

**A Study on Implementation of RTE Act 2009
in Elementary Schools of Madhya Pradesh**



विद्यया ऽ मृतमश्नुते



**एन सी ई आर टी
NCERT**

Report of the PAC-16.01

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Research is essentially a collective work. However big or small the research may be, many individuals in different capacities with different capabilities, at different phases of research contribute their part for the successful completion of the research work. This tiny research is not exception to this general practice. Therefore, it is moral responsibility of the coordinator to place it on record the individuals who extended their cooperation in the completion of the research.

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Abbreviations

BRC	: Block Resource Centre
CRC	: Cluster Resource Centre
CRCC	: Cluster Resource Centre Coordinator
DG	: Disadvantaged Groups
DPSP	: Directive Principles of State Policy
DPC	: District Project Co-coordinator
EFA	: Education For All
EWS	: Economically Weaker Section
GSDP	: Gross State Domestic Product
MP	: Madhya Pradesh
NCERT	: National Council of Educational Research and Training
OBC	: Other Backward Castes
REPA	: Right to Education Protection Authority
RIE	: Regional Institute of Education
RtE	: Right to Education
RMSA	: Rashtreeya Madhyamik Shiksha Abhiyan
RSK	: Rajya Shiksha Kendra
SDMC	: School Development Management Committee
SC	: Scheduled Caste
SCPCR	: State Commission for Protection of Child Rights
ST	: Scheduled Tribes
SSA	: Sarva Shiksha Abhiyan
UNCRC	: United Nations Convention on Rights of Child
UNDP	: United Nations Development Programme
UNESCO	: United Nations Educational, Scientific and Cultural Organization
UNICEF	: United Nations International Children's Emergency Fund
UNGA	: United Nations General Assembly

Executive Summary

The Right of Children to Free and Compulsory Education Act-2009 that is enacted by the parliament of India is an historic event in the history of Indian school education for more than one reason. Firstly, it transformed the elementary education from legal right of children to fundamental right; Secondly, it has taken private sector on the board to share the responsibility of educating disadvantaged children; thirdly, it placed in comprehensive legal structure to implement the right for quality education.

The Section 12 (1) (c) of the Act mandates that private unaided schools to keep aside 25% of their entry level seats for children belonging to ‘weaker section and disadvantaged group in the neighborhood’. The clause invited many questions and along with praises. People who praised the Section 12 (1) (c) have been of the opinion that it would potentially bring equity and quality in the education of children belonging to disadvantaged sections of the society. On the other hand the one of the important criticisms has been that the Section 12 (1) (c) potentially changes the nature of elementary schools by promoting private sector in school education. Hence, the study is undertaken to see whether the Section 12 (1) (c) of RtE Act-2009 impacted the enrollment patterns and the changes there by it would possibly bring in the nature of Government’s obligation for public schooling.

To dwell into various stages and related processes and procedures involved in the implementation of Section 12 (1) (c), two blocks-Bhopal Urban bloc (Old City) and Ichhawar, rural bloc- from two districts- Bhopal and Sehore- were selected for the study. As the study is focused on identifying the changes in enrollment patterns in elementary school level for over definite time period, it considered secondary data, i. e. the official documents as sources study. For this, the study considered and focused on the data compiled and documented by RtE cell of Rajya Shiksha Kendra, Madhya Pradesh regarding the enrollments in private schools under Section 12 (1) (c) of RtE Act-2009. Along with it, the data compiled at two Block Resource Centres (BRC)- Ichhawar and Bhopal Urban (Old City) –are utilized for the analysis. The analysis is

done by considering the number of enrollments at the entry level and their retention rate to draw the conclusions. Though minor inconsistencies were noticed in the official data, looking at the glaringly visible shifts in enrollment patterns, the study drew its conclusions and interpretations in the light of the official data. The analysis of the data informs unambiguously that the enrollment of children from disadvantaged sections in private school under Section 12 (1) (c) of RtE Act-2009 is moving in the direction of changing the nature of public school education in India.

Along with this, the study also looked into reasons why parents decided to admit their wards in private schools at the expense of government schools as part of the facility of 'freedom of choice' provided by Section 12 (1) (c) of RtE Act-2009. Two factors, namely, notion of quality education in private schools, and the English medium, are the factors, simultaneously, in admitting the children in private schools under the said section. Further, it was available to witness certain situations where Government school officials are compelled to encourage parents to admit their wards in private school as part of complying with the RtE ACT Section 12 (1) (c) norm. On the whole the tiny study with little sample shows the gradual increase in enrollments in private schools under Section 12 (1) (c) of RtE Act that would eventually heading towards the gradual fading out of Government schools.

Chapter I: The Introduction

1. 1 Introduction

Education is conceived and hence considered as an opportunity. As life opportunities of children, to a large extent, conditioned by the educational opportunities that they get during childhood, school education has been recognized as critical opportunity for children across the globe. However, educational opportunities though available are not equally available. In fact, education in its schooled form, across the ancient civilisations, was the privilege of upper strata. School in its origin was the activity of leisure class. Similarly, Gurukula, the institutional space for learning in ancient 'India' was the privilege of certain varnas and linga. It discriminated against shudra varna and stri linga. In fact, in ancient Indian society, individual for all practical purposes did not exist at all. Social station and spiritual ascription of Guna-quality- to an individual matters much in educational process. The socio-spiritual ideology reserved the entry of socio-culturally privileged individuals into the educational institutions.

Reformers within the religious fold and various revolutionaries outside that fold questioned the privilege and broke the monopoly over the entry into educational institutions. Savitribai Phule, Mahatma Phule on the social front and Gopal Krishna Gokhale and Gandhi on legal and political front fought for the universalization of education. Indian Constitution, the politico-moral framework of modern India, broke the monopoly over education and made it right of every child of the country. Momentum to the democratisation of education, though in a limited way, began after Constituent assembly resolved to constitute India into a democratic and secular polity.

Constitution of India is the politico-moral framework that intends to govern human actions, relations and institutions in modern India. Social justice has been the guiding and governing politico-moral ideal of the Constitution. It promises a just society based on equal opportunities for the free development of the every individual. To realise this grand promise and to translate it in to a socio-political reality, the Constitution directed the Indian state to create institutions. In this process Indian State perceived and assigned the role of change agent to education. This was primarily due to the recognition of and instilling faith in the transformatory potential of education that eventually could transform unjust and unequal society into an egalitarian society. However, internal transformation within education system is a prerequisite to perform the perceived and thereby assigned transformatory role to education. Therefore, with a view to change the change agent-education system- Indian Constitution

proposed a) universal education, and b) equal educational opportunities for all its citizens without discrimination of birth stations what so ever. Free and equal opportunities in education were seen as precursor to achieve equality in larger society.

However, the commitment to free, compulsory and equal education at normative level, slowly watered down at legal level and took the form of state's obligation rather than child's right. And hence, the provision of right to education found its place in Directive Principles of State Policy (DPSP), the Part IV of the Constitution instead of Part III of the Constitution-Fundamental Rights. Article 45 of the Constitution reads, "*The State shall endeavour 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 the age of fourteen years.*" This Article 45 of the Constitution that guarantees education for all the children between 6 to 14 years of age is not an enforceable right. It was, in fact, an obligation of the State. Thus elementary education remained an obligation of the State rather than the Right of the children. While commenting on the nature of implementation of the 'obligation' of the state to provide compulsory education, Weiner, M (1991) very succinctly says that, 'state compulsory education laws have generally 'permitted' rather 'compelled' state machinery to make education compulsory'. (More about normative nature of right to education will elaborately be discussed in Chapter II.)

However, the 86th Constitutional amendment made elementary education a Fundamental Right of every child of this country. After persistent demand and activism, the bill was passed on November 27, 2001 by the lower house of parliament-Lok Sabha and later passed by Rajya Sabha –the upper house, on 14 May, 2002. Earlier, though it was a right of the children, it was not 'fundamental.' 86th Constitutional amendment addressed this and made elementary education a Fundamental Right. Subsequently, the Right of Children to Education Act was passed in the year 2009 and came into effect from 1st April 2010.

This Act is very comprehensive in scope and controversial on certain sections of the Act. Particularly the Section 12 (1) (c) has become contentious point. This study is an attempt to see how, this historic act, particularly Section 12 (1) (c), has impacted enrollment and brought changes in enrollment patterns in Madhya Pradesh. However, before going to do that, a cursory glance at the context and condition of Madhya Pradesh school education is called for here under.

1.2 School Education in Madhya Pradesh

1.2.1 Madhya Pradesh: An Overview

The State of Madhya Pradesh is centrally located and is often called as the "Heart of India". The State is home to a rich cultural heritage and has practically everything; innumerable monuments, large plateau, spectacular mountain ranges, meandering rivers and miles and miles of dense forests offering a unique and exciting panorama of wildlife in sylvan surroundings. Madhya Pradesh, is spread over an area of 308,245 sq. km, within the North Latitude between 21°6' and 26°54' and East Longitude between 74° and 82°74'. States of Uttar Pradesh, Rajasthan, Gujarat, Maharashtra and Chhattisgarh bound it. The undivided Madhya Pradesh was founded on November 1, 1956. Madhya Pradesh, in its present form, came into existence on November 1, 2000, following its bifurcation to create the new state of Chhattisgarh. Madhya Pradesh (MP), the second largest state of the country, is one of the largest producers of cement and a leading producer of edible oil. The state has vast mineral deposits that include diamonds, coal, copper ore, diaspora, limestone, manganese and slate, among others. Madhya Pradesh is an emerging industrial powerhouse. It is home to around 1,800 companies and 19 industrial growth centers, 1, 71,000 small-scale industrial (SSI) units. The state is ranked amongst the top four states of the country for industrial investments. The Gross State Domestic Product (GSDP) at 2004-05 was recorded to be US\$ 24 billion at current prices.

Figure-1. 1: The Map of Madhya Pradesh

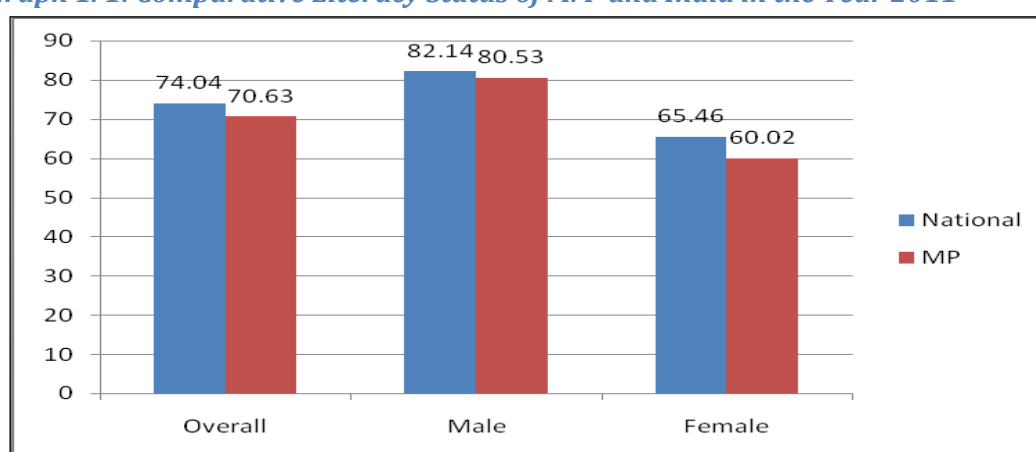


1.2.2.1 Literacy Status

Education in the form of schooling begins with the trainee in 3Rs, now fourth R is added. Literacy has become one of the early indicators of the status of education. Hence, given below the literacy status of Madhya Pradesh.

The State literacy rate is 70.6 % (Census 2011), which is slightly lower than the national literacy rate of 74.0 %. While the female literacy has considerably improved over the last decade, a great disparity still persists in the literacy rates of males and females.

Graph 1. 1: Comparative Literacy Status of M. P and India in the Year 2011



Literacy Rate of M. P and India

Table: 1. 1- Literacy Rate of M.P and India (Gender wise)

Literate Rate	MP		MP	INDIA
	2001	2011	Increase	2011
Persons	63.7	70.6	6.9	74.0
Males	76.1	80.5	4.4	82.1
Females	50.3	60.0	9.7	65.5

Source: Census of India 2001 & 2011

The simple literacy level in 2011 was 70.6 per cent, leaving over a third of the population and nearly half of all women still unable to either read or write. Now, the situation of literacy rate across all social categories of the state is increased many folds. Enrollment rates almost crossed 95 percent.

Mere literacy displayed by the figures of literate population, does not show the education deficit if we are looking for at least eight years of schooling. If we look at figures of enrolment, the state has managed to get nearly all

children enrolled in primary classes. The GER for primary level is above 100 per cent, meaning that most of the eligible children are enrolled in some school or the other, and what is a matter of satisfaction for MP is that even amongst children of SC and ST communities, enrolment rates are 100 per cent.

1.2.2.2 Education Structure, Management and Administration

a) Education Structure

The structure of education in the state is based on the national pattern with 12 years of schooling, consisting of eight years of elementary education, that is five years of primary and three years of middle school education for the age groups 6-11 and 11-14 years respectively, followed by high and higher secondary school education of two years each besides three years of pre-primary education. School education is administratively managed by Directorate of Public Instruction, Madhya Pradesh, Bhopal. At district level, office of District Education Officer and at block level, offices of Block Education Officer manage and coordinate schooling.

The School education in Madhya Pradesh primarily organized in two sectors: Elementary (I to VIII) and Secondary (IX to XII). Each of these two sectors are further sub-divided into two sub-sector where elementary education consists of primary education (I to V) and upper primary education (VI to VIII) while the secondary education comprises of Middle education (IX and X) and higher secondary education (XI and XII).

There are four main types of recognized schools by management and funding pattern in Madhya Pradesh. They are: Government, Local Body, Private Aided and Private Unaided. In addition of the total Government schools in Madhya Pradesh, majority are managed by School Education Department. Tribal Welfare Department also manages a significant number of schools.

Table- 1. 2: Elementary Schools under Different Management

Management Type	Primary	Upper Primary	Total
Government	83412	28479	111891
Aided (Pvt.)	852	410	1262
Un-Aided (Pvt.)	12533	14773	27306
Total	96797	43662	140459

Source: DISE

Table 1. 3: Secondary School under Different Management

Management	Secondary	Sr. Secondary	Total Secondary
Government.	4407	2758	7165
Aided (Pvt.)	42	229	271
Un-Aided (Pvt.)	2692	2807	5499
Central Govt. and Others	12	120	132
Total	7153	5914	13067

Source: DISE

In addition to the formal elementary schools, alternative primary education facilities have been started to ensure that the children who are out of the ambit of formal education, also get an opportunity to avail the education facility that will ultimately lead to their mainstreaming in the formal education system. The details and status of these alternative facilities are given below:

Table- 1. 4: Educational Facilities at Elementary Level in 2011-12
(Under Different Boards)

School Facilities	Numbers	Total Beneficiaries
Madarasas registered with Madarsa Board	2069	183502
Sanskrit schools	238	9163

Table- 1. 5: Status of Residential Facilities at Elementary Level in 2011-12

Residential Facilities	Numbers	Total Beneficiaries
Kasturba Gandhi Balika Vidyalaya	207	26591
Girls Hostel	320	22050

1.2.3 Local Governance in Schools

School management has been decentralized to the district and sub-district levels. Recognizing the need to strengthen the school as a unit, the Parents Teacher Association (PTA) and the Village Education Committee (VEC) have been given powers to decide on issues that impinge on the daily functioning of

the school, such as school timing, local holidays, monitoring the regular functioning of the school. Teachers are now expected to be accountable to the local PTA and the VEC. This is expected to make the school management responsive to the needs of the children. Emphasis has been given to each school to develop its own development plan with participation of parents. This would then be the basis of the village education planned upward to get integrated into a district education plan. Teachers are expected to help in developing village education registers to record and track each child's movement through school.

Decentralization of school management and the policy to make it accountable to the local structures such as PTA, VEC and panchayats is expected to help in enabling school management to orient itself to the educational needs of the children. However, the process of institutionalizing these lateral relationships is new and needs to be firmly grounded and strengthened for it to yield expected results that can become effective indicators of the transition of school managed as end-links of a bureaucratic machinery to becoming community schools locally managed with sufficient autonomy, such as is evident in relatively greater measure in the state's education guarantee scheme (EGS) schools. In the EGS schools, the local community chooses the teacher, gets a grant from the state government to run its school and forms a PTA that manages the school completely, also academic support coming in from the Jan Shiksha Kendra.

1.2.4 Access and Participation

The GER in Primary level is 119.13 per cent. The GER in classes 6 to 8 for all students is 99.21 per cent. Another indicator of how many children are actually progressing up the years in various classes is the retention rate at the primary level—simply a percentage of the number of children enrolled in class V to the total enrolled in class I. While retention rate does not display the actual fate of class I children when they shall reach eligibility for class V, it does show the general trend. The retention rate of 75.1 per cent for all children in 2011-12, (76.5 per cent boys and 74.3 per cent girls) clearly exhibits the phenomenon that as children move from primary classes onto senior classes, there appears dropout phenomenon. With such a large number of children appearing to be leaving the school system as they advance into higher classes, the education goal of a minimum of eight years of schooling looks difficult to achieve. It would not be an exaggeration to say that between 70 to 75 per cent children only complete eight years of schooling in MP. Following table depicts this.

Table- 1. 6: Educational Status at Primary and Upper Primary Level

Levels	GER			NER			Dropout Rate			Retention Rate			Retention Rate (I-VIII)		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
PS															
UPS	119.08	119.18	119.13	99.93	99.07	98.99	8.62	7.70	8.17	73.20	77.35	75.20	76.5	74.3	75.1
	116.88	116.97	99.21	99.21	99.33	99.27	7.93	6.79	7.6	69.32	72.44	70.85			

Source: DISE and AWP, MP 2012

1.3 The Right to Education (RtE) Act-2009

The RtE Act-2009 is an historic act in many ways. The Act contains many progressive sections. It talks about desirable and mandated facilities and teacher-taught ratio for quality education; it also spelt out roles of different stake holders. Further, in its definition of school, the Act explicitly included different types of schools that are in vogue, viz., Government, Aided, Special and Private unaided schools. It proposes neighborhood school system and mandates to provide primary school within the radius of one kilometer for every child. In addition, with an intention to provide freedom of choice to poor parents to select ‘quality school’ in the neighborhood, the Act mandated private schools to provide 25% seats of total seats of the school to children belonging to below the poverty level families.

Chapter IV Section 12 (1) (c) of the Act reads, “*specified in sub-clause (iii) and (iv) of clause (n) of section 2 shall admit in class I, to the extent of at least twenty five percent of the strength of that class, children belonging to weaker section and disadvantage group in the neighborhood and provide free and compulsory elementary education till it’s completion.*”

Section 12 (1) (c) aimed to bridge the inequality in society by providing opportunities to disadvantaged children to get quality education which was hitherto accessible only to the economically and socially privileged strata of society. Therefore, the clause is believed to act as a legal apparatus to augment equity in educational opportunities in choice based quality education for those sections of the society who otherwise left with no choice.

However, several segments of society strongly oppose the idea behind this clause. The critics argue that the Government by bringing the Section 12 (1) (c) is dwindling with its Constitutional obligation in providing elementary education by transferring the share of its responsibility to the private sector.

As the notion of ‘quality school’, without saying, goes with English medium private schools in popular perception, there is a possibility of change in enrollment patterns in different schools. Therefore, there is a need to understand the phenomenon. Thus, the statement of the problem is done in the following manner.

1.4 Statement of the Problem

“A Study on Implementation of RTE Act 2009 in Elementary Schools of Madhya Pradesh” (A Study of Post-Right to Education-Act-2009 Enrollment Patterns in Elementary Schools of Madhya Pradesh) Initially, the problem was conceived and entitled as, ‘A Study of Post-Right to Education-Act-2009 Enrollment Patterns in Elementary Schools of Madhya Pradesh’. However, after due deliberations at various levels, the statement of the research problem has been modified as ‘A Study on Implementation of RTE Act 2009 in Elementary Schools of Madhya Pradesh’ without changing vitals of research proposal. Having stated the problem, the research study is undertaken with following research questions and objectives.

1.5 Research Questions

Section 12 (1) (C) of RtE Act 2009 evoked mixed responses from the educationists and intellectuals. Some hailed that it is a step in right direction in providing equity and quality elementary education for disadvantaged sections of the society. Further, some would argue that it brings private school on to the board to participate in realization of Constitutional mandate of education for all movement. On the other hand, critics very pointedly argue that it is a strategy to weaken public school system by legally transferring children to private schools. This in the near future would change the very nature of school education and its social character. In the light of this, the researcher carried out the study with following lead questions.

Question 1: What is the enrolment patterns in Government and Private schools after the implementation of the Section-12 (1)(c) of RtE Act-2009?

Question 2: Are there any visible patterns in enrollment that would demand deeper study?

Question 3: Is there any visible impact on rate of enrollment in Government Schools due to implementation of the Section-12 (1) (c) of RtE Act-2009?

Question 4: What are the reasons for shift of enrollments into private schools (if any)?

1.6 Objectives

Researches on the implementation of RtE Act-2009 in general and implementation of Section-12 (1) (c) in particular have been initiated by varied 'stake holders' with different purposes. A brief scan of researches in last 8 years of its implementation show us that most of the researches focused on:

- Awareness of different members of society and stakeholders of education on RtE in general and Clause 12c in particular
- Private schools readiness to implement the RtE Act Clause-12c
- Status of implementation
- Psycho-social issues and challenges faced by students of deprived sections who were admitted into private schools
- Fee reimbursement patterns
- There are studies on compliance of private schools to the RtE norm in their admissions but not on enrollment patterns. Compliance studies give an idea of enrollments. However, their goal post and purpose is not to see the enrollment patterns and the change that they bring to social character of schooling.

The above very brief survey of the work done in the area of RtE Act-2009 show that there was no exclusive work is done on the patterns of enrollment shifts and normative nature of those shifts. The implementation of RtE Act-2009 has many ramifications to elementary education starting from accessibility, availability and quality education to equal opportunities and freedom of choice. Above all, the effective implementation of the Section 12 (1) (C) would effectively alter the nature of enrollment patterns of school education. Therefore, the present research is focused on understanding the change in enrollment patterns (if any) in elementary school system. Hence, following objectives are formulated for the study.

1. To find out the impact of Clause 12 (1) (c) of RtE ACT-2009 – on enrollments in elementary schools
2. To identify changing nature of enrollment patterns
3. To find out the reasons for change –if any- in enrollment patterns

1.7 Rationale of the Study

Right to Education Act-2009 is a long awaited historical legislation in elementary education. However, as it is mentioned above and see in detail in II

chapter, the Act invited staunch support and vehement criticism from various sections of the society with differing perspectives. Opinion has been sharply divided regarding the Clause 12 (1) (C) that it would change the social nature of elementary school education system. Some argued that it would provide equitable opportunities for quality education and provides freedom of choice to parents particularly poor parents. On the other hand, critics argue that it would potentially undermine and legally weaken the public school system and paves the way for natural death of public school system in the country. This is, indeed, critics point out, an indirect yet legal way of the state to abrogate its Constitutional responsibility of providing opportunities under common umbrella. This contending views regarding this historical legislation demands to have informed opinion on the impact of the Clause 12 (1) (C). Eight years have been passed in the implementation of the Act. Therefore, there is a need to have a study on this aspect. This is the reason why this study has been undertaken.

1.8 Significance of the Study

Whereas rationale explains the necessity to have a study, the significance of the study spells out possible implications of the findings of the study. Rationale primarily talks about pre-study explanation, and significance is primarily post-study implications. In this sense, the significance of the present study would facilitate us to understand

- a) Changing enrollment patterns
- b) Underlying reasons for that changes in enrollment patterns (if any) – particularly parental perspective as it informs the exercise of freedom of choice ideology

The outcome of the study helps us in understanding intended and unintended consequences of the Act. This in turn may contribute to policy formulations. With this significance in view this study is undertaken.

1.9 Delimitations of the Study

No research work can cover all the dimensions of the phenomenon under study. Present study is also undertaken with multiple delimitations. The presumed scope of the impact of Right to Education Act -2009 is very extensive and multilayered. It could change the social nature of school system. As it is not possible to gaze into every layer of influence, the study is carried with following limitations.

- i. Areas of impact/influence of the implementation of the RtE Act are many. However, the present study is confined to gaze into changing enrollment patterns and retentions in government and private schools.
- ii. Having traced the changing patterns of enrollment, the study looks into the reasons for change in enrollment patterns by interacting with the select parents only
- iii. The sample of the study is restricted only to two blocks-one urban and one rural for quantitative data and selected few parents for qualitative data.

1.10 Structure of the Study

Present study is organized into four chapters. First chapter along with introduction states the problem and the objectives of the study. Further, rational and significance of the study is mentioned in the chapter. In addition delimitations of the study are also spelt out in the chapter. The second chapter provides a historical overview of the development of the Right Education. And also highlights the landmarks and important social and political efforts in the enactment of Right to Education Act. Methodology adopted in the study is presented in the third chapter. The fourth chapter meant to present the data analysis, interpretation and findings.

Chapter II: The Concept

Normative Nature of Right to Education and Right to Education Act

2.1 Introduction

Human relations in Modern world are communicated and understood in the language of rights. The History of Rights began with 'individual', and traversed through classes and masses; caste and creed; gender and nations; religion and region and finally reached to children. Therefore, to understand rights of children and their implementation in society and their possible reformation, it is imperative on part of us to locate them properly in the entire discourse of Human Rights. For this, a short journey into Child Rights is made here under en route important historical events that contributed to the notion of Child rights.

2.2 Land marks in Rights of Children:

- 1920 : The first Charter of the Rights of the Child created.
- 1959 Nov : UNGA Declaration on the Rights of the Child.
- 1960-66 : UNESCO held 4 world conferences on education.
- 1979 : International year of children.
- 1989 Nov.20: Convention on the Rights of Child.
- 1990 : International Year of the Girl Child.
- 1990 : World Summit for children.

Among these concerted efforts special mention may be made to 1989's convention on rights of child as it deals with all possible dimensions of children's rights. 191 countries signed this declaration and this includes 42 articles. Among them article 28 deals with right to education, Article 31 deals with right to rest, leisure, and play recreation and etc.

The 1959 Declaration of the Rights of the Children is based on the principle that "*mankind owes to the child the best it has to give.*" Implicit in this premise is an emphasis on duties towards the children and hence children's rights in the sense of claims. Its preamble refers to rights and freedoms. The ten principles set out in this do not embrace children's liberties at all. The declaration thus became a proclamation of general principles. A Child is stated to have the right to:

- Affection, love and understanding
- Become useful member of the society and to develop their special talents

- Have enough time and space to play
- Have a name and a nationality
- Be rescued first if any disaster takes place
- Proper housing, enough food and medical care
- Free education
- Special care if they are handicapped
- Grow up believing in peace and treating all people as their brothers and sisters

2.3 What is right?

Having seen the historical factors that contributed for the development of the notion of rights, and two contending philosophical perspectives of rights, let us see what right is. Right is variously understood and explained. Whatever the meaning we assign to right, it basically explains the relationship of individual with institution, particularly with the authority or the State. However, in simple words:

- Right is an Individual's claim;
- Right is an opportunity to individual;
- Right is certain empowerments;
- Right has legal sanctions;
- Right is social product;
- Right is an entitlement of individual;
- Rights imply certain obligations;

2.4 Child Rights: Indian Constitution:

Indian Constitution apart from its fundamental rights, which are applicable to all its children, made certain provisions exclusively for the children. They are:

- (1) Article 15(3) gives power to legislature to make separate legislations for children as and when situation demands;
- (2) Article 23: No compulsory work;
- (3) Article 24: Abolish on of child labour in hazardous industries;

(4) Article 45: Compulsory free primary education for all.

2.5. Unique Nature of Child's Right to Education

Concept of Liberal rights generally forges a negative relationship between individual freedom and state authority. Thus, liberal rights tradition by very nature informed by the absence of state's interference in individuals affairs. Most of the fundamental rights of the Constitution of India are scripted under the influence of liberal tradition. However, though education in spite of being a liberal right has qualitatively different relation with the state. Right to education is enjoyed by children only when state and other power structures of the society interfere to ensure the appropriate conditions for the enjoyment of right. The relationship between state and child's right to education is not built on negative relationship between child and the state. It is built on positive relationship. The Constitution of India did not simply guarantee the right; it went further and mandated the state to take positive steps to ensure and create conditions for the enjoyment of the right by every child.

2.6 Right to Education in India: Brief Historical Journey: Efforts prior to Independence

As it is mentioned in chapter I of the study, education in the form schooling in 'India' was not a right but a privilege of certain sections of the society. This has been challenged and hence, education slowly evolved into a right of every child. Due to concerted efforts education became free and compulsory. Attempts to make the right to free and compulsory education available to every child in India began more than a century ago. Exposure of Indians to western education in 19th century created awareness to have free and compulsory education in India. (Desai, 1953). Later, Mahatma Jyotiba Phule as part of his relentless struggles against caste discriminations realized the importance of education in the emancipation of the masses. He presented a memorandum to Indian Education Commission- popularly known as Hunter Commission, in 1882 and demanded not only for compulsory education and also argued for the need created special efforts to the education of the outcastes. Mass movements from within and progressive ideas had slowly created the necessary conditions for the compulsory education for all. As it is not possible and also not necessary here to conduct detailed survey into the history of compulsory education, an attempt is made to present with land marks in the history of compulsory and free education in India.

- 1893 :Maharaja of Baroda introduces Compulsory Education for boys in Amreli Taluk and later in 1906 extended it to the rest of the state
- 1911 : Gopala Krishna Gokhale Private members bill in imperial legislative assembly. This was rejected.
- 1917 : Shri Vithalbhai Patel succeeded in getting the Bill passed. This is the first law on compulsory education, popularly known as Patel Act.
- 1918-30: Patel Act gave a momentum to compulsory education and Compulsory Education Acts were passed in every province of British India during this period.
- 1944 : Sargent Plan-Post-war Plan for Educational Development in India proposed achieve universal elementary education in India within 40 years by 1984.
- 1947 : Kher committee was set up to explore ways and means to achieve universal elementary education within ten years not 40 years as proposed by Sargent committee
- 1947 : Constituent Assembly Sub-committee on Fundamental Rights places free and universal education under Fundamental Rights. It writes:

“Clause 23-Every citizen is entitled as of right to free primary education and it shall be the duty of the State 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 the age of fourteen years.”

However, Constituent Assembly’s advisory committee rejects to place compulsory education under firmamental rights and sent the clause to list of “non-justiciable fundamental rights” –the part IV of the Constitution, Directive Principles of State Policy (DPSP). Further, in the course of debates the linguistic structure of the clause also underwent changes. Finally, it entered into DPSP as Article 45.

- 1950: Article 45 In DPSP reads,
“The State shall endeavour 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 the age of fourteen years.”

2. 6. 1 Recent developments for Education as Fundamental Right

History of education in 'India' began with making education a privilege. Fight against privileging education and making it right of every child, after long persuasions, became obligation of the state but not fundamental right of the child. Therefore, there has been persistent demand to make education a fundamental right in the country. At the same time, demand for Education For All (EFA) has assumed global character and demand. In fact, international agencies like UNESCO, UNICEF, UNDP and other world organizations were pushing EFA forcefully at global level. In addition, India had signed on the UN Convention on Rights of the Child (UNCRC) in the year 1991. Article 28 of the Convention makes primary education compulsory for every child. As part of this agreement, India committed to review its existing laws on school education and bring parity with the Convention.

The turning point in the way we look at school education vis-à-vis individual development and dignity is revolutionized by the Honorable Supreme Court Judgment in the case of Unnikrishnan J. P. vs State of Andhra Pradesh and others (SC. 2178, 1993). This judgment viewed education as fundamental right and directed the Government to amend the law accordingly. The judgment reads:

“The citizens of this country have a fundamental right to education. The said right flows from Article 21. This right however is not an absolute right. Its contents and parameters have to be determined in the light of articles 45 and 41. In other words, every child/citizen of this country has a right to free education until he completes the age of fourteen years. Thereafter, his right to education is subject to limits of economic capacity and development of the state.”

The historic judgment brought momentum for the demand of education as fundamental right. To address this aspiration and implications of making elementary education a fundamental right, Muhi Ram Saikia Saikia committee was constituted in 1997. The Committee recommended an amendment to the Constitution making the right to free elementary education up to 14 years of age, a fundamental right. It recommends:

“The Constitution of India should be amended to make the right to free elementary education up to the 14 years of age, a fundamental right. Simultaneously an explicit provision should be made in the Constitution to make it fundamental duty of every citizen who is a parent to provide opportunities for elementary education to all children up to 14 years of age.”

As a consequence of the above developments, The Constitution (83rd Amendment) Bill tabled in the Parliament in July 1997. The vitals of the proposed bill were:

“2. After Article 21 of the Constitution, the following article shall be inserted, namely:

“21 A (1) The State shall provide free and compulsory education to all citizens of the age of six to fourteen years.

(2) The right to free and compulsory education referred to in clause (1) shall be enforced in such manner as the state may, by law, determine.

(3) The state shall not make any law, for free and compulsory education under clause (2), in relation to the educational institutions not maintained by the State or not receiving aid out of State funds”.

4. Article 45 of the Constitution shall be omitted.

The Bill had evoked lot of debates over the implications of the clauses. Thus, it was referred to Parliamentary Standing Committee which made certain observations. The important observations are:

- i. Retention of Article 45 to cater to the 0-6 age group
- ii. Clause (3) of the proposed Article 21-A relating to private institutions may be deleted.

In the light of the observations and recommendations, the 83rd bill was amended and reintroduced as Constitution (93rd Amendment) Bill 2001 in the Parliament with the following provisions: Article 21 of the Constitution, the following Article shall be inserted namely:

““21 A (1) The State shall provide free and compulsory education to all children of the age of six to fourteen years in such a manner as the State may, by law, determine.”

For Article 45 of the Constitution, the following shall be substituted, namely:

“The State shall endeavour to provide early childhood care and education for all children until they complete the age of 6 years.”

Following year, The Constitutional 86th Amendment Act 2002: Fundamental Right to Education was passed in December, 2002. This is followed by the drafting of comprehensive legislation in successive years: The Free and Compulsory Education for Children Bill 2003, The Free and Compulsory Education Bill 2004, The Right to Education Bill 2005 (CABE Bill), Model Bill 2006, Revival of CABE 2005 Bill (introduced in Rajya Sabha, Dec 15,

2008) and finally The Right of Children to Free and Compulsory Education Act 2009.

2. 7 The Right of Children to Free and Compulsory Education Act 2009

After historic journey, the Act was passed in the both houses of Parliament- Rajya Sabha 20th July and Lok Sabha on 4th August 2009. President’s Assent came on 26th August 2009 and Gazette Notification issued on 27th August 2009. Finally came into force on 1st of April 2010.

2.7.1 The Structure of the Act

The Act has 38 sections with many clauses and sub-clauses that are organized into seven chapters. It also contains Schedule, Model Rules, and Appendix. Following table summarizes the physicality of the Act.

Table No 2. 1: Showing the Physicality of the Act

Chapter	Content Description	Sections
Chapter-I	Preliminaries	1 and 2
Chapter-II	Right to Free and Compulsory Education	3, 4 and 5
Chapter-III	Duties of Appropriate Government, Local Authority and Parents	6 to 11
Chapter-IV	Responsibilities of Schools and Teachers	12 to 28
Chapter-V	Curriculum and completion of Elementary Education	29 and 30
Chapter-VI	Protection of Rights of Children	31 to 34
Chapter-VII	Miscellaneous	35 to 38

2.7.2 Context of RtE Act-2009: Uneven Schooling Opportunities

Constitutional commitment to universal schooling resulted in tremendous quantitative expansion of education. Due to concerted efforts made by successive governments’ in general and mega initiative in the name of Sarva Shiksha Abhiyan in particular school has reached nook and corner of the country. With this tremendous quantitative expansion, school as the physical space of institutionalised learning has become a reality. Participation in schooling from all sections of the society is increased manifolds. All the schooled statistics vindicate the overarching visibility of schools in all human habitations and children in all such schools. Further the quantitative expansion reveals the success story of schooling starting from access to success. Universal

enrolments, falling drop-out rates, increasing retention and completion rates are part of this success story.

But quality of learning and education in those constitutionally guaranteed schools remained at distance. Andre Beteille (2008) says, 'The enlargement of the provisions for education has been accompanied by the differentiation of educational institutions.....differentiation of quality and standard at each level of the system.' In fact, the unequal schooling situation has progressively been changed from schooled and unschooled division to more schooled and less schooled in terms of quality. Nevertheless, as opined by J P Naik, one of the architects of Indian school education policy in his pioneering work 'Equality, Quality and Quantity" An Elusive Triangle in Indian Education' (1975) stated that 'Quantitative expansion is required to break the monopoly over educational opportunities concentrated in the hands of privileged few'. But, the issue is that the quantitative expansion that lacks Quality, instead of breaking monopoly over educational opportunities, in fact, shaped gross injustice; moreover, quantitative expansion that completely neglected quality not only generated new kinds of unequal opportunities but also generated, what Ivan Illich(1970) calls, 'psychological impotency' among children who are attending no quality schools. The quantitative expansion seems to have overshadowed the quality dimension of education. Research studies conducted both at national and state levels point out low levels of learning in schools and the situation becomes worse as children move to higher Classes. Poor level of achievement at primary level is a de-motivating factor resulting in repetition and drop out from the schools. Quality, even after and in the midst of universalisation, remained a privilege of fortunate children of all strata. This unequal schooling is immediate and pressing context for any policy making body on education.

2.7.3 Economic Context of RtE Act-2009

In emerging global context, the meaning and nature of characteristic features of modernity namely, rationality, objectivity, individualism and democracy are undergoing a radical change. Along with these, the notion of social justice in education that became major concern of educational systems of many post-colonial societies is being succumbed to pressures. In this emerging and pervading globalised context, social justice in education is progressively being aligned to neo-liberal 'democratic' ideology that resulting in the emergence of a hyper individualism. Utilitarian ideal, in its narrowest material and economic gains, is dominating the normative nature of educational discourses. Thus, one witnesses the language of economics dominating both the

social justice discourses and educational debate. Policy formulations need to be situated and appreciated against this context.

2.7.4 Section 12 (1) (C): The Content and The Intent(s)

The Act contains many progressive sections. It talks about desirable and mandated facilities and teacher-taught ratio for quality education; it also spelt out roles of different stake holders. Further, in its definition of school, the Act explicitly included different types of schools that are in vogue, viz., Government, Aided, Special and Private unaided schools. It proposes neighborhood school system and mandates to provide primary school within the radius of one kilometer for every child. In addition, with an intention to provide freedom of choice to poor parents to select ‘quality school’ in the neighborhood, the Act mandated private schools to give 25% seats of total seats of the schools to children belonging to weaker and disadvantaged sections.

2.7.4 RtE Act-2009 and the Section 12 (1) (C)

Chapter IV section 12 (1) (c) of the Act reads,

“specified in sub-clause (iii)¹ and (iv) of clause (n) of section 2 shall admit in class I, to the extent of at least twenty five percent of the strength of that class, children belonging to weaker section and disadvantage group in the neighborhood and provide free and compulsory elementary education till it’s completion.”

Further, regarding the fee reimbursement, clause 2 of section 12 reads:

“ The school specified in sub-clause (n) of section 2 providing free and compulsory elementary education as specified in clause (c) of sub-section (1) shall be reimbursed expenditure so incurred by it to the extent of per-child expenditure incurred by the State, or the actual amount charged from the child, whichever is less, in such a manner as may be prescribed.”

¹ Section 2 (n) reads: “school” means any recognized school imparting elementary education includes-

iii) a school belonging to specified category; and

iv) an unaided school not receiving any kind of aid or grants to meet its expenses from the appropriate government or the local authority

2.7.4. The Context and Rationale for the Section 12 (1) (C)

Any legislative mandate is made in a context and with a rationale. **The** perceived cluster of context(s) and rationale for the Section 12 (1) (c) is:

- Growing globalization and global norms for education in general and elementary education in particular as overarching context
- Elementary education as fundamental right of every child (as legislative context)
- Depleting quality in government schools (as diagnostic context)
- Lack of cost effectiveness of government schools (as an interpretative context)
- Ideology of freedom of choice to parents (as an ideological context)
- Growing privatization of school education (empirical and ‘aspirational’ context)
- Making use of private sector to fulfill the constitutional mandate (legislative context)
- Argument for cost- effective quality education in private schools (as an interpretative context)

As the notion of ‘quality school’, without saying, goes with English medium private schools in popular perception, there is a possibility of change in enrollment patterns in different schools. Therefore, there is a need to understand the phenomenon. Hence, this study is proposed.

However, several segments of society strongly oppose the idea behind this clause, as they believe that by including a provision Government sponsored school places in private schools, the government is shrinking its Constitutional obligation towards providing education and is instead transforming its responsibility to the private sector.

Section 12 (1) (C) aimed to, some argue, bridge the inequality in society by providing opportunities to disadvantaged children to get quality education which was hitherto accessible only to the economically privileged strata of society. Therefore, the clause is believed to act as a legal apparatus to augment equity in educational opportunities in choice based quality education for those sections of the society who are otherwise left with no choice. The logic further extended that the said section is rooted in the belief that it would realize constitutional

values of equality and social justice in and through education by providing opportunities to disadvantaged in private schools also.

J. P Naik's debate over 'Quantity, Quality and Equality: The Elusive Triangle of School Education (1975), is finally, in Globalized context to school education, settled and skewed towards Quality angle. School education predominantly viewed from lenses of Quality as decided by global context and standards. Quality as an overarching norm and context guided the debates and decisions over the last two decades.

Historical legacy as a context of elementary education in India starting from British period had always been dominated by the argument of funds crunch to the education of all the school age children. The economic logic has been influencing the legislative process of making elementary education a right starting from Gokhale's legislative move in Bombay legislative assembly in 1911. The same argument overshadowed the legislative processes in Constituent Assembly debates. Thus, the provision of free and compulsory education landed up in Directive Principles of State Policy in the form of Article 45. In these two historical moves, education in general and school education in particular was seen as social process and hence the responsibility of educating children was perceived as public affair. Now, this is changed. School education as right of all children is firmly recognized and legislated. However, the responsibility no more remains the exclusive sphere of the state or public sector. In changed context, education and educating all the children is not only the responsibility of public sector but also the growing private sector. The same age old economic logic along with globalized quality spree is behind the changed politico-moral stance on the nature of implementation of right to education.

Chapter III: The Process

1. 1 Introduction

In the first chapter, problem is stated, objectives are formulated, and need and significance of the study are brought out. Further, limitations of the study are mentioned. In this second chapter, a brief historical evolution of Education as Right is sketched. Towards the end of the chapter, Right of Children to Free and Compulsory Act-2009 is described with focus on Section 12 (1) (C). In this third chapter, an attempt is made to delineate the methodology adopted for the study.

3.2 The Method

Methodology is a blue print of the process of inquiry undertaken for the exploration of the problem under study. Methodology of a study is derived from

- a) The nature of the problem under investigation and
- b) The purpose of the study.

The precision over these twin aspects of the research work provides the researcher to construct relevant methodology for the study.

The nature of the problem as stated, the present study is descriptive. The basic purpose of the descriptive study is to describe, first of all, what is and then interpret on the basis of description of is. Therefore, the purpose of the present study is to collect the evidence to map the changing patterns of enrollments in school education focusing on primary education. In the light of this, the present study is basically a descriptive study. In this descriptive study, quantitative method with survey technique is employed. In addition, to map the reasons, which are not observable and measurable, a qualitative method/technique, namely unstructured interview, is employed

3.3 The Sample

Madhya Pradesh is the second largest state of India with a population of approximately 70 Million. Much progress has been made in the field of education in Madhya Pradesh. The literacy rate, as we have already seen, in some detail in the first chapter, has increased from 64.11% in 2001 (All India - 65%) to 70.63% (All India 74.04%) in 2011. The target of enrolling all the children from 6 to 14 years of age has almost been achieved. In the year 2011, Net Enrolment Ratio (NER) has been 98.88% for the primary level (class I to V) and 99.27% for the upper primary level (class VI to VIII). The dropout rate has also come down. It is now 8.2% at primary level and 7.4% at upper primary level. Administratively Madhya Pradesh Is divided into 51 districts which are clustered into 10 divisions with unequal number of districts in each division. To cater the need of such a huge

base of population there are 83412 Government primary schools and 28479 Government upper primary schools. These schools are served by 191368 teachers in government primary schools and 74552 teachers in government upper primary schools.

Present study is very simple descriptive study to understand the change in enrollment patterns, if any, due to the implementation of Section 12 (1) (C) of RtE Act-2009 in Madhya Pradesh.

For the study stratified random sampling technique is adopted. As part of sampling process, at the first stage, two districts were identified randomly. At second stage, strata -rural and urban- of sample decided and accordingly selected two blocks - one block each- were selected. At third stage, after collecting the data from official records, two schools are selected—one from each block- to interact with parents of students who enrolled their wards in private schools instead of Government schools.

3.4 Data Collection Procedure

Phase I: Quantitative Analysis of the Data

The source of the data is official documents available with Right to Education Cell of Rajya Shiksha Kendra (RSK), Bhopal, offices of District Project Coordinator (DPC) of two districts, Bhopal and Sehore, and Block Resource Centers (BRC) of Bhopal Urban (Old city) Block and Ichhawar Block. Researcher in person visited all the above offices and met concerned officials to collect the documented data. Prior to the visit to all the offices, researcher visited the respective web sites and scanned the data.

Phase II: Qualitative Analysis

After the preliminary analysis of the data thus collected, researcher conducted interacted with parents of selected blocks-by conducting unstructured interviews to map the reasons for their decision to join their wards in private schools.

3.5 Data Analysis

The present study is a descriptive and analytical one intended to figure out enrollment patterns with a view to understand the changes in the nature of school as a social system. The purpose of the study is to describe the reality with the help of the analysis of the data that represents the reality. Therefore, the data source is documents maintained from time-to-time by concerned departments. The data is presented with the help of tables and graphs. Simple percentages are used to understand the data. Having done this, the data is interpreted in the light of the objectives of the study. In addition to this, to trace the causes/reasons for changes in enrollments, which lie beyond education system, an analysis of the conversation done with the select parents and educational functionaries is done.

Chapter IV: The Consequence
Understanding the Presence of RtE Act-2009
Vis-à-vis Enrollment Patterns

4.1 Introduction

Right to Education Act-2019 came into force from 1st April 2010. The section 12 (1) (c) is a remarkable clause that can bring changes in the nature of public education. In the first chapter, problem was stated and the purpose was brought out. The second chapter dealt with the historical legacy of right to education in India. In this chapter, landmarks in the efforts to right to education that ultimately culminated into the enactment of RtE Act-2009 are painted. In the third chapter, very brief methodological sketch was presented. In this forth chapter, an attempt is made to analyze the data and interpret the findings to understand possible social and policy related implications. The analysis is presented in four sections:

- i) In section A, rules and guidelines issued by the Government of Madhya Pradesh in connection with the implementation of RtE Act are presented.
- ii) In Section B, Status of enrollment patterns are identified and presented
- iii) In Section C, reasons behind parental choice of private school that are bringing changes in enrollment patterns are discussed
- iv) In Section D, views of Educational functionaries on consequences of the implementation of RtE-Act are discussed.

After the presentation of the analysis, towards the end of the report, implications to social nature of future elementary schooling will be brought out. As a precursor to the analysis, state Governments efforts in developing procedures for the implementation of the RtE Act is presented here under.

Section A: The Legality/Governance

**4.2 Implementation of Right to Education Act-2009 in Madhya Pradesh:
Issuing of Rules and Guidelines**

Sub-section (1) Section 38 of Right of Children to Free and Compulsory Education act, 2009 asked the ‘appropriate Government may, by notification, make rules, for carrying out the provisions of this Act’.

In the light of this, as the Constitutional authority, Madhya Pradesh State Government, to fulfill the statutory responsibility, has issued the rules and guidelines for the effective implementation of Right of Children to Free and Compulsory Education Act-2009 in the state of Madhya Pradesh on March 26, 2011. The Gazette reads, “ In exercise of the powers conferred by sub-section (1) and (2) of section 38 of the Right of Children to Free and Compulsory

Education Act, 2009 (No. 35 of 2009), the State Government hereby makes the following rules, namely:

4.2.1 The Statute of the State

1. These rules may be called the Right of Children to Free and Compulsory Education Rules, 2011.
2. They shall extend to the whole of Madhya Pradesh.
3. They shall come into force from the date of their publication in the Madhya Pradesh gazette.

In this gazette, at section 7, admission of children belonging to weaker section and disadvantaged group is mentioned.

4.2.2 Admission of children belonging to weaker sections and disadvantaged groups

(1) The school referred to in sub-clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in pursuance of clause (c) of sub-section (1) of section 12 shall not be segregated from the other children in the classrooms nor shall their classes be held at places and timings different from the classes held for the other children.

(2) The school referred to in sub-clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in pursuance of clause (c) of sub-section (1) of section 12 shall not be discriminated from the rest of the children in any manner pertaining to entitlements and facilities such as text books, uniforms, library and Information Communication Technology facilities, extra-curricular and sports.

(3) The areas or limit of neighborhood specified in rule 4 (1) shall apply to admissions made in pursuance of clause (c) of sub-section (1) of section 12:

Provided that the school may, for the purposes of filling up the requisite percentage of seats for children referred to in clause (c) of sub-section (1) of section 12 admit the children from the extended limit of neighborhood as defined under clause (h) of sub-rule (1) of rule -2.

(4) The Jan Shikshak shall maintain a list of children belonging to the disadvantaged group and the weaker section in the limits of neighborhood of every unaided school, aided and specified category schools within his/her jurisdiction.

4.2.3 Definitions and Documentation for Proof

RtE Act-2009 mandated to provide 25% of seats at entry level to Disadvantaged Groups (DG) and Economically Weaker Sections (EWS) of the society, neighborhood, entry level, and age criteria for admission under RtE Act. To operationalize admission process, every state has to define these by considering state specific and context specific characteristics. Madhya Pradesh Government has defined them. Following table explains in brief.

Table No 4.1 Showing the Definitions and Required Documents

Sl. No	Category	Definition	Remarks
1.	Disadvantaged Group	SC, ST, De-notified Tribes, Homestead Families of Forest villages/entitled families and disabled children	
2.	Economically Weaker Sections	Families living below poverty line	
3.	Neighborhood	Rural Neighborhood: Village and adjacent wards of urban locality (if there are any); Urban Neighborhood: Ward and adjacent wards and adjoining villages (If any)	
4.	Entry level	Pre-primary and Class I	
5.	Documents	Rajya Shiksha Kendra vide notification No./Rashike/RTE/2013/394 dated 16 th January, 2013 has issued the list of documents needed for each of the social categories mentioned at rows 1 and 2. also mentioned the purpose of each document that it serves. For proof of Residence: (6 types of documents) i. Voter ID/ ii. Aadhar Card iii. Rural area Job Card iv. Pass port/ v. Driving vi. Any other	

4.3 Section B: The Enrollment Patterns

In the section A, status of statute and guidelines of Madhya Pradesh in connection with the implementation of the section 12 (1) (c) of RtE Act-2009 have been seen. Immediately after the issuance of guidelines in the year 2011, admissions into private schools under the RtE Act started taking place. The status of enrollment patterns that are emerged due to the implementation of the section 12 (1) (c) of the RtE Act-2009 is presented here under.

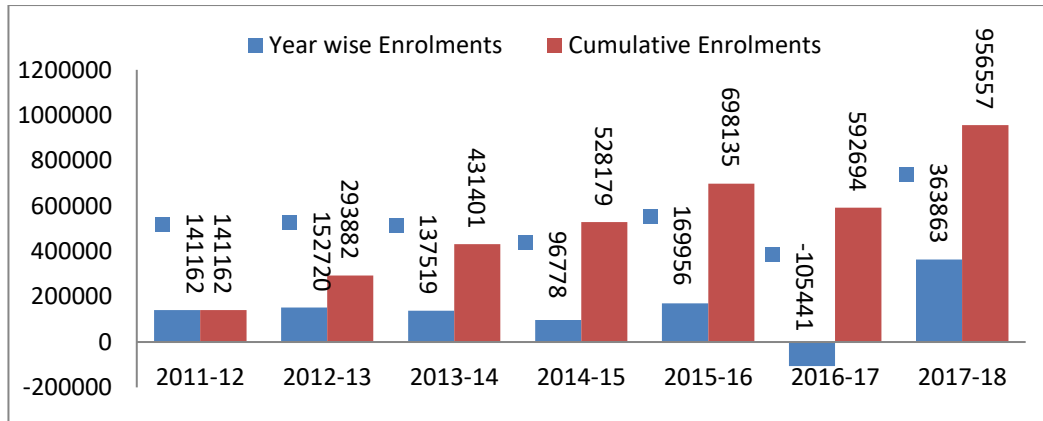
4.3.1 Admissions into Private Schools Under 12 (1) (c) of the RtE Act-2009: Madhya Pradesh

Table No 4. 2: Showing Year-wise and Cumulative Enrolments under RTE Act 2009 Section 12 (1)(c) in the State of Madhya Pradesh

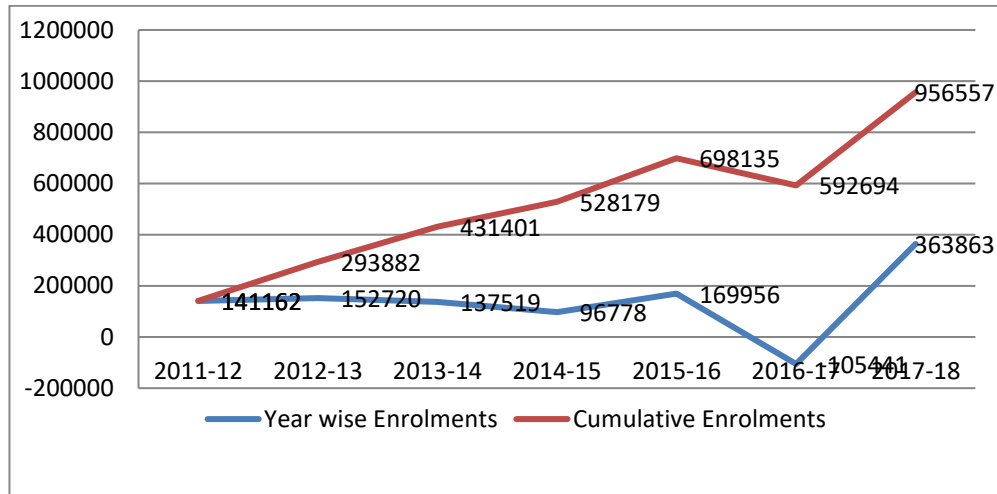
Sl. NO	Year	Enrolments	
		Year wise Enrollments	Cumulative Enrolments
1.	2011-12	141162	141162
2.	2012-13	152720	293882
3.	2013-14	137519	431401
4.	2014-15	96778	528179
5.	2015-16	169956	698135
6.	2016-17	-105441	592694
7.	2017-18	363863	956557
8.	2018-19	161876	1118433

Source: Unless otherwise mentioned the source is RTE portal, RSK, MP across the report

4.1: Graph Showing Year-wise and Cumulative Enrolments under RTE Act 2009 Section 12 (1)(c)



4.2: Linear Graph Showing Yea-wise and Cumulative Enrolments under RTE Act 2009 12 (1)(c)



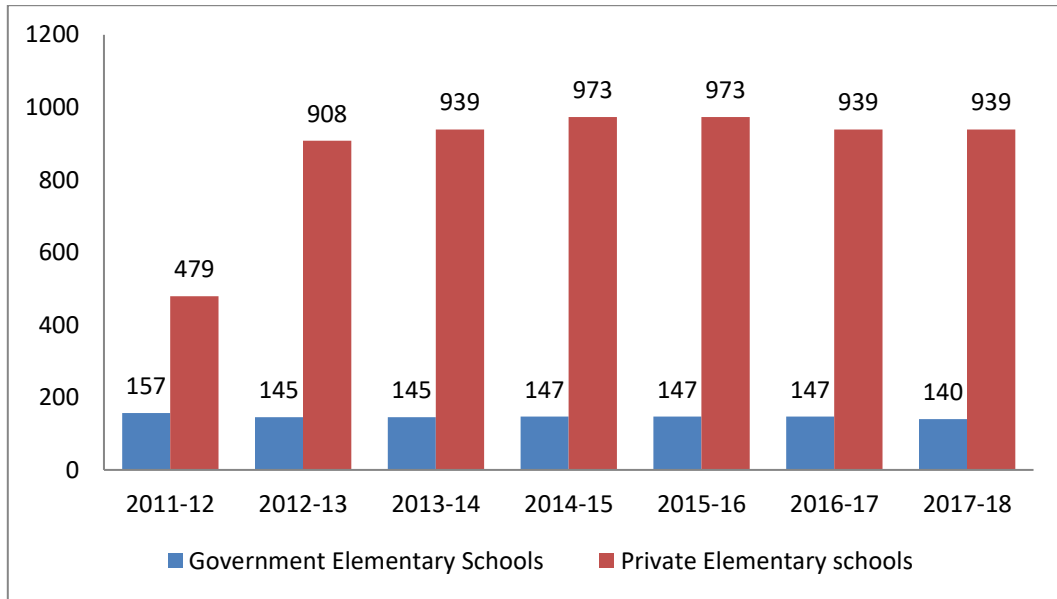
The above table and graphs show us the admission status of children belonging to DG and EWS groups into private schools under the Section 12 (1) (c) of RtE Act-2009 in the state of Madhya Pradesh. The trend is clear that many more admissions are taking place under the RtE Act year after year except during 2016-17 academic year. First year of the implementation of RtE Act, i. e., 2011-12, the admission of children of deprived sections into private schools was 1, 41,162. The cumulative number of admissions into private schools under the Act during 8 years (2011-18) is whopping 11, 84,333 children. The average admissions per year under the RtE Act-2009 stands at 1, 39,804 in the state of Madhya Pradesh. As per the provisional report of the collaborative study conducted by RTE resource centre IIM, Ahmedabad and others entitled ‘State of the Nation: RTE Section 12 (1) C’, Madhya Pradesh state tops RtE admissions in the country.

**4.3.2 Elementary Schools of Bhopal Urban Block Phanda (Old City):
Management wise**

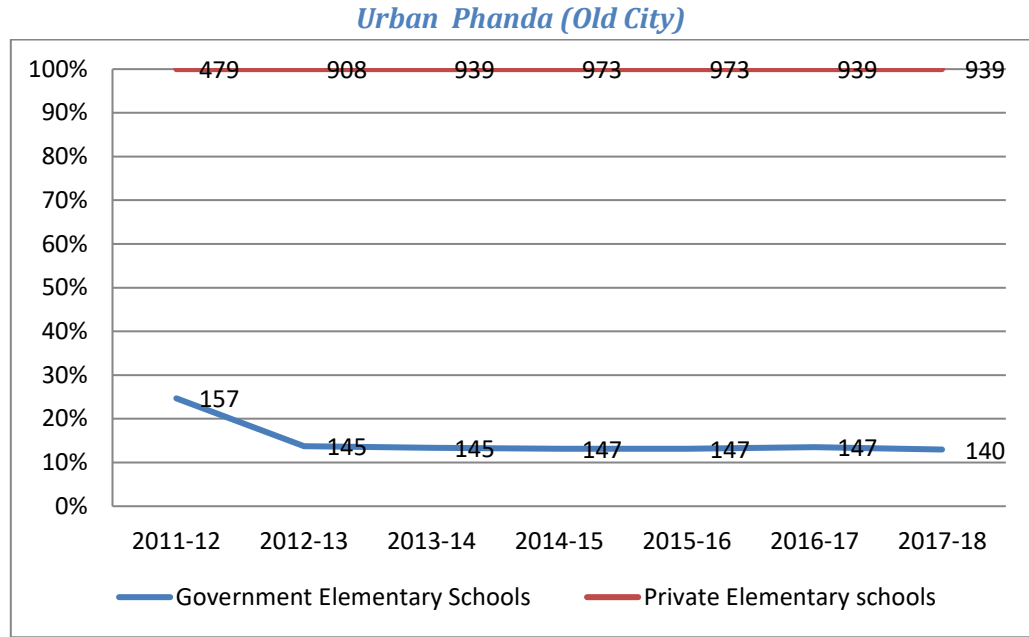
Table 4.3 Showing Total No of Elementary Schools Bhopal Urban Phanda (Old City): Management wise

SI. no	Year	Government Elementary Schools	Private Elementary schools
1	2011-12	157	479
2	2012-13	145	908
3	2013-14	145	939
4	2014-15	147	973
5	2015-16	147	973
6	2016-17	147	939
7	2017-18	140	939

**4.3 Graph showing Total No of Elementary Schools of Bhopal
Urban Phanda (Old City)**



4.4: Linear Graph showing Total No of Elementary Schools of Bhopal



Any policy formulation and its implementation need to be understood by situating it in context(s). Critics of RtE Act argued that section 12 (1) (C) would potentially augment privatization of school education. They further argued that it is a death knell to Public sector school education. The above data presented in table 4.5 support the critics apprehensions.

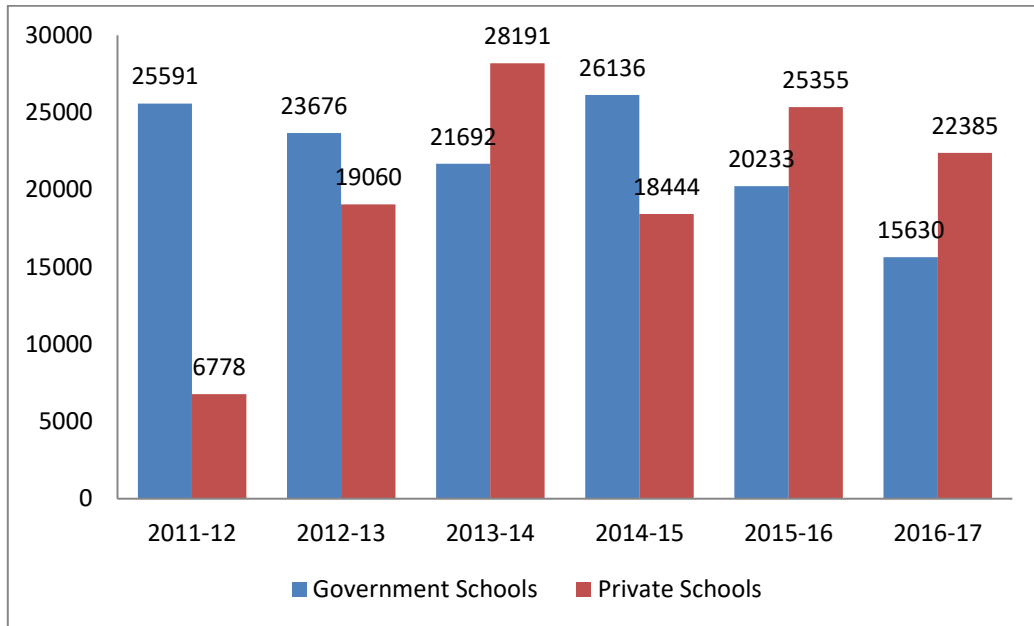
Dual system of schooling -public and private- existed in the country before the promulgation of the RtE Act-2009. In 2011-12, the commencing year of the implementation of 25% reservation to DG and EWS, private schools in the Bhopal Urban block (old city) outnumbered Government schools. There were 157 Government Elementary Schools and 479 private Elementary Schools in the sampled block. However, after the implementation of the 25% reservations in private schools, there is surge in the establishment of private schools. The above data very clearly exhibits the rapid momentum in the increase of Private schools and gradual closure of Government schools. The number of Government Elementary schools came down from 157 in the year 2011-12 to 140 elementary schools in 2017-18; and during the same period, there is quantum jump in private elementary schools; their number grew from 479 in the year 2011-12 to 939 in 2017-18. This increase is phenomenal that would potentially change the social nature of school education.

4.3.3 New Admissions into Initial Classes in Bhopal Urban

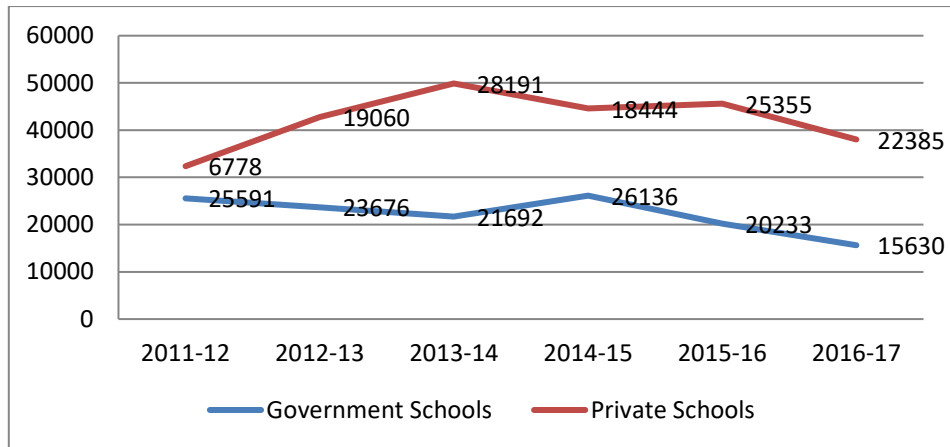
4.4: Table: Total Enrolments in Nursery and Class 1 Bhopal Urban Phanda (Old City) (Management wise)

Year	Government Schools	Private Schools	Total
2011-12	25591	6778	32369
2012-13	23676	19060	42736
2013-14	21692	28191	49883
2014-15	26136	18444	44580
2015-16	20233	25355	45588
2016-17	15630	22385	38015

4.5 Graph showing Bhopal Urban Govt. and Private Schools Nursery and class 1 Enrolment



4.6 Linear Graph Bhopal Urban Govt. and Private Schools Nursery and class 1 Enrolment



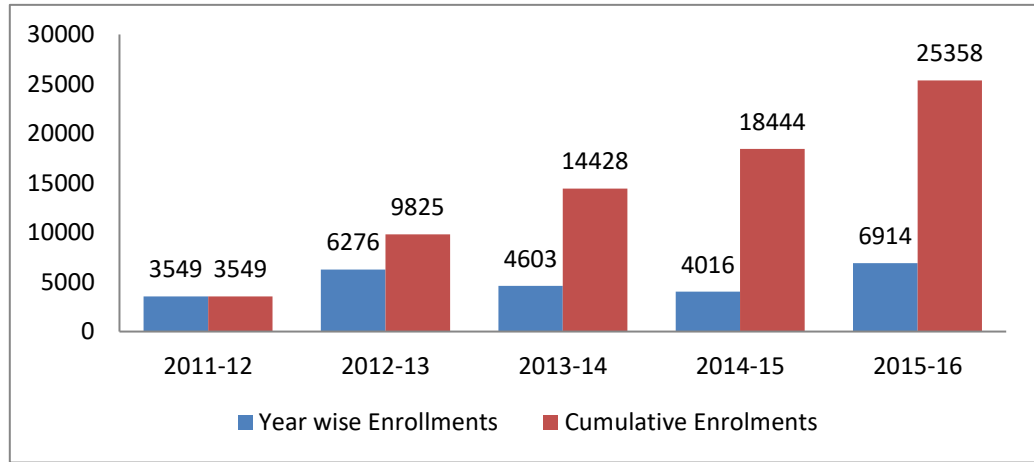
Admissions of the wards under RtE Act 2009 take place two initial classes one being the pre-school stage-Nursery and the second the primary at class one. Data in the above table gives us the account of the changing nature of admissions at these identified levels in Bhopal urban block. In the commencing year of the implementation of the RtE Act i.e. 2011-12, total no of admissions into Government schools were 25,591 and into private schools 6778. In the following year-2012-13, the trend is changed. New admissions into Government schools came down to 23,676 where as there is sharp rise in the admissions into private schools. The rise moved from 6778 admissions in 2011-12 to 19,060 in 2012-13. By 2016-17 admissions into Government schools further slipped down to 15,630 and in Private schools admissions further climbed up to 22,385. This visible change can be attributed to the effective implementation of Section 12 (1) (C) of the RtE Act-2009.

4.3.4 Enrolment of Bhopal Urban Block Phanda (Old City) Under RtE Act

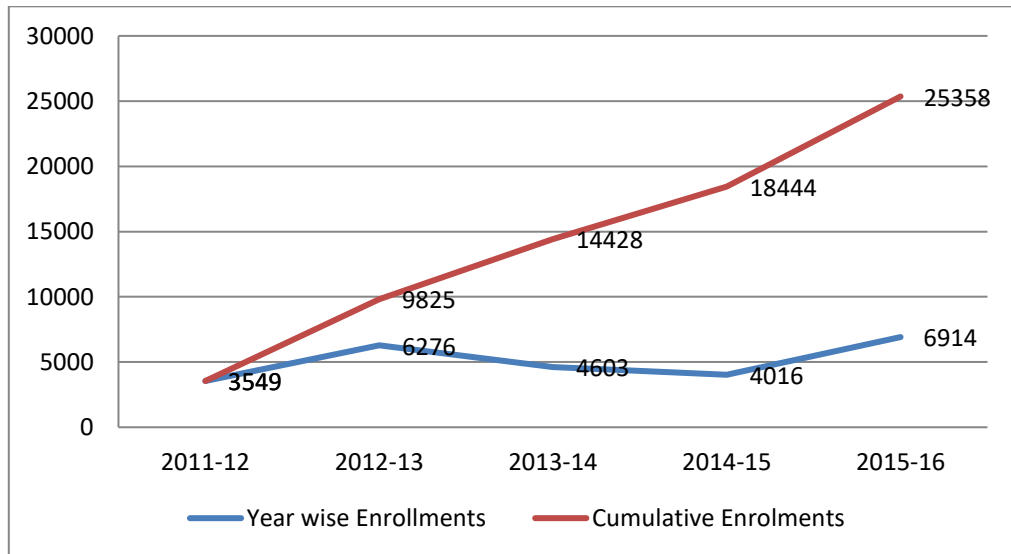
4. 5 : Table Showing Year wise and cumulative enrollment in Bhopal Urban Phanda block (Old City)

Sl. No.	Year	Enrolments	
		Year wise Enrollments	Cumulative Enrolments
1.	2011-12	3549	3549
2.	2012-13	6276	9825
3.	2013-14	4603	14428
4.	2014-15	4016	18444
5.	2015-16	6914	25358

4.7 : Graph showing Year wise and Cumulative Enrolments



4.8: Linear Graph showing Year wise and Cumulative Enrolment



The above table and graphs show us the admission status of children belonging to DG and EWS groups into private schools under the Section 12 (1) (c) of RtE Act-2009 in the Bhopal Urban (Old city)-Bhopal district of Madhya Pradesh. The trend is plain that admissions into private schools under the RtE Act are in increasing mode year after year barring 2016-17 academic year. In 2011-12, the commencing year of the implementation of RtE Act, the number admissions of children of deprived sections into private schools was 3549. Following year there is sharp rise in RtE admissions that stands at 6276. However there is fall

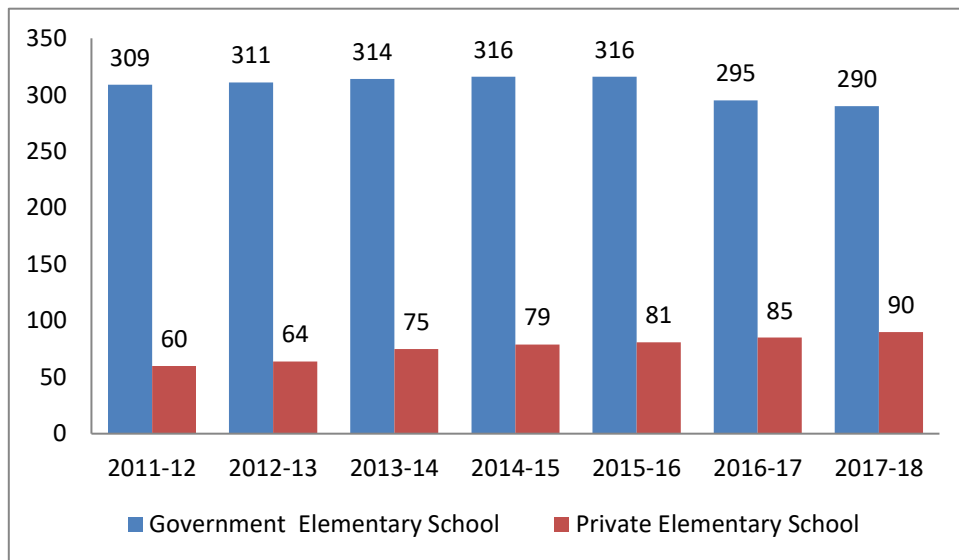
in the admissions in following two years and rose in the year 2015-16. The cumulative number of admissions into private schools under the Act during 5 years (2011-16) is 25,358 children. This growing number of admissions under Section 12 (1) (c) of RtE Act-2009 explains growing number of private schools in last five years.

4.3.5 Elementary Schools of Ichhawar Block : Management wise

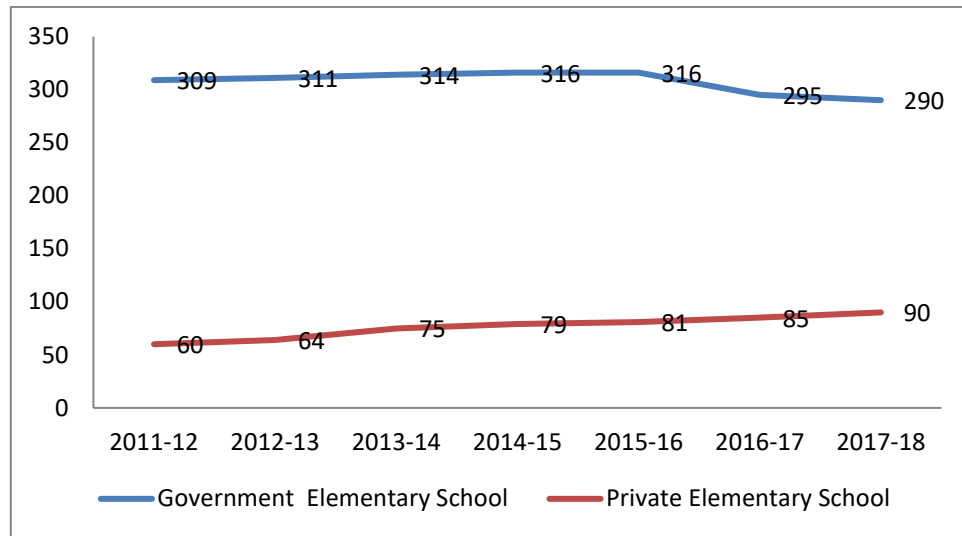
Table 4.6 Showing Total No of Elementary Schools Ichhawar block : Management wise

SI. no	Year	Government Elementary School	Private Elementary School
1	2011-12	309	60
2	2012-13	311	64
3	2013-14	314	75
4	2014-15	316	79
5	2015-16	316	81
6	2016-17	295	85
7	2017-18	290	90

4.9 : Graph showing Total no of Elementary School of Sehore Ichhawar Block



4.10 : Linear Graph showing Total no of Elementary School of Sehore Ichhawar Block



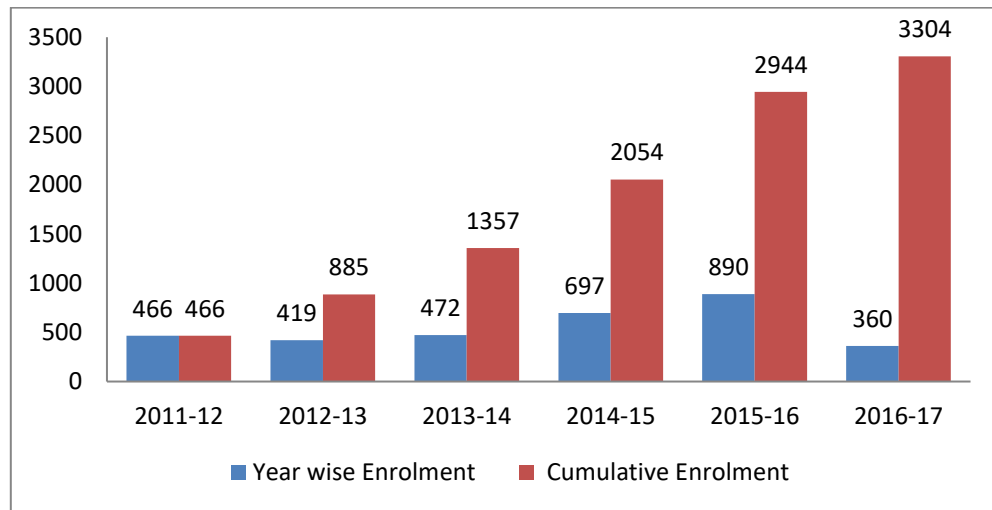
Dual system of schooling is prevalent only in urban India is a misnomer. Private schooling, quite some time from now has been creeping into rural India. This process has got legitimized impetus with the introduction of RtE Act-2009 and particularly with the implementation of the Section 12 (1) (C) of the Act. The sampled rural block- Ichhawar- vindicates this fact. Above table tells the developing story of school system in the block where the number of Government schools is gradually falling and number of private schools is gaining. In the academic year 2011-12, the starting year of RtE Act, the number of Government Schools was 309 and private schools were 60. By 2017-18 Government schools number came down to 290 where as private school number rise from 60 to 90. This clearly shows how implementation of a saw in the context dual school system favours one and harms the other; here there is no win-win situation. Instead, win of one of the two is necessarily the loss to the other.

4.3.6 Enrolments in Ichhawar Block Under RtE Act

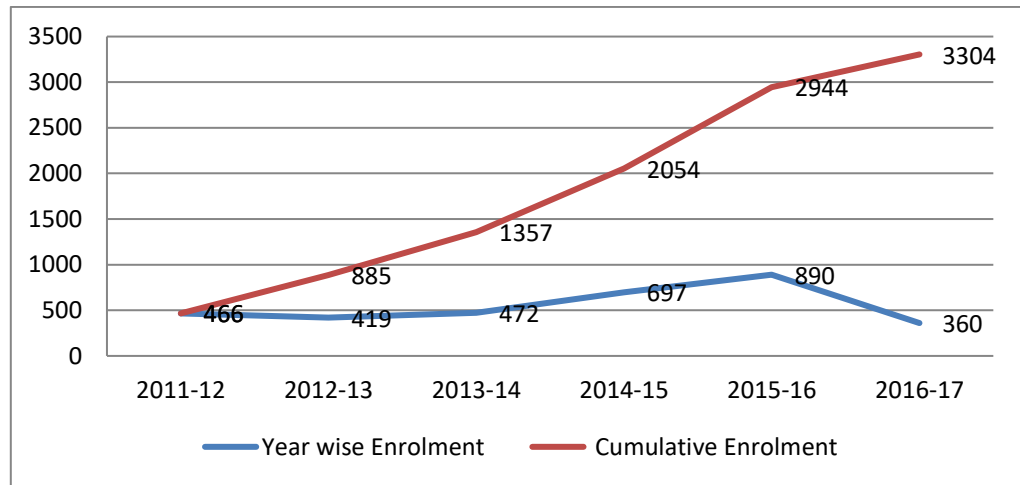
Table 4.7 Table Showing Year wise and cumulative enrollment in Ichhawar Block

SI. No	Year	Enrolment	
		Year wise Enrolment	Cumulative Enrolment
1	2011-12	466	466
2	2012-13	419	885
3	2013-14	472	1357
4	2014-15	697	2054
5	2015-16	890	2944
6	2016-17	360	3304

4.11 Graph of Sehore Ichhawar block Year wise and Cumulative Enrolments



4.12 Linear Graph of Sehore Ichhawar block Year wise and Cumulative Enrolment



The above table and graphs show us the admission status of children belonging to DG and EWS groups into private schools under the Section 12 (1) (c) of RtE Act-2009 in the Ichhawar block of Sehore district of Madhya Pradesh. The trend is simple that admissions into private schools under the RtE Act are increasing year after year barring 2016-17 academic year. In 2011-12, the commencing year of the implementation of RtE Act, the number admissions of children of deprived sections into private schools was 466. Following year-2012-13- there is sharp fall in RtE admissions that stands at 419. However, in the subsequent years there is continuous rise in the admissions under the Act. The cumulative number of admissions into private schools under the Act during 5 years (2011-16) is 2944 children.

Section C: Parent's Perspective

Education is a social act; sending child to school is a deliberate decision made by the parents. In a diversified and in equal schooling environment, the parental choice of school is invariably conditioned by the factors/reasons that constitute the perspective of parents that is rooted into their material existence. Objective 3 of the study is to trace the factors/reasons for the change in enrollment patterns if emerges from the study. The study has shown, at section B, that there is a gradual increase in enrollments in private schools and decrease in Government schools. One of the reasons in the swing in enrollment towards private schools is due to the implementation of the Section 12 (1) (c) of RtE Act-2009.

As part of the study, informal interviews- the appropriate term would be Conversations- with 18 parents in each block were conducted. This was done with the help of unstructured interview schedule. When talked to parents of children who exercised newly found ‘freedom of choice’ in admitting their wards in schools of their preference, it is observed that multiple factors such as lowering the age of schooling (pre-primary), distance of the school from home, medium of instruction of the school, quality of education in the school and concerns exhibited by teachers in schools are emerged. The conversations with parents reveal that they were not sticking to single factor as ‘the reason’ for their choice of school. In fact, ‘cluster of reasons’ often with altering priority have emerged for parental choice. In the following tables, an attempt is made to gauge the reasons/factors for parental school choice.

Table 4.8 Showing the reasons as per Order of Priority for parental choice of school Ichhawar block

N=18

N=18	
No of Parents	Reasons as per Order of Priority for the choice of Private School
10	<ul style="list-style-type: none"> • Lack of facility for pre-primary in government schools • Quality of ‘education’ • Medium of School
04	<ul style="list-style-type: none"> • Indifference in Government Schools • Neighborhood (distance) • Medium of school
04	<ul style="list-style-type: none"> • Medium of school • Quality of education

Table 4.9. showing the reasons for parental choice of school Ichhawar block

N=18

No of Parents	Reason for the choice of Private School
10	<ul style="list-style-type: none"> • Lack pf facilityfor pre-primary in Government School
04	<ul style="list-style-type: none"> • Neighborhood (distance)
04	<ul style="list-style-type: none"> • Medium of School

Parents who are sending their children to private schools under RtE quota belong to DGs and EWs sections of the society. During the conversation, it was continually observed the shuttling by parents between one factor to the other as

‘the reason’ for their choice of school. They talked about multiple factors as reasons for their choice. The above table 4.7 captures this unsettled phenomenon. It informs ‘cluster of reasons’ in the order of priority of 18 parents of RtE quota children of Ichhawar block. For 10 parents of 18 parents, the first reason for the school choice happens to be the lack of the provision of pre-primary in Government schools in the habitation/village. When reminded the presence of anganwadi in the village, they spoke about the lack of quality in the anganwadis. So the second reason in priority hierarchy is quality of engagement in the schools. The third associated reason as expressed by the ten parents is the medium of education. Indeed, a close look at the table tell us that 18 out of 18 parents expressed that the medium of education as one of the reasons though with difference in priority; similarly quality as one of the reasons is expressed by 14 teachers. Lack of facility and indifferent attitude that prevails in Government schools is expressed by again 14 parents. The thing to be noticed is that neighborhood as a factor stands last.

Having tried to map the cluster of reasons that cropped up during the conversation, an attempt was also made to single out the factor that stands as ‘first among equals’ reason for the school choice. Table 4.8 above depicts this. The table shows that 10 out of 18 parents feel that the lack of facility of pre-primary is the reason for joining into private schools; and equal number of parents, four each, informed that neighbourhood and medium of instruction is the factor for joining private school.

Table 4.10 showing the reasons as per order of Priority for parental

Choice of school-Bhopal urban block

N=18

No of Parents	Reasons as per Order of Priority for the choice of Private School
14	<ul style="list-style-type: none"> • Lack of facility for pre-primary in government sector • Medium of School • Quality of education
04	<ul style="list-style-type: none"> • Indifference in Government Schools

Table 4.11 showing the reasons for parental choice of school

Bhopal urban block

N=18

No of Parents	Reasons for the choice of Private School
08	<ul style="list-style-type: none">• Lack of facility for pre-primary in Government School
06	<ul style="list-style-type: none">• Medium of school
04	<ul style="list-style-type: none">• Indifference in Government schools

As in rural setting-Ichhawar- in urban area –Bhopal urban- Parents who are sending their children to private schools under RtE quota belong to DGs and EWs sections of the society. In urban landscape parents have more ‘choice’ when compared to rural parents. More choice would create more puzzlement in decision making. During the conversation, it was continually observed the shuttling by parents between one factor to the other as ‘the reason’ for their choice of school. Similar to the parents of Ichhawar, parents in Bhopal urban block also spoke about multiple factors as reasons for their choice with visible variance in the priority. The above table 4.9 captures this unsettled phenomenon. It informs ‘cluster of reasons’ in the order of priority of 18 parents of RtE quota children of Ichhawar block. For 14 parents out of 18 parents, the cluster of reasons for the school choice are the lack of the provision of pre-primary in Government schools in the neighbourhood, medium of education, and quality of education. For 4 parents the stand alone reason has been the indifference in Government schools towards teaching.

Having mapped the cluster of reasons that cropped up during the conversation, an attempt was also made to single out the factor that stands as ‘first among equals’ reason for the school choice. Table 4.10 above depicts this. The table shows that 08 out of 18 parents feel that the lack of facility of pre-primary is the reason for joining into private schools; and for 06 parents it was medium of education as the first reason and for 04 parents it was the indifferent attitude of the of government schools towards teaching was the reason for admitting their wards in private schools.

The above quantitative results are arrived at through series of conversation with parents of both the sampled blocks. The conversation was carried with certain questions that yielded both kinds of data- quantitative and qualitative. Having presented the findings through quantitative data above, an attempt will be made to present qualitative findings below with the help of conversations.

Conversation -1

Conversation with Parents

Episode I:

प्रश्न 1: आपने अपने बच्चों के दाखिले हेतु निजी विद्यालय को क्यों चुना?
Q. 1 : Why have you chosen to admit your ward in the private school?

Initially there was puzzlement followed by smile primarily representing both, their lack of clarity over the reasons for their choice and many reasons at a time occupying their mental space as the choice they made and then responding to the question in an indefinite manner about their choice of school.

On prompting probable and possible reasons for choice, such as neighborhoods, quality of learning, and medium of education etc., they slowly responded. Following are the responses:

Parental responses:

लोगों का कहना है कि निजी विद्यालय सरकारी विद्यालयों की तुलना में बेहतर हैं।
People say that private schools are better to Government schools

निजी विद्यालय बेहतर प्रतीत होते हैं।
Private schools appears to be better

निजी विद्यालय निश्चित रूप से बेहतर होते हैं।
Private schools are certainly better

The conversation, at the beginning, focused on identifying underlying factors and also sifting them to 'discover' prime/first factor for the choice of private schools over government schools by the parents; the impression/perception of 'better' stood as prime factor. Though the perception about 'better' by parents stood out to be the first factor, holding of that perception among all has not been the same. The above three kinds of responses tell us that some parents hold the perception due to opinion of others and others are due to their own decision.

Having seen the factor for their selection of private schools over government school, the second question was put to them to know the reasons for their understanding of private schools being better.

प्रश्न 2: निजी विद्यालय सरकारी विद्यालयों से बेहतर होते हैं। कैसे?

Q. 2 : How do you say that Private School are better to Government School ?

Parental Responses :

हर कोई कहता है कि निजी विद्यालयों में पढ़ाई अच्छी होती है।

Everybody says that learning is good in private schools

निजी विद्यालय में सीखना अच्छा प्रतीत होता है।

Learning appears to be good in private schools

मैंने स्वयं देखा कि निजी विद्यालयों में सीखना अच्छा है।

I myself saw that learning in private schools is good

After coming to know the reason-perceived better learning- for the selection of private schools over government schools, conversation was focused to know the basis for their conclusion that learning in private schools is better.

After coming to know the reason-perceived better learning- for the selection of private schools over government schools, conversation was focused to know the basis for their conclusion that learning in private schools is better.

प्रश्न 3: आप यह कैसे कह सकते हैं कि निजी विद्यालयों में अधिगम बेहतर होता है। यह कैसे तर्कसंगत है?

Q. 3 : How can you say that learning in private schools is better? What is the rationale?

Response to this was not coming from the data by invoking achievement of children studying in private schools. Rather, it was basically pointing towards, regularity, punctuality and continuity of students and teachers in private schools that automatically perceived and considered as better learning.

Responses:

शिक्षक प्रतिदिन निजी विद्यालयों में आते हैं।

Teachers come regularly to schools

शिक्षक हमेशा कक्षा में रहते हैं।

Teachers are always in the class

निजी विद्यालयों में शिक्षक-छात्र की अंतः क्रिया निरंतर होती है।

Teacher- student interaction is regular in private schools

In an informal interview-conversations- with Government school education functionaries at different levels, -school, crc, brc, levels- it is noticed, time and again, that the Government machinery obliged and compelled to work for the private schools enrollments in order to comply the mandated norm of filling 25% of seats in private schools by disadvantaged groups children (DG) and economically weaker sections (EWS) children. This is one of the classic examples of abnegation. Conversation with educational functionaries- Teachers, Cluster Resource Persons- took place after the conversations with parents. Therefore, conversation, primarily, centered around above presented parental perception to validate its truthfulness.

प्रश्न 4: किस सीमा तक अभिभावकों की धारणा है कि निजी विद्यालय सरकारी विद्यालयों की तुलना में बेहतर हैं?

Q. 4 : What extent the parental perception that 'private schools are better to government school' represents ground reality ?

Aspect of conversation was parent's perception that private schools are better to Government schools. When the above question was put to educational functionaries, they neither contradicted the finding nor endorsed it completely. In fact, a critical scrutiny of the conversation with the educational functionaries reveals interesting 'dualistic' views that they were trying to put forth. On the one hand, they held the view that learning in private schools is no better than government schools, on the other they held the view that the perception of parents regarding better learning in private schools is not unfounded. As the conversation on this dichotomous views progressed, the fine distinction for the dichotomous views they held was slowly unearthed. The fine distinction came forth was:

निजी विद्यालय में सीखना बेहतर हैं ।

Learning in Private Schools is better

निजी विद्यालय बेहतर है अधिगम का जिक्र किए बिना ।

Private schools are better (without overtly referring to learning)

During the conversation, educational functionaries very logically pointed out that there is no empirical evidence to support the perception that learning in private schools is better to government schools. Having rejected that the learning in private schools is better to Government Schools, they did not turn down the perception of the parents that ‘private schools are better to Government schools’. They are of the opinion that perception of parents is not completely based on ‘subjective’ feelings or preferences but on ‘objective conditions’ in both kinds of schools that are perceived and compared without much difficulty. When asked what the ‘objective conditions’ that are instrumental in shaping the perspective, educational functionaries cited the following:

- **‘Adequate’ number of teachers:** The first and foremost important condition for learning in schools is ‘presence’ of teachers. In Government schools, teachers are relatively better qualified to private schools; however, the number is better in private schools. Further, where as teachers in Government schools are continuously involved in non-academic activities and in paper work, teachers in private schools are confined to classroom academic work. Due to these two conditions, following objective condition prevails.
- **Regularity and punctuality in Schools:** In private schools, the sole focus of teacher is classroom academic activities. This showcases that teachers are in class on time regularly.
- **Continuous Classroom Contact:** This regularity to school and class results in regular classroom academic activity.

These visible ‘objective conditions’, conclude the educational functionaries, are responsible for the parent’s perception that private schools are better to Government schools.

In addition, during the conversation, one important structural aspect, popped up time and again but not sustained was about the nature of parents who are preferring private schools over Government schools. This structural aspect is awareness of the parents about the importance of education. As this was not probed into, no further mention is called for here.

4.6 Findings

Secondary data collected from RSK and other allied portals very clearly established the fact and has shown that the implementation of Section 12 (1) (C) of Right to Education Act-2009 is changing the social nature of school system in the country and in the future, if the course and trend continues, there will be qualitative shift in the nature of schooling. Following are the major findings of the study:

- Dual school system –public and private- exists in the country before the promulgation and implementation of the RtE Act-2019. However, the ‘enforcement’ of 25% quota of Section 12 (1) (C) of Right to Education Act-2009 in private schools is changing enrollment patterns in elementary schools in favor of private schools.
- All the data have shown that there is not only rapid increase in enrollments in existing private schools but also exponential growth in new private schools.
- As a consequence, there is rapid fall in enrollments in Government elementary schools and also gradual closure of Government elementary schools

Conversations with parents and educational functionaries over factors, reasons for shifting enrollments brought forth the following:

- Many of the parents felt and opined that 25% quota in private school is great opportunity to exercise the of ‘freedom choice’ that has not been exercised due to economic constraints
- Multiple factors such as non availability of pre-primary school in neighborhood, quality of education and medium of education ‘responsible’ for interplay of factors, acted as ‘cumulative reason’ for the selection of private schools for their wards by the DG and EWS parents .
- However, non availability of pre-primary in neighborhoods is found to be the largest contributing factor in sending the children to private schools particularly in urban centers.

The summary of the conversations reveal multiple things at a time that are at work in effecting changes in enrollment patterns in elementary schools in favour of private schools. They are:

- The perceived failure of public schooling in the country in providing quality education
- The dominant perception that Private schools are synonymous with quality education (though unfounded)

- English medium education is perceived to be superior to mother tongue education among certain sections of the underprivileged
- Freedom of choice by the parents is superior to social objective of education to provide equal educational opportunities
- Newly found opportunity to admit children in private schools without any substantial financial burden
- The entry points for enrollment in RtE quota is nursery as well as Class I. This norm has become a boon for the parents of DGs and EWS, particularly in urban centers, as it facilitated them to send their children to school at an early age. This, it is noticed, has two positive impacts at family level:
 - One being, parents are released, though partially, from child care responsibility, and the second which is more important, is the release of older siblings, particularly girls, from the responsibility of younger sibling care.
 - This, in turn, facilitated older siblings to attend the school uninterruptedly.
- Most of the private schools into which children are joined under Section 12 (1) (c) of RtE Act-2009 quota are low fee private schools (Mohall private schools as they are called in urban centers) with few exceptions. In fact, many new private schools were opened in last couple of years.
- The treatment of children belonging to what is termed as the ‘quota children’ or ‘RtE children is not the same in all the schools. It is found that the treatment varies from school to school primarily depending on the fee structure and the location of schools. If we place these dissimilar treatments on ‘treatment continuum’ the treatment spans from ‘indifferent attention’ to ‘differential treatment’ to ‘discriminatory attitude’. The treatment of quota children, it is observed, is refracted through fee structure of the school. Fee structure default represents the social structure founded on economic condition of the parents of the children of given school.

4.7 Conclusion

Laws are enacted with the deliberate intentions. Intentions are founded on and governed by normative commitments and social, political and economic contexts. Careful scrutiny of the conversation with the parents informs us about the complex admixture of social reality that is at work in sending children to private schools by DG and EWS parents. This reality consists of poor economic condition, growing educational aspirations of parents which include quality

concerns and medium of instruction; Constitutional mandate for compulsory education and the provision of RtE quota in private schools starting from nursery; and inadequate institutional framework and preparedness of Government schools and also perceived institutionalized indifference of Government schools towards education of children in combined fashion with varying degree in different contexts are factoring the change in enrollment patterns. The pattern shows the clear tilt towards private in many respects. There is no win-win situation in the process. Gain for private is necessarily leading to the loss of public. This might change the social purpose and nature of school education.

4.8 Suggestions for Further Research

Present study clearly reveals the consequence of Right to Education Act-2009 Section 12 (1) (c) on the shifts in enrollments patterns that steadily moving towards private schools. The study uncovered multiple reasons for the newly found leverage for the DGs and EWS sections of the society to exercise freedom of choice in selecting school for their wards. The section 12 (1) (c) of RtE Act, has provide this leverage. However, two reasons/factors stood out as prime movers.

- a) Lack of pre-primary facility in Government primary schools
- b) Medium of Education of the School

First one denotes facility whereas the second denotes perception of the parents.

Present research raised many more questions than it answered. In fact, it opened up new but connected areas of research into the problem. Particularly, in mapping the factors responsible for moving towards private schools by parents needs to be probed in a comprehensive manner.

The inclusion of the Section 12 (1) (c) of the RtE Act-2009 is justified on the grounds that it provides equity and quality in school education and creates inclusive school system. However, at the same time, critics argued that it would weaken the Government school system by encouraging private school system. The findings of the study show that there is a gradual increase of enrollments in private schools. The real test of the Section 12 (1) (c) of the RtE Act-2009 lies in its contribution towards equity, quality and inclusion in school education. To measure this, in-depth qualitative studies into classroom processes where RtE quota students are sitting side-by-side with other students are needed. Attempts in this direction were made very early even before fruition of the RtE Act impact. To measure the impact of any provision or

intervention adequate time for its implementation is a prerequisite. Now, as the implementation of the Section 12 (1) (c) of the RtE Act-2009 has completed requisite time to show its impact on equity, quality and inclusion, there is a need to undertake studies into:

4.8.1 Suggested Equity Related Studies

- Impact of Section 12 (1) (c) of the RtE Act-2009 on proving equity: problems and issues
- Psycho-social adjustment related aspects among RtE quota students
- Discriminatory practices, if any, in schools, classroom practices and other against RtE quota students

4.8.2 Quality Related Studies

- Quality related comparative studies between:
 - ✓ Performances and learning outcomes of RtE quota and non-quota students of the same class and school
 - ✓ Performances and learning outcomes of RtE quota students of private schools and government school students
 - ✓ Performances and learning outcomes of RtE quota students of studying in English medium schools and Mother tongue medium school.

ANNEXURES

TOOL:1

UN STRUCTURED INTERVIEW SCHEDULE FOR THE PARENTS OF THOSE CHILDREN ADMITTED TO SCHOOLS UNDER RtE Act-2009

PART-A

PERSONA DETAILS

1. Name :
2. Education :
3. Occupation :
4. Income (per month) :
5. Family members :
6. Residence (Own or rented) :
7. Locality :
8. Children: Number, Gender :
9. School into which the ward admitted :
10. Distance of the school from residence :

PART-B

Interview Items/Questions

1. When did you join your ward in Private School?
2. Why did you select the school into which you admitted your ward? Spell out reasons please. (Neighborhood, Medium of Instruction, Quality and other children from the locality selected the same school and any other. Supplementary questions will follow depending on the responses)
3. Is there any Government school in your neighborhood (mohalla)? If yes Name of the School and the distance from the residence and medium.
4. How many children you have admitted into private schools?
5. How do you come to know about the school that you have admitted your ward (s)?

6. Whether you ward(s) attend the school regularly?
7. What is the treatment of the school? How school treats your wards?
discrimination, problems?
8. How your ward (s) are learning?
9. Are you satisfied with their learning?
10. Do you think that admitting your wards in private schools is good act?

TOOL: 2

UN-STRUCTURED INTERVIEW SCHEDULE

For the Block Resource Coordinator/Cluster Resource Coordinators

1. Name of the Cluster/Block
2. What are the reasons for admitting the children in private schools under this Act?
3. What kinds of problems, so far, have been reported (if any)?
 - From parents,
 - children and
 - managements
 - community members
4. What is the impact of the implementation of RtE Act-section 12 (1) (c) on Government School's enrollments?

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