, there remain serious problems of drop out and wastage of school education in the state of Himachal Pradesh. A significant portion of children continue to dropout at the primary and upper primary levels, which need to be addressed to urgently in order to approach the goal of universal elementary education. The reasons for this as attributed by the drop children are socio-economic-cultural factors, lack of female teachers, lack of infrastructure and low quality education (Shariff, 1999). According to the teachers, “poor economic condition and lack of awareness among parents about the benefits of education are the major reasons for the dropout.” There are many such problems in the state of Himachal also which need to be dealt firmly with strong administrative determinations. With a vision to make education accessible to everyone, Government of Himachal Pradesh enacted the Himachal Pradesh Right to Free and Compulsory Education Rule, 2009 and published in the Gazette on 5th March, 2011 vide its notification EDN-C-F(10)-8/09. Almost three years have passed since the day of enforcement of the rule. In order to know how successfully the rule is being understood and implemented at the operational level i.e at teacher levels, the investigator has made this initial attempt to understand operational efficiency and preparedness of the teachers.

The Right to Education Act came to its present form after the concerted efforts of many groups and agencies in the country. The first law on compulsory education was introduced by the State of Baroda, in 1906. This law provides education for boys and girls in the age group of 7-12 years and 7-10 years respectively. In 1911, Gopal Krishna Gokhle unsuccessfully moved a Bill for compulsory education in the Imperial Legislative Council. The Legislative Council of Bombay was first amongst the provinces to adopt a law on compulsory education. In spite of all these efforts universalisation of education in the country was poor due to lack of control over resources. Thereafter, National Policy on Education, 1968 was formed and implemented. It was the first official document evidencing Indian Government’s commitment towards elementary education. Thereafter, the country witnessed the National Policy on Education in the year 1986. In this policy also, Right to Education was not recognized. Again, emphasis was given universalisation of elementary education. In the year 1990, the policy was reviewed by the Acharya Rammurthy Committee. The committee recommended that right to education should be included as a fundamental right in Part III of the constitution. However, this recommendation was not implemented immediately. But, on the basis of the committee’s recommendation, National policy on Education, 1992 was formulated.

In 1992, in the case of Mohini Jain Vs State of Karnataka, the Honorable Supreme Court of India held that *‘right to education is concomitant to fundamental rights enshrined under Part III of the constitution and that every citizen has a right to education under the constitution’*. Subsequently, in the case of Unnikrishnana, J.P. Vs State of Andhra Pradesh, the Supreme Court held that *“though right to education is not stated expressly as a fundamental right, it is implicit in and flow from the right to life guaranteed under article 21 and must be construed in the light of the Directive Principles of the constitution’*. Thus, **‘right to education, understand in the context of Article 45 and 41 means (a) every child/ citizen of this country has a right to free education until he completes the age of fourteen years and (b) after a child / citizen completes 14 years, his right to education is circumscribed by the limits of the economic capacity of the State and its development.** The landmark judgments of the Honbl’e Supreme Court and initiatives from many other agencies had forced the government take initiatives in this direction. In fact, Government of India has launched many of programmes for strengthening elementary education in the country. Prominent amongst them are District Primary Education Programme (DPEP) of 1994. Subsequently, in 2001 for spreading elementary education in India, Government has launched ‘Sarva Shiksha Abhiyan (SSA).’ These programmes were aimed at making elementary education accessible to children of the age six to fourteen years old. Elementary education has been defined as classes I through VIII. In 2002, Indian constitution was amended which states that the state shall provide free and compulsory education to all children of the age of six to fourteen years. This is the 86th amendment of the constitution.

In 2005, a draft Right to Education Bill was circulated but could not get its final shape because of the apprehension that Government may not be able to bear the high financial costs involved in implementing the act all throughout the country. Later on the bill was placed before the Rajya Sabha in December, 2008. The Bill was then returned to a Standing Committee on Human Resource Development. After the formation of UPA II Government, the bill was finally passed by the Rajya Sabha on 20th June, 2009 and by the Lok Sabha on 4th August, 2009. The Right of children to Free and Compulsory Education Act, 2009 received assent of the President of India on 26th August, 2009.

Salient Features of the Right to Education Act, 2009

Chapter I (Preliminary)

- It shall extend to the whole part of the India except Jammu and Kashmir (Section 1.2).
- In this chapter meanings of the appropriate government, capitation fee, child, child belonging to disadvantaged group and weaker section, elementary education, guardian, local authority, National Commission for protection of Child Rights, notification, parents, prescribed, schedule, school, special category, State Commission for Protection of Child Rights are clearly mentioned(Section 2.a to 2.g).

Chapter II (Right to Free and Compulsory Education)

- Every child of the age of six to fourteen years shall have a right to free and compulsory education in a neighborhood school till completion of elementary education (Section 3.1).
- No child shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing the elementary education (Section3.2).
- A child above six years of age has not been admitted in any school or through admitted, could not complete his or her elementary education, then, he or she shall be admitted in a class appropriate to his or her age(section 4).
- Where in a school , there is no provision for completion of elementary education, a child shall have the right to seek transfer to any other school excluding the special schools(Section 5.1).

Chapter III (Duties of Appropriate Government, Local Authority and Parents)

- Appropriate government and the local authority shall establish, within such area or limits of neighborhood, as may be prescribed, a school, where it is not so established, within a period of three years from the commencement of this Act(Section6).
- The Central Government and the State Governments shall have concurrent responsibility for providing funds for carrying out the provision of this Act(Section 7.i).
- The Central government shall develop a frame work of national curriculum with the help of academic authority(Section 6.a); develop and enforce standards for training of teachers (Section 6.b); provide technical support and resources to the State Government for promoting innovations, researches, planning and capacity building(Section 6.c).

- The appropriate government shall provide free and compulsory elementary education to every child (Section 8.a); ensure compulsory admission, attendance and completion of elementary education by every child of the age six to fourteen years(Section 8.b); 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 ground(Section 8.c); provide infrastructure including school building; teaching staff and learning equipments (8.d); ensure and monitor admission, attendance, and completion of elementary education by every child.

Chapter IV (Responsibilities of Schools and Teachers)

- No school or person shall, while admitting a child, collect any capitation fee and subject the child or his or her parents or guardian to any screening procedure (section 13.1).
- No child shall be denied admission in a school for lack of age proof (Section 14.2).
- No child admitted in a school shall be held back in any class or expelled from school till the completion of elementary education(Section 16).
- No child shall be subjected to physical punishment or mental harassment (Section 17.1).
- No school shall be established, or recognized, unless it fulfills the norms and standards specified in the schedule (Section 19.1).
- A school, other than a school specified in sub- clause (iv) of clause (n), of section 2, shall constitute a School Management Committee consisting of elected representatives of the local authority, parents or guardians of children admitted in such schools and teachers(Section21.!).
- The School Management Committee shall perform monitor the working of the school(21.2.a.); prepare and recommend School Development Plan(21.2.b.); and monitor the utilization of the grants received from the appropriate Government or Local authority or any other source(21.2.c); perform such other functions as may be prescribed (21.2.d).
- Any person possessing minimum qualifications, as laid down by an academic authority, authorized by the Central Government , by notification, shall be eligible for appointment as teacher (section23.1).

- A teacher appointed under sub-section (I) of the section 23 shall maintain regularity and punctuality in attending school (Section 24.1.b.); complete the entire curriculum within the specified time 24.1.c); assessing the learning ability of each child and accordingly supplement additional instructions (Section 24.1.d); hold regular meetings with the parents and guardians and appraise them about the regularity in attendance, ability to learn, progress made in learning etc.(Section 24.1.e.)
- No teacher shall be deployed for any non-educational purposes other than the decennial population census, disaster relief duties or duties relating to elections to logical authority or the State Legislation or Parliament (Section 27).
- No teacher shall engage himself or herself in private tuition or private teaching activity.

Chapter V (Curriculum and Completion of Elementary Education)

- The curriculum and the evaluation procedure for elementary education shall be laid down by academic authority (Section 29.1).
- No child shall be required to pass any Board Examination till completion of elementary education(Section 30.1).
- Every child completing his elementary education shall be awarded a certificate (Section30.2).

Chapter VI (Protection of Right of Children)

- The National Commission for Protection of Child Rights, Or The State Commission for the Protection of Child Rights Act 2005 shall have the power to examine and review the safeguards for rights provided by or under this Act and recommend measures for their effective implementation (Section 31.1.a); inquire into complaints relating to child's right to free and compulsory education.

Right to Education Act: Himachal Pradesh

The state of Himachal Pradesh has adopted the final draft of the Right to education Act, 2009 in letter and spirit. The Government of Himachal Pradesh enforced this act through a notification vide: EDN-C-F(10)-8/09 on 5th March, 2011.

RTE focuses on the quality of teaching & learning, which requires accelerated efforts and substantial reforms. The norms of Sarva Shiksha Abhiyan (SSA) have also been revised to implement the Right of children to free and compulsory education. India has become one of 135 countries to make education a fundamental right of every child.

The awareness of teachers towards right to education needs significant teachers - people rapport for proper implementation of the Act and also the awareness of teacher plays an important role in success of any new system. The present study has been under- taken so as to analyse the awareness of primary school teachers towards RTE Act, 2009. The article in **Jamia Journal (Jamia Millia Islamia Independent Student Newspaper)** published by **Fayaz Bhat** on April 24, 2012 titled, “**Right to Education Act: Critical Analysis**” explained the sociological apprehension of the act. He says,” Indian children now have a precious right to receive free and compulsory education from the ages of 6 to 14 years of age. The government will bear all the expenditures of schooling. The act has mandated for private schools to reserve quarter of classroom strength for deprived sections of society, which will change the structure of classrooms in elite schools to school who are not yet enrolled. However, there are many apprehensions with regard to achieving desired goals through RTE. By pressing for 25 percent reservation for the ‘weaker and disadvantaged sections’ of society, government has acknowledged poor quality in government schools where more than 90 percent of households in the country will have to enrol their children even if 25 percent reservation is implemented in true sense. This means that there will be further diversification of society in India. There are also concerns whether those enrolled in private schools will cope and adjust with education system and culture of elite schools. There are many other loop holes which are pressing and challenging in the way of RTE: quality education, funding, teacher skills and enhance of reservation policy are some major concerns. Despite the flaws in the way of RTE Act, it is important to simultaneously ensure proper implementation of the Act.” These issues and challenges need a serious intervention by all the stakeholders. **Prashant Thote, Mathew, D.P.S. Rathoure (2013)** in their research on,”**Right to Education Act: An Analysis of Teacher Awareness in Central India**” has revealed that almost 30% of the school teachers had very low awareness about the RTE Act. They further pointed out that only 68% teachers had an average score. These results are really shocking as the teachers are the real implementers of all the provisions in Right to Free and Compulsory Education. Therefore, the teachers have to be oriented in RTE Act and regarding its provisions. **Ojha Seema S. (2013)** studied on, “**Implementing Right to Education: Issues and Challenges**” in the state of Haryana. She found that Government has enacted and implemented the act in right spirit towards providing quality elementary education to all. Most of the investigated schools were able to fulfill basic infrastructure except a few but with regard to curriculum, assessment, teacher training and other related issues they are lagging far behind. The findings show that most of the parents were aware about free education provided

to the students. But many of them were not aware of the benefits provided to the children. Similarly, students were also not aware of their rights. The findings are not encouraging hence awareness campaigns for all stakeholders are mandatory and teachers are one of them.

The perusal of the related researches and articles make it amply clear that in the field of Right to Education Act, 2009 not much emphasis has been given on awareness. There is a large scope to study Right to Education Act, 2009. Thus the present study was selected to fill the gaps in the available researches on Right to Education Act, 2009 and its awareness among school teachers.

Objectives of the Study

Objectives of the present study were:

1. To find out the level of awareness on RTE Act among primary school teachers of Himachal Pradesh.
2. To find out the significant difference if any between the different groups of demographic variables such as- Location of the School, type of the school and gender in awareness on RTE.
3. To give suggestions to improve the level of awareness on RTE among primary school teachers.

Hypotheses of the Study

The following hypotheses were formulated for the present study:

1. All Primary teachers are aware about Right to Education Act, 2009.
2. There is no significant difference in the awareness of Male and Female Primary teachers towards Right to Education Act, 2009.
3. There is no significant difference in the awareness of Government and Private School primary teachers towards Right to Education Act, 2009.
4. There is no significant difference in the awareness of primary school teachers working in rural and urban areas towards Right to Education Act, 2009.
5. There is no significant difference in the awareness among Male Primary teachers of Government and Private schools in Rural area towards Right to Education Act, 2009.
6. There is no significant difference in the awareness among Male Primary teachers of Government schools in Rural and Urban area towards Right to Education Act, 2009.
7. There is no significant difference in the awareness among Male and Female Primary teachers of Government schools in Rural area towards Right to Education Act, 2009.
8. There is no significant difference in the awareness among Male and Female Primary teachers of Private schools in Rural area towards Right to Education Act, 2009.

9. There is no significant difference in the awareness among Male Primary teachers of Primary schools in Rural and Urban area towards Right to Education Act, 2009.
10. There is no significant difference in the awareness among Male Primary teachers of Government and Private schools in Urban area towards Right to Education Act, 2009.
11. There is no significant difference in the awareness among Male and Female Primary teachers of Government schools in Urban area towards Right to Education Act, 2009.
12. There is no significant difference in the awareness among Male and Female Primary teachers of Private schools in Urban area towards Right to Education Act, 2009.
13. There is no significant difference in the awareness among Female Primary teachers of Government schools in Rural and Urban area towards Right to Education Act, 2009.
14. There is no significant difference in the awareness among Female Primary teachers of Government and Private schools in Rural area towards Right to Education Act, 2009.
15. There is no significant difference in the awareness among Female Primary teachers of Private schools in Rural and Urban area towards Right to Education Act, 2009.
16. There is no significant difference in the awareness among Female Primary teachers of Government and Private schools in Urban area towards Right to Education Act, 2009.

Delimitation of the study

The study was delimited with respect to followings aspects:

- The study was confined to only in Kullu district of Himachal Pradesh.
- The study involved the knowledge and understanding of primary teachers with respect to Right to Education Act, 2009.
- A sample of 200 teachers was studied 100 in each case was from Rural and Urban area.50 in each case was representing either a Government school or a Private School. Further, 25 in each case were male and female.

Thus the present study was delimited in terms of objectives, tool and statistical techniques etc. therefore, the findings drawn in the present study are applicable only in parallel situations.

Method

Survey Method was followed to study the level of awareness about RTE Act in primary teachers in Kullu district.

Research Design

The investigator preferred normative survey method to collect data from the primary school teachers. The investigator employed simple random sampling technique in order to collect data from the teachers.

Population

The population of the present study was comprised of all the primary school teachers working in Kullu district of Himachal Pradesh.

Sample

From the total population of primary school teachers in different schools of Kullu district, sample of 200 teachers were taken.

Tool

A self prepared questionnaire which contains 19 questions dealing with knowledge, understanding and application about Right to Education Act. Out of 19 questions, 8 questions were based on agree disagree type and rest were of multiple choices.

Procedure of data collection

First of all, initial contacts were made with the head of various Institutes through telephone. The purpose of the study was discussed and request was made to them to extend their valuable guidance and help in collecting the data from their teachers. After seeking yes, the investigators visited these schools personally and met teachers who were present on that day. They were given the questionnaire with a request to fill up the same. The purpose of the study was discussed individually. The instructions were given to them to respond each item honestly.

Statistical technique used

The obtained data were subjected to necessary statistical computation. The data were mainly analysed in terms of frequencies and converted in percentages. In addition to percentage analyses the scores obtained were calculated by using Mean, Standard Deviation and applying "t" test. The existing position has been given in tabular form and interpretations were made accordingly.

Conclusions of the Study

On the basis of the results and their interpretations, the investigators had drawn the following conclusions:-

1. Male and Female Primary School Teachers do not differ significantly from each other in their awareness towards Right to Education Act, 2009.
2. Primary Teachers serving in Government and Private Schools differ significantly (at 0.01level) in their awareness towards Right to Education Act.

3. Rural and Urban Primary School Teachers do not differ significantly from each other in their awareness towards Right to Education Act, 2009.
4. Male teachers serving in Government and Private Rural area Schools do not differ significantly from each other in their awareness toward RTE Act, 2009.
5. Male teachers serving in Government Schools in Rural and Urban area do not differ significantly from each other in their awareness toward RTE Act, 2009.
6. Male and Female teachers serving in Government Schools in Rural area do not differ significantly from each other in their awareness toward RTE Act, 2009.
7. Male and Female teachers serving in Private Schools in Rural area do not differ significantly from each other in their awareness toward RTE Act, 2009.
8. Male teachers serving in Private Schools in Rural and Urban area do not differ significantly from each other in their awareness toward RTE Act, 2009.
9. Government and Private Primary School Male Teachers serving in Urban area differ significantly (at 0.01level) in their awareness towards RTE Act, 2009.
10. Male and Female teachers serving in Government Schools in Urban area do not differ significantly from each other in their awareness toward RTE Act, 2009.
11. Male and Female teachers serving in Private Schools in Urban area do not differ significantly from each other in their awareness toward RTE Act, 2009.
12. Female teachers serving in Government Schools in Rural and Urban area do not differ significantly from each other in their awareness toward RTE Act, 2009.
13. Female Teachers serving in Government and private Schools in Rural area differ significantly (at 0.01 level) in their awareness towards Right to Education Act, 2009.
14. Female teachers serving in Private Schools in Rural and Urban area do not differ significantly from each other in their awareness toward RTE Act, 2009.
15. Female teachers serving in Government and Private Schools in Urban area do not differ significantly from each other in their awareness toward RTE Act, 2009.

Educational Implications

The findings of present studies have a bearing for the researchers, educational planner, principals, counselors, teachers and other personnel related to teaching profession.

For Researchers

- The findings of present study will serve as basic data for the research scholars who are conducting research related to RTE Act, 2009.
- The findings of present study will serve as guides to principal, administrators in creating

awareness which is very important for implementation of RTE.

For Teachers

- The findings of present study show that Government teachers are more aware than Private teachers towards RTE. So, the Government and School should organize seminars, in-service teacher training programmes (workshop, refresher course) for Private School teachers in order to generate awareness.
- The findings of the present study show that there is strong need of teacher training program on Right to Education act. This can be undertaken through mass awareness programmes as well as ensuring proper understanding by stakeholders responsible for its implementation.

For Educational Planners

- The finding of the study is very useful for educational planners as the study can serve as basis for planning different programmes for creating awareness among Private School teachers. Private Schools should provide more opportunity so that teachers can participate and get more information about RTE for attending awareness programmes. This can be done through mass awareness programmes.

For Schools

- School authorities should also organize different orientation programmes, workshops and seminars for giving knowledge of provisions and features of RTE act to teachers. And by acquiring the knowledge about RTE the teachers may be made able to contribute towards the fulfillment of the goal of compulsory and free education.

Recommendations

On the basis of the interpretations and findings it was recommended that-

- Workshops and seminars should be conducted at school level to improve the awareness among school teachers.
- Private schools should also organize workshops and seminars for their teachers so as to get acquainted with the knowledge of provisions of RTE Act.
- Literature should be provided preferable in the mother tongue so that they may read and understand the Right to Education Act and work for its proper implementation.

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