

THE STATUS OF THE IMPLEMENTATION OF RIGHT TO EDUCATION (RTE) ACT

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Abstract

In the 86th amendment 2002, education became a fundamental right under article 21A and Right to Education Act enacted on 4th Aug 2009 and came into force on 1 Apr 2010. The present study aimed to explore the status of implementation of Right to Education Act in one of the districts of Odisha. 15 numbers of elementary and primary schools of Khordha district of Odisha were selected as sample schools from which 15 Headmasters and 15 Teachers selected as sample for data collection. For the purpose of collecting data two self made tools were used. First one was a Questionnaire for teachers and headmasters and the second one was a Checklist. Descriptive survey method was adopted for the study. Various dimensions of the RTE act were explored through this study. Major findings of the study showed that the majority of the Headmasters and Teachers have taken their training programme on RTE Act. Very few headmasters went through a long term training programme whereas most of the teachers and headmasters received short term training programmes. Working hours were maintained strictly by the teachers and headmasters. Each school has SMC or SMDC. Corporal punishment was abolished. The major problems of implementation of RTE Act were inadequate teaching staff, lack of infrastructural facilities, lack of proper educational planning and lack of financial resources etc.

Keywords: Right to Education Act (RTE Act), Implementation



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Introduction

The Crucial role of Universal Elementary Education for strengthening the social fabric of democracy, through provision of equal opportunities to all, has been accepted since the very inception of our republic. The directive principles of state policy, enumerated in our constitution vide **Article 45** lay down that, “the state shall endeavour to provide within ten

years from the commencement of the constitution, free and compulsory education to all children up to 14 years of age.”

In this regard **National Policy on Education (1986)** said that, “it shall be ensured that free and compulsory education of satisfactory equality is provided to children up to 14 years of age, before we enter the 21st century”. The **National Committee on Education (1999)** reported that Universalization of Elementary Education (UEE) should be pursued in a mission mode with a holistic and convergent approach. The Government of India introduced Sarva Sikshya Abhiyan (SSA) in 2001 for the achievement of universalization of elementary education, in a time bound manner. The mission statement of SSA -2001, inter alia, advocates for enactment of a suitable act to help universalizing elementary education.

The right to education is clearly acknowledged in the United Nation ‘Universal Declaration of Human Rights(**UDHR**), adopted in 1948, which states, “Everyone has the right to education shall be free, at least in the elementary and fundamentals stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit” (**UDHR, Article 26**).

Accordingly the Constitution (**85th amendment**) act of 2002 was passed. The amendment makes “Right to Education” a fundamental right vide Article-21(A) of the Constitution. The **Article -21(A)** reads as “the state shall provide free and compulsory education to all children of the age of six to fourteen years, in a manner, as the state may, by law determine.” The other amendments made to the constitution were

- Substitution of a new article for **article-45** which reads as “The state shall endeavour to provide Early Childhood Care and Education (ECCE) for all children until the completion of age of six years.”
- **Article -51(A)**, clause (K) reads as “who is a parent or guardian to provide opportunity for education to his child or ward as the case may be, between the age of six and fourteen years.

Right to Education Act

Right of Children to Free and Compulsory Education (**RCFCE**) act popularly known as Right to Education Act (**RTE**) is an act of parliament of India came into force on 1st Apr. 2010. It describes education as a fundamental right and Right of Children to Free and

Compulsory Education till completion of elementary education in a neighbouring school ([RCFCE ACT, 2009](#)).

Rationale of the Study

The Right of Children to Free and Compulsory Education (RCFCE) Act, 2009 passed by the Indian Parliament mandates free and compulsory education of all children of 6-14 years age until they complete elementary education in a neighbourhood school (**Soni, 2013**). It came into effect on the 1st April 2010. Its inputs from the Law Department of the Odisha RCFCE Rules 2010 were notified on 27th September 2010. The amendment to the rules was noticed on the 17th January 2011.

After implementation of the RTE Act, it is the duty of the Government to look objectively to the Act and how far it is progressing in Odisha. After going through various studies such as Baral & Meher (2017), Barman (2015), Chaturvedi & Kuldeep (2015), Malakar & Mahato (2014), Ojha (2013), Singh (2016), Singh (2017), Sony (2013) and their knowledge gaps in the field of RTE Act and its implementation, it was found that some schools are still running with one teacher, most of the schools are not disabled friendly and some schools are still facing issues like drop out of students before completing elementary education. After such findings, researchers were interested to explore this field i.e. the status of the implementation of RTE Act in Khordha District.

Objectives

The objectives of the present studies are as follows:

1. To access the status of implementation of RTE Act with regards to
 - a. Training on RTE Act
 - b. Working Hours
 - c. Admission Procedure
 - d. Punishment and other activities of School Management Committee,
 - e. Methods of Teaching etc.
2. To find out the awareness of Teachers regarding implementation of RTE Act.
3. To identify the problems of implementation of RTE Act.

Research Questions

1. What is the implementation status of RTE act in Khordha District?

2. Are the Govt. School Teachers aware about the RTE Act and its implementation in school?
3. What are the problems of implementing the RTE Act?

Method

The present study was aimed to study the current status of implementation of RTE Act, for which the Descriptive Survey method was adopted.

Population and Sample of the Study

The population of the study was all the elementary and primary schools and all the headmasters and teachers of Khordha District of Odisha. The sample of the study consisted of 15 elementary and primary schools, 15 Headmasters and 15 Teachers selected from these elementary and primary schools. A purposive sampling technique was adopted. The investigator also collected data regarding implementation of RTE Act through a checklist from 15 schools.

Delimitations

The study was delimited to 15 elementary and primary schools of Khordha Block of Khordha district only. All the 15 Elementary Schools were Govt. School comes under the School and Mass Education Department of Odisha. Self made questionnaire and checklist was used for collecting data.

Tools and Techniques

1. Questionnaire

Questions were both closed type and open ended. The questionnaire for Headmasters and Teachers consists of 26 items relating to Training on RTE Act, working hours, admission procedure, punishment and other activities such as school management committee, methods of teaching, teaching learning environment continuous and comprehensive evaluation, regularity and punctuality, problems in implementation of RTE Act.

2. Checklist

The checklist consisted of 18 items which were related to infrastructural facilities available in schools, Teaching learning equipment, no. of Teachers, pupil Teacher ratio and working days and instructional hours as per RTE.

Before construction of the questionnaire and Checklist, literature on Right to Education was studied and experts were consulted. Items which were to be taken in the questionnaires were selected keeping in mind the objectives of the study. While constructing questionnaires, importance was given to language and content, Double negative questions were avoided.

Statistical Techniques Used

Information collected through the questionnaire was analysed using frequencies and percentages. Method of qualitative analysis was also adopted besides quantitative analysis of responses.

Analysis and Interpretation of Data:

1. Training Relating to RTE Act

Responses regarding different training programme organized RTE ACT among the Headmasters and Teachers presented in Table 1

Table 1 Training Relating to RTE Act

S. No.	Questions	Headmasters		Teachers	
		N	%	N	%
1.	Have you taken any training on RTE Act	13	87	11	73
2.	How many days you have taken training on RTE	5(3days)	38	3(3days)	27
		6(6days)	46	6(6days)	55
		1(2days)	8	2(7days)	18
		1(60days)	8		

It is found that 87 % of the Headmasters and 73 % of Teachers have taken training on RTE Act. Among the Headmasters 38 % attended the 3 days training programme, 46 % attended five days, 8 % attended 7 days and 8 % attended sixty days training programme on RTE Act whereas 27 % Teachers attended 3 days training programme 55 per Teachers attended 5 days training programme and 18 % Teachers received seven days training programme.

2. Working Hours

The questions related to working hours and its responses presented in Table 2. It shows that 80 % of the Headmasters as well as Teachers remain present in the school from 9.30am to 5pm. 13 % Headmasters and Teachers maintain the time duration 9.30 am to 4.30pm and remaining 7 % Headmasters and Teachers continue their school hours from 10am to 4pm.

It is found that more than 40 % headmasters and Teachers work 45 hours in a week, more than 27 % headmasters and Teachers maintain 42 hours work in a week. Furthermore 13 %

Headmasters and Teachers stated that they work 39 hours per week and more than 7 % work 36 hours in a week.

Table 2 Working Hours

S. No	Questions	Hours	Headmaster		Teacher	
			No	%	N	%
1.	When do you come to school and leave the school	(9.30am to 5.00pm)	12	80	12	80
		(9.30am to 4.30pm)	2	13	2	13
		(10am to 4.00pm)	1	7	1	7
2.	How many hours in a week do you work in the school	45hours	6	40	7	47
		42hours	4	27	5	33
		39hours	3	20	2	13
		36hours	2	13	1	7

3. Admission Procedure

The admission procedure followed by Headmasters and Teachers in the school presented in Table 3.

It is observed that 93 % of the Headmaster and 87 % of Teachers have taken admission of the students throughout the year. All most all the Headmasters and 87 % Teachers have admitted out of the school children in his/her age appropriate classes. To the question “Do you ask birth certificate during admission” 80 % Headmaster and Teachers stated ‘yes’. Near about 80 % headmasters and Teachers have admitted the children of migrant family.

Table 3 Response Relating to Admission Procedure

S. No.	Questions	Headmaster		Teacher	
		No	%	N	%
1.	Do you take admission of the students throughout the year	14	93	13	87
2.	Do you admit the out of school children in his/her age appropriate class	15	100	13	87
3.	Do you ask birth certificate during admission	12	80	12	80
4.	Do you admit the children of migrant family	12	80	12	80

4. Punishment and other Activities

The responses of Headmasters and Teachers relating to punishment academic calendar use of Sadhana and Samadhan presented in Table 4

Table 4 Punishment and other Activities

S. No.	Questions	Headmasters		Teachers	
		N	%	N	%
1.	Do you punish the child if he/she commits mistake	1	7	1	7
2.	Does any child fail in any class before completion of elementary education	1	7	6	40
3.	Do you follow the academic calendar	15	100	15	100
4.	Do you take the help of Sadhanaand Samadhan during teaching	15	100	15	100

Table 4 shows that only 7 % of the Headmasters and Teachers punish the child if he/she commits the mistake. Nearly 7 % of Headmasters and 40 % of Teachers viewed that the child failed in class before completion of elementary education. It is worthy to mention that 100 % of Headmasters and Teachers follow the academic calendar and take the help of Sadhana and Samadhan during teaching.

5. School Management Committee

The questions and responses related to SMC presented in Table 5.

Table 5 revealed that all the Headmasters (100 percent) and 20 % of the Teachers are members of the school management committee. 80 % of the Headmasters and 60 % of the Teachers viewed that the school management committee sit regularly to monitor the work of the school. Furthermore, 93 % of the Headmasters and 80% of Teachers participate in the school development planning.

Table 5 School Management Committee

S. No.	Questions	Headmasters		Teachers	
		Y	N	Y	N
1.	Are you a member of the school management committee	15	100	3	20
2.	Do your school management committee sit regularly to monitor the work of school	12	80	9	60
3.	Do you participate in the school development planning	14	93	12	80

6. Regularity and Punctuality

Questions and responses relating to regularity and punctuality presented in Table 6

Table 6 Regularity and Punctuality

S. No.	Questions	Headmasters		Teachers	
		N	%	N	%
1.	Do you maintain regularity and Punctuality in coming school	15	100	14	93
2.	Do you complete the curriculum in specified time	15	100	12	80

Table 6 reveals that all the Headmasters and 93 % of Teachers maintain regularity and punctuality in coming school. Almost all (100 percent) of the Headmasters and 80 % of Teachers completed the prescribed curriculum in specified time.

7. Continuous and Comprehensive Evaluation (CCE)

Various responses related to CCE presented in Table 7. It shows that 100 % Headmasters and Teachers responded that they conducted assessment as per Continuous and Comprehensive Education. More than 87 % Headmasters and Teachers shared assessment reports with the parents. 93 % Headmasters and Teachers held regular meetings with parents and guardians regarding students' learning progress. Almost all Headmasters and Teachers follow CCE for all round development of the child. It is also found that more than 93 % Headmasters and Teachers encouraged their students to take part in sports.

Table 7 Continuous and Comprehensive Evaluation

S. No.	Questions	Headmasters		Teachers	
		N	%	N	%
1.	Do you assess the students learning as per the CCE	15	100	15	100
2.	Do you share the assessment report with the parents regularly	15	100	13	87
3.	Do you hold regular meeting with parents and guardian	14	93	14	93
4.	Do you follow the CCE for all round development of the child	15	100	15	100
5.	Do you encourage the students take part in sports	15	100	14	93

8. Method of Teaching and School Environment

The responses concerning to method of teaching and the conducive environment of school presented in Table 8

Table 8 Method of Teaching and School Environment

S. No.	Questions	Headmasters		Teachers	
		N	%	N	%
1.	Do you teach the students through activity based method	14	93	15	100
2.	Is there any environment of fear, trauma, anxiety in your class	6	40	2	13
3.	Does the child express his/her view freely	15	100	15	100

Table 8 revealed that 93 % of the Headmasters and 100 % of the Teachers teach the students through activity based methods. Nearly 40 % of the Headmasters and 13 % of Teachers admitted that there is an environment of fear, trauma and anxiety in their classes. Almost all (100 %) Headmasters and Teachers said that the child expresses his/her view freely.

9. Problems in Implementation of RTE Act

The responses related to problems in implementation presented in Table 9.

Table 9 shows that more than 40 % Headmasters and Teachers faced problems in implementing the RTE Act. The problems are inadequate teaching staff, lack of infrastructural facilities, lack of proper educational planning and lack of financial resources etc. Among these problems, inadequate teaching staff is a vital problem. More than 56 % of Headmasters and Teachers responded affirmatively towards the inadequate teaching staff.

Table 9 Method of Teaching and School Environment

S. No.	Questions	Headmasters		Teachers	
		N	%	N	%
1.	Do you find any difficulties in implementing RTE Act in your school	9	60	6	40
2.	If yes what are the difficulties				
	- Inadequate no of teaching staff	5	56	4	67
	- Lack of infrastructural facilities	1	11	-	-
	- Lack of proper educational planning	2	22	1	17
	- Lack of financial resources	1	11	1	17

10. Infrastructural Facilities

The responses relating to different aspect of infrastructural facilities presented in Table 10

Table 10 Infrastructural Facilities

S. No.	Descriptions about different aspect	Response	
		N	%
1.	The school building in all weather (pucca)	6	40
2.	One classroom for every Teacher	11	73
3.	One office-cum-store cum-Head Teacher room	7	47
4.	Separate toilets for boys and girls	5	33
5.	Toilets are used properly	11	73
6.	Drinking water facility available	14	93
7.	Playground available	5	33
8.	Safe kitchen room for MDM	13	87
9.	Fencing school building	6	40
10.	Play materials, sports equipment are available	4	27
11.	Library, Magazine, News paper, textbooks available	7	47
12.	TLM available as required	2	13

It is observed from table 10 that 40 % school have pucca building which is used in all types of weather. 73 % schools have one class for every Teacher and 47 % schools have one office cum-store cum-head Teacher room. It is found that 33 % schools have separate toilets boys and girls and in 73 % schools toilets are used properly. Furthermore, 93 % of schools have safe drinking water facilities and only 33 % of schools have a playground for the students. 87 % schools have safe kitchen rooms for MDM, 40 % schools have fencing school buildings, only 27 % schools have sports equipment, 47 % schools have magazines and newspapers and merely 13 % schools have required a number of TLM facilities.

11. Pupil Teacher Ratio

The data collected through a checklist regarding pupil Teacher ratio presented in Table 11. The data revealed that 10 % schools have adequate no of Teachers as per RTE norm up to class V, only 27 % schools have required staff members as per RTE norm from Class VI to VIII and

13 % schools have full time Headmaster. None of the schools have Teacher for art education/health education/work education.

Table 11 Pupil Teacher Ratio

S. No.	Descriptions	Response	
		N	%
1.	Number of Teachers available as per RTE norm up to class V (2 up to 60, 3/61-90, 4/91-120,5/121-200+1Headmaster)	10	67
2.	Number of Teachers available as per RTE norm from class VI to VIII (1 Teacher per class, 1 Teacher Science, Math, Social science, language) Teacher pupil ration 1:35	4	27
3.	For children above 100A		
(a)	A full time Headmaster	2	13
(b)	Part time Teacher		
	- One Art education	-	-
	- Health Education	-	-
	- Work Education	-	-

12. Working Days and Instructional Hours

The information concerning the working days and working hours collected through a checklist presented in Table 12. Data presented in Table 12 relate to the working days and instructional hours reveal that 27 % Teachers teach 200 working days and 800 instructional hours/per year from class I to V. Furthermore, 13 % of Teachers teach 220 working days and 1000 instructional hours /per year from class VI to VIII.

Table 12 Working Days and Instructional Hours

S. No.	Statement	N	%
1.	Do they teach 200 working days and 800 instructional hours /per year from Class I to V	4	27
2.	Do they teach 220 working days and 1000 instructional hours/per year from Class VI to VIII	2	13

Major Findings

1. It is observed that 87 % of the Headmasters and 73 % Teachers have taken their training programme on RTE Act.

2. More than 80 % Headmasters as well as Teachers remain present in the school from 9.30 am to 5 pm, 13 % Headmasters and Teachers maintain the time duration 9.30am to 4.30 pm and 7 % Headmasters and Teachers continue their school hours from 10am to 4pm.
3. More than 40 % Headmasters and Teachers work 45 hours in a week, more than 27 % Headmasters and Teachers maintain 42 hours work in a week.
4. More than 87 % Headmasters and Teachers have taken admission of the students throughout the year & in his/her age appropriate classes. 80 % Headmasters and Teachers ask for birth certificates and 80 % Headmasters and Teachers have admitted the children of migrant families.
5. Only 7 % Headmasters and Teachers punish the child if he/she commits a mistake. Nearly 7 % of Headmasters and 40 % of Teachers stated that the child failed in class before completion of elementary education.
6. All the Headmasters and 20 % Teachers are members of the school management committee. Furthermore 93 % Headmaster and 80% Teacher participated in school development planning.
7. More than 93 % Headmasters and Teachers maintain regularity and punctuality in coming school.
8. All the Headmasters and Teachers conducted assessment as per CCE.
9. More than 93 % Headmaster and Teachers taught the students through activity based methods.
10. Only 40 % Headmasters and 13 % Teachers admitted that the classroom environment was full of fear, trauma and anxiety.
11. More than 40 % Headmasters and Teachers faced problems in implementing the RTE Act. The problems were inadequate teaching staff, lack of infrastructural facilities, lack of proper educational planning and lack of financial resources etc. Among these problems inadequate teaching staff is most vital.
12. It is observed that 40 % of schools have Pucca Building, 73 % schools have one class room for every Teacher and 47 % of schools have one office-cum-store-cum-head Teacher room. 33 % of schools have separate toilets for boys and girls and in 73 % of schools toilets are used properly.
13. Furthermore, 93 % schools have safe drinking water facility and only 33 % schools have playground, 87 % schools have safe kitchen room for MDM, 40 % schools have fencing

school building, 27 % schools have sports equipment, 47 % schools have magazine and newspaper and 13 % schools have required number of TLM facilities.

14. Only 10 % schools have adequate no. of Teachers as per RTE norm up to class V. 13 % schools have full time Headmaster. None of the schools have teachers for art education, health education and work education.
15. About 27 % Teachers teach 200 working days and 800 instructional hours/per year from class I to V. Furthermore, 13 % of Teachers teach 220 working days and 1000 instructional hours/per year from class VI to VIII.

Educational Implication

On the basis of major findings the study will help Government officials and Education administrators to look into this issue for flexible policy formation and solving the problem of implementation of RTE Act. The study will also help teachers, headmasters as well as parents to understand the educational rights of the children and all the rules of RTE Act.

Suggestions for further Research

The present study has analysed the status of the implementation of RTE Act at elementary level of Khordha district. After the completion of the work the investigator found some limitations which should be kept in mind by the future researchers if they intend to take up similar studies.

1. The present study was confined to elementary schools of Khordha district. Similar studies can be conducted in other elementary schools of different districts of Odisha.
2. It is suggested that this type of study can be conducted on large samples of schools in different parts of the state.
3. RTE Act scope is very wide. Different components of the RTE Act can be taken into consideration.
4. Problems faced by Headmasters, Teachers in implementation of RTE act need to be studied comprehensively.

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