

**“To Study the Implementation of the Right to Education Act (RTE),
2009 from Gender Perspective: Issues and Challenges”.**

A

Dissertation

Submitted To

Barkatullah University, Bhopal

In partial fulfilment of the requirement for the Degree of

MASTER OF EDUCATION

Regional Institute of Education, Bhopal

Session: 2012-13

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**एन सी ई आर टी
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M.Ed.

REGIONAL INSTITUTE OF EDUCATION

(A Constituent Unit of National Council of Educational Research and Training, New Delhi)

SHYAMLA HILLS, BHOPAL (M.P.)

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D402

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DECLARATION

I hereby declare that the dissertation entitled, “To Study the Implementation of the Right to Education Act (RTE), 2009 from Gender Perspective: Issues and Challenges.” has been carried out by me during the academic year 2012 – 2013 in partial fulfillment of the requirement for the degree of masters of Education,(M.Ed.) of Barkatullah University, Bhopal, Madhya Pradesh(M.P).

This study has been conducted under the Guidance and Supervision of Dr. (Mrs). Kiran Mathur, Associate Professor, Department of Education, Regional Institute of Education,(NCERT), Bhopal, M.P.

I also declare that the research work done by me is original. This dissertation has not been submitted by me, for the award of any degree or diploma in any university.

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Date: 6/05/2013

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CERTIFICATE

This is to certify that Ku. Deepali Singh , Student of Master of Education course of Regional Institute of Education (NCERT) Bhopal, M.P. for the academic year 2012 – 2013 has conducted a research work entitled “To Study the Implementation of the Right to Education Act (RTE), 2009 from Gender Perspective: Issues and Challenges.” under my supervision.

It is her genuine work and I consider it worthy of submission for the award of the degree.

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ACKNOWLEDGEMENT

It is matter of pride to be student of M.Ed.course Regional Institute of Education (NCERT) Bhopal, M.P. and to have an intellectual and inspiring personality Dr. Kiran Mathur , Associate Professor in Department of Education of this Institute as my guide for conducting present research work. I express my deep sense of gratitude to my guide Dr. Kiran Mathur for her constant inspiration, encouragement, guidance and supervision during the course of study which led to the present work in complete form.

I am very much indebted and express my gratitude to Dr. H. K .Senapati, Principal, RIE Bhopal, Dr. Ramesh Babu, HOD, Department of Eductaion, RIE, Bhopal, Dr. RatanmalaArya, In charge of M.Ed. Dr, N. C. Ojha, Mr. Sanjay Kumar Pandagale, and Ku. Jubilee Padmanabhan , Mr. Anand Valmiki, , for their valuable advice and help for successful completion of my research work.

I am sincerely thankful to Dr. Anil Sadgopal and Dr. Ramesh Babu for giving me a deep insight in understanding the Act and gave a new direction to reflect on. I also like to thank all other faculty members of Department of Education, for their time to time support.

My very special thanks go to (Librarian) Dr. Mr. P. K. Tripathi and all the staff of the library who rendered all kind of possible support by proving source material for completion of my research study.

I also thank my classmates who remained as a source of inspiration to me at all the time which may be in form of positive or negative reinforcement without whom I could not have accelerated time to time for successful completion of this work. It would be unfair if I do not take name of them , They are Deepti yadav , Anuradha Pal , Sunil , Deepti Jadia, Pramila Omkar and Ankita , Ritu , Anjali and Rinki of B.Ed. I year .

Last but not the least I would like to dedicate my small piece of work to those children who are still deprived of getting education even after Implementation of Right to Education Act (2009).

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~~Deepali~~ 05/13

Research Scholar

Date: 06/05/2013

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M.Ed. (2012-2013)

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CHAPTER – I
INTRODUCTION

INTRODUCTION

Education is globally recognized as a fundamental human right, and people with access to education can develop the skills, capacity and confidence to secure other rights. The right to education thus acts as an enabling right that functions as the voice through which rights can be claimed and protected. It is therefore an important stepping stone to improve the social situation of the people. Education is a powerful tool for reducing poverty, unemployment and inequality, improving health and nutrition and promoting sustained human development led growth.

Ever since Independence, India has undertaken several initiatives to achieve universalization of elementary education, which has yielded mixed results. The Right to Education received considerable impetus during the last decade as a result of the concerted effort of many groups and agencies that made determined efforts to ensure that all children in India receive at least minimum education irrespective of their socioeconomic status and their ability to pay for education in a situation of continuous impoverishment and erosion of basic needs.

Universal schooling accompanied by quality, equity and accessibility can be a single big move towards attaining future prosperity of every nation. Education should be provided in such a manner that ensures children can benefit from it. Before considering the aspects of right to education, it is essential to have a historical knowledge about education was in India. Education was accessible to all except Shudras, who sought it , though in settlement in the Indo- Gangetic valley , the Aryans organised themselves into four classes according to the manner in which they served the community , BRAHMANS , KSHTRIYAS, VAISHYAS & SHUDRAS . Education later times it came to be restricted to Brahmans and refused to other castes. This discrimination in spite of opposition from various sections at different historical junctures continued unabatedly.

1.1 Historical Landmarks of Education in India

Raja Ram Mohan Roy (1777 – 1833)

In 1816 , at the instance of Raja Ram Mohan Roy , a bold, enlightened, and far – sighted Hindu Leader and with the active support of Sir Edward Hyde , East Chief Judge of the supreme court of Bengal and David Hare along with opulent natives of Calcutta had formed themselves into an association for founding a seminary in which the sons of Hindus might receive tuition not only in Asiatic Language and Science but also in those of Europe , and particularly in the language and literature of England .

Mahatma Jyotirao Phule (1827 – 1890)

He demanded **Free Education** for Shudras and women in his memorandum to Hunter Commission. He fought for equality into the Indian society. He had started first school for women in Pune.

“Lack of education leads to lack of wisdom,

This leads to lack of morals,

This leads to lack of progress,

This leads to lack of money,

This leads to the oppressions of the lower classes.

See what state of society one lack of education can cause”

-- Phule

Macaulay’s Minutes (1835)

He adopted English as the medium of instruction in order to save individual from Intellectual Stagnation which then prevailed into Intellectual Deterioration.

Unfortunately it resulted into division of the Indian people into two classes , English knowing and Non English knowing , one superior and other inferior .

Indian Education Commission (1882)

Commission was appointed by Lord Ripon and Presided over by Sir William Hunter .It's distinctive Character was the attention paid to elementary education.

Maharaja of Baroda

In 1893 he introduced Compulsory Education for boy in Amreli Taluka. In 1906 he announced for rest of the state.

Gopala Krishna Gokhle – (1911)

He introduced **education** for all bill in Imperial Legislative Assembly, but was defeated.

Resolution on Indian Educational Policy - (1913)

Paid emphasis on diversion of the scheme for primary and secondary education.

- Towards practical knowledge.
- Provisions of higher studies and research work.

Vithalbhai Patel

In 1917 he had successfully piloted the first law on Compulsory Education in the Bombay Legislative Assembly (known as Patel Act).

Wardha Scheme - (1937)

- Gave the notion of Free and compulsory **Basic Education**.
- Medium of instruction in school should be in their mother tongue.
- All instruction should centre on some form of manual and productive work.

Sargent Plan - (1944)

Education development in India is to achieve Universal Elementary Education in 40 years by 1984.

Kher Committee

In 1947 the committee was set up to explore ways and means to achieve UEE within 10 yrs. **Subcommittee** on Fundamental Right of Constituent Assembly placed free and Compulsory Education in **clause 23**.

It reads

“Every citizen is entitled as the right to free and compulsory education and it shall be the duty of the state to provide within a period of 10 YRS from the commencement of the constitution for free and compulsory education for all children until they complete the age of 14 YRS.”

Advisory committee rejected Free and Compulsory Education as fundamental right. Later committee sent clause to “non-justiciable right” which is now known as **Directive Principles of State Policy**.

In 1950 Finally Directive Principles of State Policy were accepted **Article 45**, but it was not an enforceable right.

“ THE STATE SHALL ENDEAVOR TO PROVIDE, WITHIN A PERIOD OF TEN YEARS FROM THE COMMENCEMENT OF

THIS CONSTITUTION, FOR FREE AND COMPULSORY EDUCATION FOR ALL CHILDREN UNTIL THEY COMPLETE AGE OF 14 YRS”.

Secondary Education Commission (1952 – 53)

Under the chairmanship of Dr. A. L. Mudaliar, the commission diversified the various courses. The Commission has defined the aims of Secondary Education in the following manner:

1. To Produce Ideal Citizens.
2. To Develop Capacity for Earning Money.
3. Quality of Leadership.
4. To Develop Human Virtues.
5. The Mother tongue or the State language should be made the Medium of Instruction in this connection.
6. Character formation is an important Aim of Secondary Education.



Education Commission (1964 – 66)

The commission gave its three – language formula for Education. Also, known as Kothari Commission. Another feature of the commission is its firm belief that education is the most powerful instrument of National Development .The report entitled as ‘Education and National Development’

The main features of the Commission's report were as follows:

- (i) Introduction of work-experience which includes manual work, production experience, etc. and social service as integral part of general education at more or less all level of education.
- (ii) Stress on moral education and inculcation of a sense of social responsibility. Schools should recognize their responsibility in

facilitating the transition of youth from the work of school to the world of work and life.

(iii) Vocationalization of secondary education.

Strengthening of the centres of advance study and setting up of a small number of major universities which would aim at achieving highest international standards.

(vi) Special emphasis on the training and quality of teachers for schools

(v) Education for agriculture and research in agriculture and allied sciences should be given a high priority in the scheme of educational reconstruction. Energetic and imaginative steps are required to draw a reasonable proportion of talent to go in for advance study and research in agriculture science.

(vi) Development of quality or pace-setting institutions at all stages and in all sectors.

1.2 Right to Education Act: Background and Meaning

Children are the boon of nation. They are the valuable human resources. Hence, they have paramount place in the society. Thus, for them there are many Rights which include:

1. Right to Play.
2. Right to Expression.
3. Right to Nutrition, Health care.
4. Right to Choice of decision making.
5. Right to Information.

6. Right to Participation in various cultural and social activities.
7. Right to Protection from abuse. And now
8. Right to Education.

Every child between the ages of 6 to 14 years has the right to free and compulsory education. The Supreme Court in a historical judgement in the case of Unnikrishnan v/s State of Andhra Pradesh and others (SC. 2178/1993) rules that Education as Fundamental Right, **Article 21**. The right however is not an absolute, its content and parameters have to be determined in the light of Article 45 and 41.

Hence as per the 86th Constitution Amendment Act added Article 21A.

2002 – 86 th Constitutional Amendment –

Insertion of New article 21 A (RIGHT TO EDUCATION)

“The State shall provide free and compulsory education to all children of the age of 6 to 14 years in such manner as the State may, by law, determine.”

The right to education act seeks to give effect to this amendment. The government schools shall provide free education to all the children and the schools will be managed by School Management Committees (SMC). Private schools shall admit at least 25% of the children in their schools without any fee. The National Commission for Elementary Education shall be constituted to monitor all aspects of elementary education including quality.

December 2002

86th Amendment Act (2002) via Article 21A (Part III) seeks to make free and compulsory education a Fundamental Right for all children in the age group 6-14 years.

Sarva Shiksha Abhiyaan is government's flagship program for Universalization of Elementary Education as mandated by this amendment. Under SSA many schemes were launched.

October 2003

A first draft of the legislation envisaged in the above Article, viz., Free and Compulsory Education for Children Bill, 2003, was prepared and posted on this website in October, 2003, inviting comments and Suggestions from the public at large.

In 2004

Subsequently, taking into account the suggestions received on this draft, a revised draft of the Bill entitled Free and Compulsory Education Bill, 2004.

June 2005

The CABE (Central Advisory Board of Education) committee drafted the Right to Education Bill and submitted to the Ministry of Human Resources and Development (MHRD). MHRD sent it to NAC (National Advisory Council). NAC sent the Bill to Prime Minister for his observation.

14th July 2006

The Finance Committee and Planning Commission rejected the bill citing the lack of funds and a model bill was sent to states for the making necessary arrangements (Post-86th amendment, states had already cited lack of funds at State level). July 19, 2006 Campaign against Child Labour (CACL), National Alliance to Fundamental Right to Education (NAFRE), CABE invited Indian Literacy Project (ILP) and other organizations for a Planning meeting to discuss the impact of the Parliament action, initiate advocacy actions and set directions on what needs to be done at the district and village levels.

Present Act

The present Act has its history in the drafting of the Indian constitution at the time of Independence. However, are more specifically to the Constitutional Amendment that included the Article 21 A in the Indian constitution making Education a Fundamental Right. This amendment, however, specified the need for a legislation to describe the mode of implementation of the same which necessitated the drafting of a separate Education Bill.

The rough draft of the bill was composed in year 2005. It received much opposition due to its mandatory provision to provide 25% reservation for disadvantaged children in private schools. The subcommittee of the CABE which prepared the draft Bill held this provision as a significant prerequisite for creating a democratic and egalitarian society. Indian Law commission had initially proposed 50% reservation for disadvantaged students in private schools. The government drafting this piece of legislation, however lost the elections, and the new government came up with its own version. This passed the approval of the cabinet on November 1, 2008, was tabled in Parliament in 2008 and passed in 2009.

The bill was approved by the cabinet on July 2, 2009. Rajya Sabha passed the bill on July 20, 2009 and the Lok Sabha It received Presidential assent and was notified as law on September 3, 2009 as the Children's Right to Free and Compulsory Education Act, but came into force from April 2010. India is the 135th Country to introduce RTE Act.

1.3 The Right to Education Act

It Contains 7 Chapters, 38 Sections and 1 Schedule.

Chapter -I: Introduction, Definitions (Sections 1-2)

Chapter –II: Right to Free and Compulsory Education.
(Sections 3-5)

Chapter –III: Duties of Appropriate Government, local authority
and parents (Sections 6-11)

Chapter –IV: Responsibilities of schools & teachers.
(Sections 12-28)

Chapter-V: Curriculum & Completion of Elementary Education.
(Sections 29-30)

Chapter –VI: Protection of Right of Children (Sections 31-34)

Chapter –VII: Miscellaneous (Sections 35-38)

Schedule: Norms & Standards for a school

1.4 Important features of Right to Education Act (2009)

- 1) Cost that prevents a child from accessing school will be borne by the state.
- 2) It is states responsibility to enroll the children and ensure attendance and completion of eight years of schooling.
- 3) No child should be denied admission for want to documents.
- 4) Admissions must be made throughout the year.
- 5) There should not be any screening test while admitting.
- 6) Disabled children will also be educated in the main stream schools.
- 7) All private schools must enroll children from weaker and disadvantaged communities up to 25% of their enrolment.
- 8) No such seats must be vacant.

- 9) These children must be subsidized by the state at the rate of average per learning costs in government schools.
- 10) All schools must prescribe norms and standards laid out in the Act.
- 11) All private schools apply for recognition and fulfill standards within three years if not the schools will be penalized rupees one lakhs to ten thousands.
- 12) Norms and standards of teachers qualification laid down which must be followed within five years.

It is responsibility of the civil society, students and teachers , administrators, writers , artists, government legislatures and members of judiciary and all others stake holders to join hand to work together to build a movement to ensure that every child of India is in the school and enable to get at least eight years of education.

Education is the basic Right which must be granted to all for the proper development of the nation because it increases the productivity of the citizen of country and thus it directly proportional to the welfare of the people. There is a global concern on “Education for all” without compromising the quality. The Right to Education Act gives an opportunity to think, innovate, create new ways of educating the in institutions. The **Sarva Shiksha Abhiyaan** is the main vehicle in the country for Right to Education Act, 2009.

1.5 Rationale of the Study

RTE Act 2009 has been implemented in India on April 1, 2010 with the aim of providing Right to Free and Compulsory Education for age groups 6 – 14 years . Under this act section 12 (1) (c) states that

“ specified in sub – clauses (iii) and (iv) of clause (n) of section 2 shall admit in class I to extent of atleast twenty five per cent of the strength of that class, children belonging to weaker section and disadvantaged group in the neighbourhood and provide free and compulsory elementary education till its completion”

Due to reservation economically disadvantage and underprivileged children get an equal opportunity to receive education at par in school.

But it has been observed that gender discrimination has emerged in enrolment of girls in private/public schools. These enrolments against 25% reservation are largely that of boys instead of a proportionate ratio of both the genders. Leading to discrimination instead of Right to equal opportunity. The present researcher intends to have a deeper insight into the problem and find the status of enrolment of both girls and boys in private/public schools and government schools.

1.6 Statement of the Problem:

The problem for the present study was worded as “To Study the Implementation of the Right to Education Act (RTE), 2009 from Gender Perspective: Issues and Challenges”.

1.7 Objectives of the Study

1. To study the students’ enrolment in private schools under the 25% quota meant for the disadvantaged groups (Gender-wise).

2. To study the problems faced by the teachers and the principals of private schools in implementing the 25% reservation meant for the disadvantaged groups under RTE Act 2009.
3. To study the opinion of Parents, teachers and principals on Right to Education Act 2009.

1.8 Research Questions

1. Is there any problem faced by principals in implementing Right to Education Act (2009).
2. Is there any problem faced by Teachers, Parents in implementing Right to Education Act (2009).

1.9 Delimitations of the Study

The present study will be conducted under the following constraints

- 1) The study will be conducted only in rural and urban private schools of Bhopal city.
- 2) The study will be confined to, two private schools in rural and two in urban schools of Bhopal city.
- 3) Only gender perspective of RTE Act 2009 will be observed.

CHAPTER -II
REVIEW OF RELATED
LITERATURE

REVIEW OF RELATED LITERATURE

2.1 Introduction

A literature review is the documentation of selected research on a research problem. A review may form an essential part of the research process or may constitute a research process or may constitute a research project in itself.

The literature review is critical synthesis of previous research. This provides a background to the study being proposed.

Review of related literature helps in following way:

- Discovering important variables relevant to topic.
- Synthesizing and gaining a new perspective.
- Identify relationship between ideas and practice.
- Establishing the context of the topic or problem.
- Rationalizing the significance of the problem.
- Relating ideas and the theory to application.



2.2 Review of Related Literature

1. Dr. Katra Rakesh(2010) done research on Right Awareness in School Teachers .

Researcher found that :

Awareness level of child rights among the higher secondary school teachers is less than middle school. Low awareness level among the private school teachers. Teachers with 17 years' experience have high awareness about child rights.

2. **Desai Rucha (2010) conducted a study on “Attitude of VII standard students towards right of children”.** From the present study it was found that students of VII standard had moderately favourable to high favourable attitude towards right of child in case of control group, whereas scenario is reverse in case of experimental group showing the positive impact of implemented education programmed on the right of children in shaping the attitude of students .It has significant positive impact on students of experimental groups.

3. **Singh Sonjuhi, (2010) conducted study on “ Right to Education and Right to Educate- A Study of the Impact of Right to Education Act on Unrecognised Schools in Delhi.**

Findings are as follows:

- i. The unrecognised schools are assisting government in providing education and instead of shutting them down, the government should assist them. The biggest advantage unrecognised schools in these areas have is the low student-teacher ratio and hence they can give more attention to the children from the lower strata of society who need it more.

- ii. Government schools do not even have the necessary infrastructure to provide decent schooling. Researcher states that there are 925 government schools functioning in 625 buildings.

4. **Dr Vyas Saroj, (2011) conducted Study on Awareness among Elementary School Teachers in the National Capital Region on “The Right of Children to Free and Compulsory Education Act, 2009” (Right to Education Act).**

The study revealed that:

- i. There is no significant difference between awareness among male and female teachers.

- ii. There is no significant difference between awareness among rural teachers and urban teachers.

- iii. There is a significant difference between the degree of Awareness of Government teachers and Non- Government teachers.

Government teachers were comparatively more aware as compared to Non- Government teachers.

5. **Magare Sunita (2010) conducted research on Teacher's literacy towards the child rights.** Researcher found that the teachers were aware of child rights at satisfactory level. No significant difference in the child right literacy level of male and female teachers , no difference in the age group between 24 – 35 , 35-45 years .No significant difference in child right literacy level of open and reserved category teachers as well as teachers having the experience of 10 years and above 10 years

6. **Arak Rajendra (2011) conducted his research on Awareness and opinion of teacher regarding Right to Education Act 2009.**

Findings:

- i. Male teachers and female teachers do not differ significantly in their awareness level regarding Right to Education Act (2009).
- ii. SC, ST teachers and other category teachers do not differ significantly in their awareness level regarding Right to Education Act (2009).
- iii. Awareness of teachers with regard to Right to Education Act
- iv. (2009) is found high. Majority of teachers expressed positive opinion towards contested provision (25 % reservation for disadvantage group) of Right to Education Act (2009), at the same time majority said it is an indirect way to privatization.

7. **Jaseena Fathima (2011) conducted study on Right to education- A study on the Awareness of M.Ed. Trainees.** Researcher concluded as, education is a fundamental right to all. But violations of these rights are reported from every corner. Now a day's teachers are considered as

National Building Engineers. They have to fulfil their duty according to the norms of the society. So, teacher educators must be equipped with current knowledge in the education sector. Study revealed that

- i. Male M.Ed. students possess significantly higher Awareness of Right to Education Act (2009).
- ii. Management of the M.Ed. colleges does not effect on the Awareness of Right to Education Act (2009).

8. Dey Niradhar and Beck Binod (2011) conducted study on “The Right Of Children to Free and Compulsory Education Act, 2009: Teachers Perception.

Researcher found that:

- i. More Most of the teachers were aware about the Right to Education Act (2009).
- ii. Only 50% teachers had known about the age group upon whom the Right to Education than 50% teachers were having idea about class in which the Right to Education (2009) will be effective.
- iii. More than 40% teachers had the idea about the type of schools in which Right to Education (2009) will be implemented.
- iv. Only 38% teachers had known the provisions and conditions of opening new schools.
- v. 25-30% teachers were having the knowledge about teachers and students ratio in class I – V and VI – VIII.
- vi. Only 18 – 20% teachers were aware about the hours of working per week and working days in an academic session.
- vii. Only 18 – 20% teachers had idea about provision of constructing Curriculum in the Act.
- viii. 60% teachers were aware about the provision of class promotion in the Act.
- ix. 38% teachers had the idea about financial sharing of including in the Act.

- x. Most of the teachers were not in favour of prohibition of admission test and pass system.
- xi. Young and senior teacher awareness and opinions have been compared. In most of the cases it was observed that the senior teachers were less aware about the Right to Education Act (2009).

9. Premlaxmi K (2011) conducted research on “Right to Education and Common School System – Perception among Teachers. Researcher found that:

- i. There is a significant difference in Perception between male and female Teachers towards Common School System.
- ii. There is no significant difference in Perception between Urban and Rural Teachers towards Common School System.
- iii. In general, the opinion of both the matriculation and Government school teachers differs among Common School System.
- iv. There exists a significant difference in Perception about Common School System between Teachers of above 30 years and below 30 yrs. of working experience.

10. Sharma Sarita and Kumar Dinesh (2011) worked on Awareness of parents and teachers towards Right to Education Act (2009)

Findings of the study are:

- i. There is a significant difference the means of awareness levels of Right to Education Act (2009) of teachers and parents. Teachers are significantly more ware than parents.

- ii. Most of the Teachers were found at moderately aware of Right to Education Act (73.12%). The high and low group represents 11% and 13% respectively.
- iii. Most of the Parents were found at moderately aware of Right to Education Act (70%). The high and low group represents 41% and 16% respectively.

CHAPTER -III
METHODOLOGY

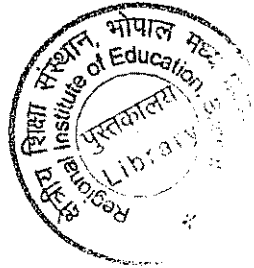
METHODOLOGY

3.1 Introduction

The purpose of the Educational Research cannot be completed without detailed design of investigation. Research Methodology involves a systematic procedure which starts from identification of the problem to analysing the obtained data.

This chapter have described the overall approach to the problem. This chapter is concerned with the details of the technique adopted in the study. Chapter will proceed as –

- Research Method
- Sampling
- Tools
- Procedure of Data Collection



3.2 Research Method

Descriptive survey was employed for present study. As the method is concerned with surveying, describing, and investigation the existing phenomena or issues, conclusion and relationship that exist through the analysis of various relationship enabled the researchers to compare.

3.3 Sampling: Sample was selected using **Purposive sampling**.

3.3.1 Population: All Private schools of Bhopal.

3.3.2 Sample Size: Principals and Teachers of four Private Schools.

3.4 Tools

Research tools used for the data collection largely influences nature of findings. Keeping the importance of tool in research, for the study researcher used two tools. Among them one was self –constructed. Researcher used :

3.4.1 School Record (Enrolment Register)

In order to achieve first objective of the study. Researcher viewed the enrolment register and collected the required data. This record contains list total Enrolled students.

3.4.2 Questionnaire

This tool is constructed by the researcher herself. Two Questionnaires was prepared one for the Principal and another for the teachers of private school for fulfilling the second objective of the study. After constructing the questionnaire it was rechecked and refined several times. Then, in order to check whether the researcher is getting appropriate response, it was filled from the teachers of D.M.S (an integral part of R.I.E). If the objectives was not fulfilled i.e. not serve the purpose then, again researcher has had redefined the questions, resulting into a good tool to collect the data.

FOR PRINCIPAL: It contains eleven items, which are based on enrolment pattern, problems encountered by them while implementing section 12 of Right to Education Act (2009) and Suggestions for better implementation of the Act.

FOR TEACHERS: It contains twelve items, based on enrolment pattern, is there any problem during teaching these 25 % students. If, yes what are those problems encountered by them and also, some suggestions for better implementation of the Act.

3.5 Procedure of Data Collection

- i. The Researcher visited private school both of Rural and Urban areas in order to obtain the required Data.
- ii. Enrolment of students was obtained from the Enrolment Register.
- iii. In the same schools an interaction through questionnaire was carried out to procure the views and opinions of the concerned Principals and Teachers in the study. Detailed study was done on the basis of responses of the Principals and Teachers.

CHAPTER – IV

DATA ANALYSIS AND INTERPRETATION

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DATA ANALYSIS AND INTERPRETATION

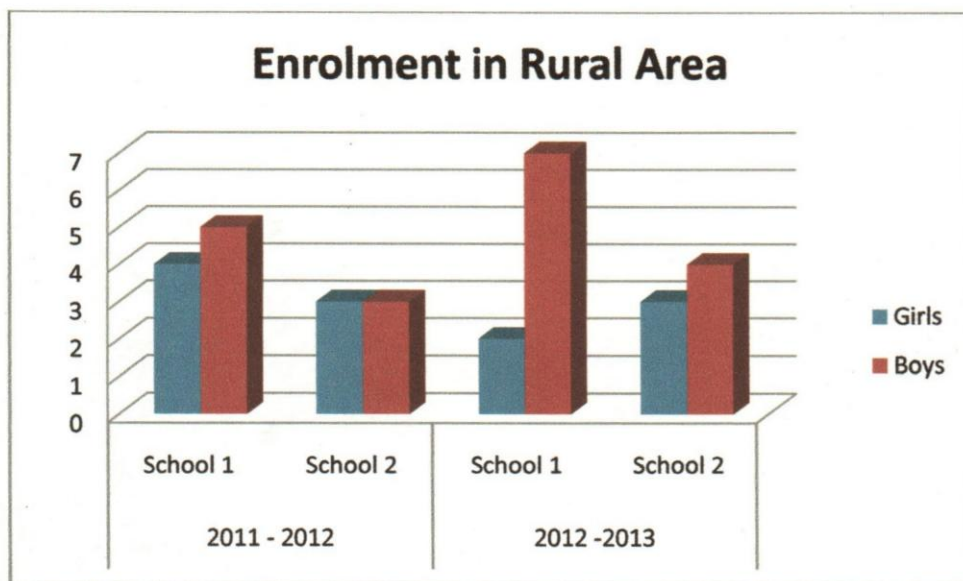
4.1 Introduction

Analysis of the data means studying the organised material in order to discover inherent facts. This part is a heart of research. It calls for critical examination of results of one's analysis. This chapter deals with the presentation of data and their analysis to draw results and results are the statements of factual information based upon the data analysis.

The research was conducted to study “**The Implementation of the Right to Education Act (RTE), 2009 from Gender Perspective: Issues and Challenges.**” The researcher collected data from the year of implementation of Act in the school, which was Enrolment of boys and Girls in private school under the 25% reservation for weaker section and Disadvantaged Group, which is presented in the tabular form below:

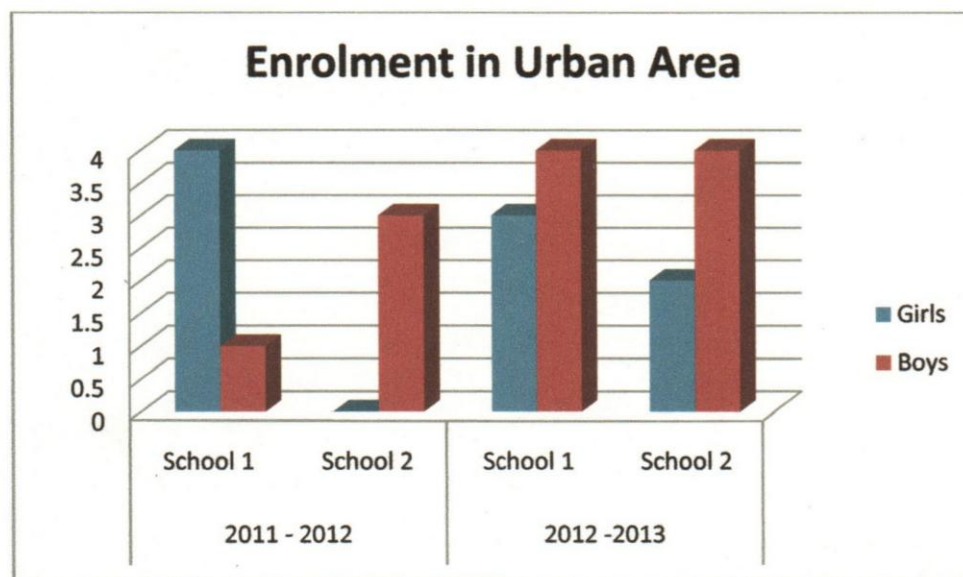
4.2 Enrolment Data under 25% reservations in schools

SCHOOL	YEAR			
	2011-2012		2012-2013	
	GIRLS	BOYS	GIRLS	BOYS
RURAL 1.	4	5	2	7
RURAL 2.	3	3	3	4
URBAN 3.	4	1	3	4
URBAN 4.	0	3	2	4



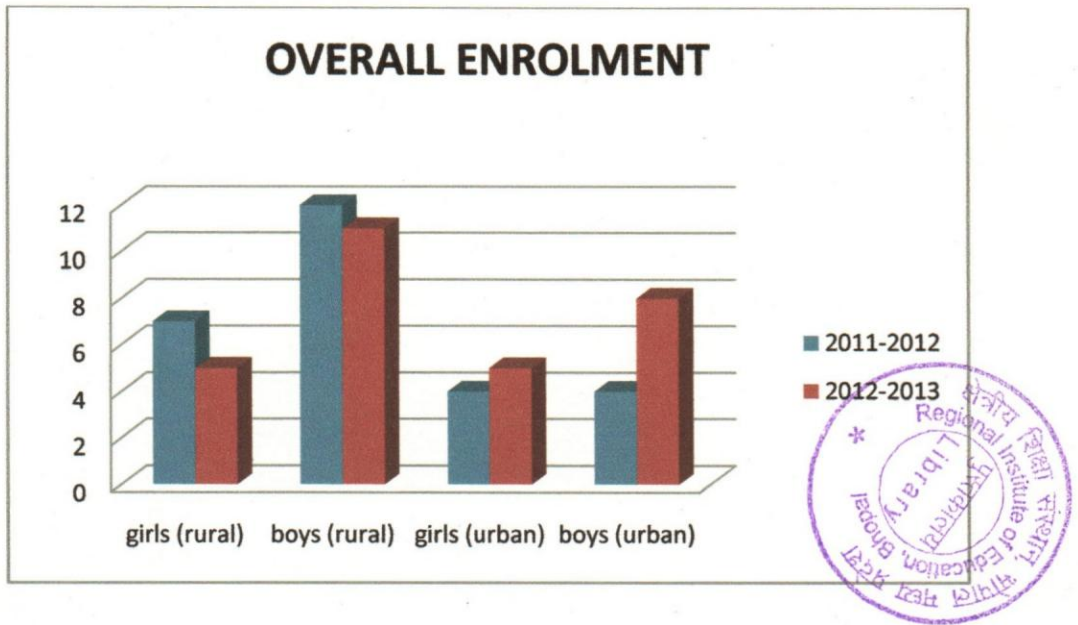
The bar diagram of enrolment in schools of rural area reveals that Enrolment of boys of weaker and disadvantaged group is more than girls.

In 2011- 2012 (school 2) girls boy's ratio is same but in next successive year enrolment of boys has increased.



The above bar diagram of enrolment in schools of urban area reveals that in School no. 1 the enrolment of girls is more but it has decreased in the successive year. In case of school 2 the enrolment of girls has increased in 2012 -2013.

A continuous rise in the enrolment of boys is observed from the graph.



The bar diagram showing enrolment of boys and girls in year 2011-2012 and 2012-2013 indicates that, there is a continuous rise in the enrolment of boys as compared to girls; whereas inconsistency is observed in the enrolment of girls.

Beside enrolment pattern responses of the Principals and Teachers of selected schools were obtained through Questionnaire. These are described below:

4.3 Principals' responses

1. Implementation of Right to Education Act (2009)

Although the Act came into force from April 2010, majority of schools enrolled students from weaker and disadvantaged groups in class I or in the lowest class of school from 2011-2012 under the Act, (Section 12 (c)).

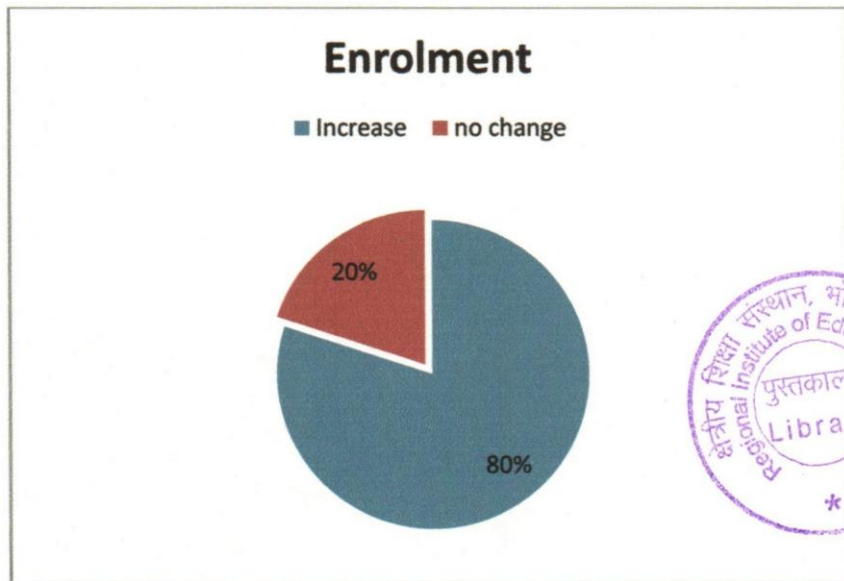
2. The need of Right to Education Act (2009)

“The cause was noble; to give quality education to the less privileged children”

All the respondents believed that in order to give equal opportunity to children of all sectors of society specially to help below poverty line, disadvantaged group, and to give quality education the Act was needed.

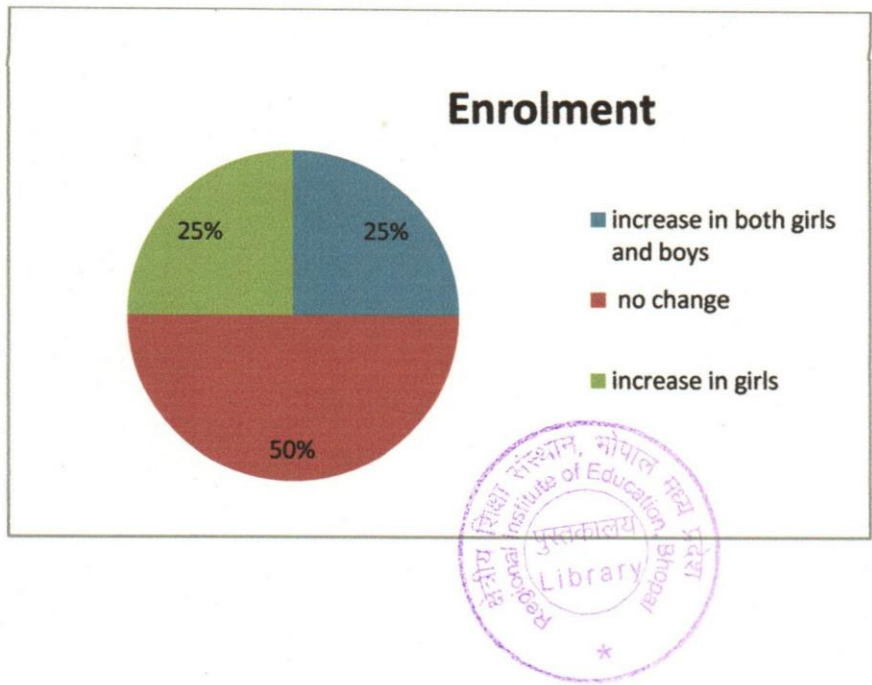
3. Effect of Right to Education Act (2009) on enrolment of children from weaker and disadvantaged groups.

- i. 80% respondents have mentioned increase in the enrolment of children from weaker and disadvantaged groups. On other hand only
- ii. 20% responded that there was no increase in enrolment of children from weaker and disadvantaged groups.



4. Effect of Right to Education Act (2009) on enrolment of boys and girls from children of weaker and disadvantaged groups.

- i. 25% mentioned that enrolment of girls of weaker and disadvantaged group has increased.
- ii. 50% responded no change in enrolment.
- iii. 25% observed increase in enrolment of both boys and girls of weaker and disadvantaged group.



5. Preference of parents from weaker and disadvantaged groups to admit their sons in public/ private school as compared to their daughters. Reason?

- i. Out of four Principals two have mentioned that the reason must be family background of the parents. During discussion with them it was clear that the factors include parental discrimination between girls and boys, lack of parent's education, lack of resources and less importance to girl's education.
- ii. On the other hand two principals did not observe such difference.

6. Strengths of Right to Education Act (2009)

According to all of them strength of Right to Education Act lie in providing quality education across different sections of society.

7. Weaknesses of Right to Education Act (2009)

- i. Two of them think that there should be proper screening process in order to give admission to children of weaker and disadvantaged groups and not allowing people taking undue advantage of the Act.

This is happening because lack of awareness about the Act among parents especially from weaker section. Hence, these children are deprived of this facility. People from not from disadvantaged groups are submitting preparing fake documents and getting the advantage.

- ii. One of the Principals did not favour the Act as, if everyone is qualified then, there will be problem of job and lack of labour class.
- iii. Rest of them did not find any weakness in the Act.

8. Difficulties faced in implementing Right to Education Act (2009).

- i. All the respondents faced difficulty in interacting with the student Due, to language problem and hence not able to understand the content taught by teachers.
- ii. According to one respondent it should be implemented in well-established schools.

9. Possible suggestions for better implementation of the Act (2009).

- i. Some felt that these 25% children should also pass through entrance exam before getting admitted in any school; admission should be given on the merit basis. Screening should not be banned.
- ii. Authority to the school should be given to cancel the admission of the children not belonging to disadvantaged groups.



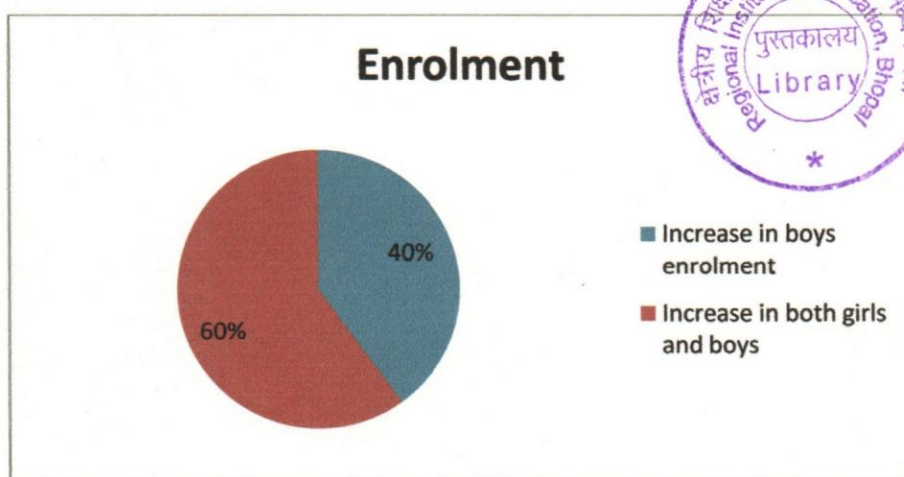
4.4 Teachers' responses

1. Need of Implementing Right to Education Act (2009) in Schools

All the respondents think that the need of implementing Right to Education Act is to give equal Education to all children belonging to weaker and disadvantaged groups, and schools, and parents should know the importance of education.

2. Effect of Right to Education Act (2009) on Enrolment of boys and girls from weaker and disadvantaged groups.

A majority of Teachers (60%) observed increase in Enrolment of both boys and girls of weaker and disadvantaged group only 40% mentioned that Enrolment of boys of weaker and disadvantaged group has increased in comparison to their counterparts.



3. Preference of parents from weaker and disadvantaged groups to admit their sons in public/ private school as compared to their daughters. Reason?

“Our society is male oriented”

- i. Three respondents mentioned that society's perception may be the reason behind this. Parents do not promote the Education of their girl child as they give importance to boys. And to some extent lack of family resources may be the reason.
- ii. Rest of them on the other hand did not comment on such difference.

4. Strengths of Right to Education Act (2009)

According to all of them strength of Right to Education Act lie in giving equal Right to all children for better Education which help them to develop Confidence and make their Mind, Active Imaginative and Reflective .

5. Weaknesses of Right to Education Act (2009)

- i. Few respondents mentioned one of the major weakness which is affecting is the lack of knowledge of children (during their pre schooling), the child feel inferior in all aspects whether it is written and oral form , and often they are not comfortable with the medium of communication i.e. English. Hence, children face problems in expressing their thoughts and ideas.
- ii. Two of them mentioned that due to no provision of Screening under Right to Education Act genuine children are not getting advantage.

6. Difficulties in teaching the children admitted through Right To Education Act (2009)

Majority of teachers expressed following difficulties in teaching both girls and boys admitted through Right to Education Act:

- Almost all the Teachers mentioned that their foundation is very weak and not up to the mark. Due to this they are not able to hold a pencil while

writing, and find difficulty in reading, because of difference in medium of instruction. Due to these children hesitate to answer or even to ask question in the classroom.

“ As most of the children have not attended the preschool programme (Nursery + K.G I + K.G II) due to which they are facing problems as most of the children are even unable to write letter then how come they will be able to write full sentences”.

7. Questions asked by the teacher to these children in the class.
All Teachers ask questions to them during class.

8. Answering Teacher's question by these children in the class

All teachers mentioned that very few of them answer but majority hesitate to do so.

9. Asking questions by the children in the class

Almost all respondents mentioned that these children rarely ask questions in the class, may be due to low Self-Confidence and Hesitation.

10. Effect of implementation of this Act on the climate of the class

- i. 20% mentioned that it affected the climate very much as they misbehave in the classroom and sometimes use abusive language.
 - ii. 40% mentioned that due to difference in family background these children face problem in interaction.
 - iii. Rest of them did not notice any negative impact on the climate in the classroom.
11. Positive change noticed by the Teacher in the students admitted through Right To Education Act (2009)

Majority of Teachers mentioned a little positive change in few students both in girls and boys in all the areas i.e. Academic Achievement,

Participation in Curricular Activities, Participation in Co-Curricular Activities, and Personality.

12. Suggestions for effective implementation of Right to Education Act (2009).
 - i. All respondents suggested that these children should be given early Education Programmes to enable them to get proper Education at par with the children of advantaged groups of society.
 - ii. Few felt that Screening should not be banned as it helps in admitting genuine children to take Quality Education.

CHAPTER –V

SUMMARY AND CONCLUSION

SUMMARY AND CONCLUSION



5.1 Introduction

Education is globally recognized as a Fundamental Human Right, and people with access to Education can develop the Skills, Capacity and Confidence to secure other Rights. The Right to Education thus acts as an enabling Right that functions as the voice through which Rights can be claimed and protected. It is therefore an important stepping stone to improve the social situation of the people. Education is a powerful tool for reducing Poverty, Unemployment and Inequality, Improving Health and Nutrition and promoting sustained Human Development led Growth.

Every child between the ages of 6 to 14 years has the Right to Free and Compulsory Education. The Supreme Court in a historical judgement in the case of Unnikrishnan v/s State of Andhra Pradesh and others (SC. 2178/1993) states that Education as Fundamental Right, **Article 21** .The right however is not an absolute , it's content and parameters have to be determined in the light of Article 45 and 41.

Hence as per the 86th Constitution Amendment Act added Article 21A.

2002 – 86 th Constitutional Amendment –

Insertion of New article 21 A (RIGHT TO EDUCATION)

“The State shall provide free and compulsory education to all children of the age of 6 to 14 years in such manner as the State may, by law, determine.”

The Right to Education Act seeks to give effect to this Amendment. The Government Schools shall provide Free Education to all the Children and the schools will be managed by School Management Committees (SMC). Private schools shall admit at least 25% of the children in their schools without any fee.

The National Commission for Elementary Education shall be constituted to monitor all aspects of Elementary Education including Quality.

In December 2002 86th Amendment Act (2002) via Article 21A (Part III) seeks to make Free and Compulsory Education a Fundamental Right for all children in the age group 6-14 years.

Sarva Shiksha Abhiyaan is Government's flagship program for Universalization of Elementary Education as mandated by this Amendment. Under SSA many schemes was launched.

The present Act has its history in the drafting of the Indian Constitution at the time of Independence. However, are more specifically to the Constitutional Amendment that included the Article 21 A in the Indian Constitution making Education a Fundamental Right. This Amendment, however, specified the need for a Legislation to describe the mode of implementation of the same which necessitated the drafting of a separate Education Bill.

The rough draft of the bill was composed in year 2005. It received much opposition due to its mandatory provision to provide 25% reservation for disadvantaged children in private schools. The Subcommittee of the CABE which prepared the draft Bill held this provision as a significant prerequisite for creating a Democratic and Egalitarian Society. Indian Law Commission had initially proposed 50% reservation for disadvantaged students in private schools. The Government drafting this piece of Legislation, however lost the elections, and the new Government came up with its own version. This passed the approval of the Cabinet on November 1, 2008, was tabled in Parliament in 2008 and passed in 2009.

The bill was approved by the Cabinet on July 2, 2009. Rajya Sabha passed the bill on July 20, 2009 and the Lok Sabha It received Presidential assent and was notified as law on September 3, 2009 as the Children's Right to Free and Compulsory Education Act.

5.2 Statement of the Problem

The problem for the present study is worded as: **To Study the Implementation of the Right to Education Act (RTE), 2009 from Gender Perspective: Issues and Challenges.**

5.3 Objectives of the Study

1. To study the students' enrolment in private schools under the 25% quota meant for the disadvantaged groups (Gender-wise).
2. To study the problems faced by the teachers and the principals of private schools in implementing the 25% reservation meant for the disadvantaged groups under Right to Education Act (2009).
3. To study the opinion of teachers and principals on Right to Education Act (2009).

5.4 Research Questions

1. Is there any problem faced by principals in implementing Right to Education Act (2009).
2. Is there any problem faced by, Parents in implementing Right to Education Act (2009).

5.5 Population: All Private schools of Bhopal.

5.6 Sample: Principals and Teachers of four Private Schools.

5.7 Tools

Research Tools used for the Data Collection largely influences nature of findings. Keeping the importance of Tool in Research, for the study Researcher used two tools. Among them one was Self-Constructed Tool.

Researcher used :

5.7.1 School Record (Enrolment Register)

In order to achieve first objective of the study, Researcher viewed the Enrolment Register and collected the required data. This record contains list total Enrolled students.

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5.7.2 Questionnaire

This Tool is constructed by the Researcher herself. Two Questionnaires was prepared one for the Principal and another for the Teachers of private school for fulfilling the second objective of the study.

FOR PRINCIPAL: It contains 11 items, which are based on Enrolment pattern, problems encountered by them while implementing section 12 of Right to Education Act (2009) and Suggestions for better implementation of the Act.

FOR TEACHERS: It contains 12 items, which are based on Enrolment pattern, is there any problem during teaching these 25 % students. If, yes what are those problems encountered by them and also, some suggestions for better implementation of the Act.

5.8 Procedure of Data Collection

- The Researcher visited private school both of Rural and Urban areas in order to obtain the required Data.
- Enrolment of students was obtained from the Enrolment Register.
- In the same schools an interaction through questionnaire was carried out to procure the views and opinions of the concerned Principals and Teachers in the study. Detailed study was done on the basis of responses of the Principals and Teachers.

5.9 Major Findings of the Study

1. Enrolment of children of weaker and Disadvantaged Groups is increased in private schools due to the implementation of Right to Education Act (2009).
2. A continuous increase in enrolment of boys of Disadvantaged Groups was observed as compared to girls.
It may be due to the family background as sometimes parents may discriminate between education of girls and boys, giving more importance to education of boys and less importance to girl's education; lack of parent's education, lack of resources, and lack of awareness of Right to Education Act 2009.
3. Principals and teachers opined that this Act gives Equal Right to all children for better education which help them to develop confidence and make their mind, active imaginative and reflective.
4. One of the major weaknesses as reported is low level of knowledge and comprehension of these children which may be due to lack of appropriate Pre-schooling.
5. Teachers reported problems in teaching these children as they lack basic knowledge, reading and writing skills. These children feel inferior and often not comfortable with language of instruction in the classroom leading to low self-confidence and hesitation in classroom interaction.
6. Teachers mentioned that as these children have different family background and habits they are not able to adjust in the classroom.
7. Right to Education Act is lacking as undue advantage is being taken and actual beneficiaries are not getting advantage due to lack of awareness among the, hence proper screening should be done in order to give the advantage of Act to deprived children.

5.10 Conclusion

After analysing the findings the researcher arrives at the conclusion that although there is increase in the enrolment of children from

Disadvantaged Groups, a continuous rise is observed in the Enrolment of boys as compared to girls of weaker and Disadvantaged Groups. However, Government has to rethink on certain issues like giving compulsory and quality pre-schooling to make them adjust in new environment. There is still a long way to go to achieve equal enrolment of girls' in private schools. In the form of Right to Education Act, a path has been laid which will positively transform the lives of the millions of the children irrespective of girl and boy child. The dire need is of collective efforts to be made by all the Parents, Teachers, Schools and Society, Local and State Government for correlating objectives with practice. If benefits of Right to Education Act are to be percolated to the lowest level of population, parents and teachers have to play a key role. A revolutionary beginning has been made. All individual must take it as a mission to make it a grand success so that a prophetic word of Nelson Mandela can see the light of the day "Education is the most powerful weapon, which you can use to change the world".

5.11 Suggestions

- i. Government has to think intensely on the issue of pre-schooling, as the children are lacking basic Education hence, it gets very difficult for them to be at par with the others, this develops inferiority in the student belonging to Disadvantaged Groups which may lead to low Self Confidence among these Children. (Section 11 which says that government may provide free pre-schooling to such students.)
- ii. Free and Compulsory Education under Act is provided up to 14 yrs. of age of Children. So, there is an Apprehension that what will happen to these children once they reach 14 years of age.
- iii. More Awareness Programmes by the Government agencies should be conducted to provide Quality Education to Children belonging to Disadvantaged Groups.
- iv. Instead of giving 25% reservation in private school, Quality of Education in Government School has to be increased.

5.12 Suggestions for Further Research

1. Similar study may be conducted on larger sample.
2. Researcher can do a quantitative study on, how many new Neighbourhood Schools are been Established within period of three years of commencement of the Act.
3. A critical analysis of Right to Education Act (2009) needs to be done.
4. A study on working of School Management Committees in aided schools may be taken.

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APPENDICES

**IMPLEMENTATION OF RIGHT TO EDUCATION ACT (RTE),
2009 FROM GENDER PERSPECTIVE: ISSUES AND
CHALLENGES**

QUESTIONNAIRE

(Principal)

Name of the school: _____

Address: _____

Telephone: _____ Fax: _____

Email : _____

Rural area: Urban area:

Government: Private:

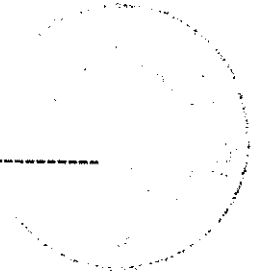
Gender of the Principal : Female Male

Year of posting in the school: _____

INSTRUCTIONS: This study is related to implementation of RTE Act (2009). You are requested to kindly answer the questions / queries related to the study given in the questionnaire. Your responses will be kept confidential and will be used only for academic purpose. Your contribution in the study will help in further strengthening the implementation of the RTE Act (2009). We are grateful to you for sparing your valuable time.

1. When Right to Education Act (2009) was implemented in this school and from which classes?

Year ----- Classes -----



2. According to you, what was the need of Right to education Act (2009)?
3. Whether the enrolment of children from weaker and disadvantaged groups increased or decreased after implementation of Right to Education Act (2009) in this school?

Increased Decreased No change

- 4 Do you think that implementation of Right to Education Act effected the enrolment of boys and girls from weaker and disadvantaged groups in your class?

	Increased	Decreased	Equal
Girls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boys	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- 5 It has been observed that parents from weaker and disadvantaged groups prefer their sons to be admitted in private/public schools as compared to their daughters. Why? What may be the reason?

- 6 What are the strengths of Right to Education Act (2009)?
- 7 What are the weaknesses of Right to Education Act (2009)?
- 8 What difficulties do you face in implementation of Right to Education Act (2009)?
- 9 Kindly list out the possible suggestions for better implementation of Right to Education Act?
10. Do you organize Parents Teachers Meeting?
- Yes No
- If yes how frequently?
11. Do you have School Management Committee (SMC), are the parents of weaker and disadvantaged groups, member of SMC.

**IMPLEMENTATION OF RIGHT TO EDUCATION ACT (RTE), 2009 FROM
GENDER PERSPECTIVE: ISSUES AND CHALLENGES**

QUESTIONNAIRE (TEACHER)

Name of the school: _____

Address: _____

Telephone: _____ Fax: _____

Email : _____

Rural area: Urban area:

Government: Private:

Gender of the Teacher : Female Male

Year of joining the school: _____

Class: _____

INSTRUCTIONS: This study is related to implementation of RTE Act (2009). You are requested to kindly answer the questions / queries related to the study given in the questionnaire. Your responses will be kept confidential and will be used only for academic purpose. Your contribution in the study will help in further strengthening the implementation of the RTE Act (2009). We are grateful to you for sparing your valuable time.

1. According to you what is the need of implementing Right to Education Act (2009) in schools.

2. Do you think that implementation of Right to Education Act effected the enrolment of boys and girls from weaker and disadvantaged groups in your class?

	Increased	Decreased	Equal
Girls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boys	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. It has been observed that parents from weaker and disadvantaged groups prefer their sons to be admitted in private/public schools as compared to their daughters. Why? What may be the reason?

4. What are the strengths of Right to Education Act (2009)?

5. What are the weaknesses of Right to Education Act (2009)?

6. Whether you face any difficulties in teaching the children admitted through Right to Education Act (2009)?

	Very much	to some extent	Not at all
In case of Girls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In case of Boys	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Kindly list the difficulties.

7. Do you ask questions to these children in the class?

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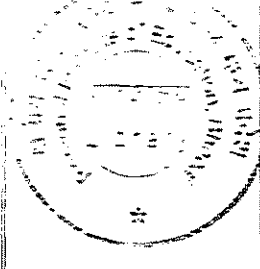
8. Do these children answer the question asked by you in the class?

9. Do these children ask questions in the class?

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10. How implementation of this act affected the climate of the class?

11. Did you notice any positive change in the students admitted through Right to Education Act (2009) in the following areas? (Kindly write 'G' for girls and 'B' for boys and for both 'GB').

Area	In majority of students Girls Boys	In few students	In none of the students
Academic achievement			
Participation in curricular activities			
Participation in Co- curricular activities			
Personality (interpersonal relationship, expression etc.)			

12. Kindly list out the possible suggestions for better implementation of Right to Education Act?