

# "Examining The Right To Education Act Of 2009: A Comprehensive Analysis"

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## Abstract:

Every newborn enters the world devoid of the faculties inherent in fully developed human beings, particularly the power of reasoning that distinguishes humans from animals. This research paper delves into the multifaceted process of developing a child's faculties, emphasizing the right to education for every Indian child aged 6-14. The Right to Education Act of 2009 mandates free education, focusing on improving rural infrastructure, allocating funds, and promoting awareness through initiatives like midday meals and scholarships. Education, viewed as a process of acquiring knowledge, skills, values, and attitudes, plays a pivotal role in shaping individuals for personal and professional success. The study aims to explore the curriculum development under the Right to Education Act, emphasizing fundamental rights, environmental education integration, and consequences, difficulties and implementing challenges too.

**Key Words:** Right to Education, Comprehensive, Analysis, Curriculum Development, Skill,

## Introduction:-

Every human infant comes into the world devoid of the faculties and characteristics of fully-developed human beings. This does not mean simply the ability to see clearly, to move around, to feed oneself, etc, above all, it means he is devoid of reasoning power, the power that distinguishes man from animals. The process of the development of the child's faculties.

Right to education every Indian child in the age group of 6-14 years has the right to free education. The government has to compulsorily make arrangements to see that every child gets complete primary schooling till class eight. It is required to improve the infrastructure of the rural areas, allocate sufficient funds and also see to it that students attend school and the funds allocated is fruitfully utilized. However, the government cannot necessarily force and child to attend regular school. What it can do is spread awareness through various means which will include various intensive like mid-day meals, scholarships and others. The children are the future citizens of this developing nation and thus any government must see that they can take up responsibility.

Education is a process of gathering knowledge skills, values and attitudes. Education involves the grasping of concepts, principles and learning to apply these to tackle the wide variety of challenges we face in our life. Hearing to back bread is as much education as learning to solve practical differential education is.

We need education because an education can help us achieve more in life than we would without an education. Armed with the knowledge, skills, values and attitudes that a good education can confer on us, we can lead a more fulfilling life. The effects of a good education can be felt on the professional as well as personal front.

An education with a sharp focus on particular areas can make us expert in those areas. Such expertise, if valued by others, can even help us develop a career in that area. For instance, an education focusing on

what the human body is and how it works can help a person become a medical professional. An education focusing on creative expression in the written form can help a person become a novelist by profession.

### **Objectives:-**

- (1) To study the curriculum development for the Right To Education Act 2009.
- (2) To study the curriculum development and review process as well as the textbook review process and maintenance of the Standard of Education Act 2009.
- (3) To study the curriculum emphasising the fundamental rights guaranteed to the citizens of India by Education Act-2009.
- (4) Studying environmental education shall be made an integral part of the education of the Right To Education Act 2009.
- (5) To study entrepreneurial studies shall be introduced to develop skills in students of the General Education Act.

### **The Fallacy of the RTE :-**

The Right to Education Act should actually be called the compulsory schooling Act. All it does is to declare that every child should compulsorily attend a school. In doing so, it assures. That such a step automatically guarantees that every child gets an education so that it may legitimately be called the Right to Education Act and talk of the mother of all fallacies.

### **Importance of RTE Act :-**

There is the problem of access. School education is simply unavailable to the vast number of children in the country. During the last few decades, there has been some progress in improving enrolment. The gross enrolment ratio from classes I to VIII was 94.9 percent and from classes I to XII , 77 percent. Educational statistics at a Glance, 2005-06 the ministry of HRD, 2008. The government primarily relies on the GER to bolster its claim for progress made in expanding school education in India. But enrolment is a very unreliable basis for assessing. The degree of access to school education. Firstly enrolment figures are generally rigged and exaggerated for various administrative and political purpose. Moreover, in order to assess the progress in expanding school education, it is important to take into account the figures for attendance and also for drop-out from among those who are enrolled. The attendance has generally been rigged and exaggerated for various administrative and political purpose. Moreover, in order to assess the progress in expanding school education. It is important to take into account the figures for attendance and also for drop-out from among those who are enrolled. The attendance has generally been found to be at least 25 percent below enrolment. The dropout rates are very high indeed. For the country as a whole, the dropout rate from classes I to X was 61.6 percent; and in a state like Bihar it was above 75 percent. Among those who dropout, the percentage of children belonging to the scheduled tribes 78.5, in Bihar the figure was close to 90 percent for both the categories. The net result is that a sizeable percentage, as much as 30 percent of children in the school, the percentage is as high as 50 in Bihar 1.5 crores out of three crore children in the school going age groups.

Thus, a huge number of children are excluded from school education. This is thus a colossal waste of human resources. Besides, educational exclusion is the worst form of exclusion because it means exclusion from other walks of life and areas of activities such as livelihood, knowledge, status in society, human dignity etc.

### **Place of Learning anywhere:-**

Schooling is just a particular way of delivering education. A school is an establishment that puts together the people, materials and educational methodology required to offer an experience teaching to education.

### **The advantages of schooling:-**

The main advantage of schooling is the cost, especially in comparison with better options. While the best form of education might be personal tutoring, it is so expensive that most people cannot afford it. Schooling allows for far higher economics of scale by dividing the process of education into many stages and grouping together many children at each such stage into a class. Further, a set of tutors may cater to multiple classes in a single day by framing and adhering to a time table. Thus, the cost of tutoring is defrayed over many children, thus making it possible to offer education at prices much lower than for personal tutoring. This advantage in fact makes a school a viable business proposition where entrepreneurs could earn a profit by delivering education.

### **Implementation of RTE :-**

The Right to Education Act is to be implemented through public private partnership (PPP). PPP here implies that the private sector will be encouraged to start primary and middle schools in non-served areas and they will have to admit words of the weaker sections up to at least 25 percent of their total intake in each class in the case of unaided schools and up to the percentage of annual recurring grant-in-aid to their annual recurring expenditure in the case of aided schools. The special category and unaided schools will be reieuburred the fee of such students to the extent of actual per child expenditure incurred by the state or the actual amount of fee charged whichever is less. Thus, the voucher system to be implemented.

### **The Consequences of Implementing of Idea :-**

No one who needs an education will have to go to a school. People can get an education through whatever means they please. To some, it would mean home education. To others, it would be learning through apprenticeship. To yet others, it would indeed be studying at an organized set up like a school or a college. In the absence of government control, the market would throw up a variety of solutions to meet the educational needs of people belonging to various strara of society. Many people would not even go to schools to get an education. They would go to establishments that offer education but do not fit into category of schools. Many others would educate themselves on their own based on educational materials available on the market like books, educational CDs, distance learning programme etc.

The implementation of the Act would required Rs.1.71 lakh crore for the next five years. The sharing of funds between the centre and the state governments could be in the ratio of 55-45. The finance commission has provided Rs.25,000 crore to the states for implementation of the Act over five years. The state governments are seeking 90% funding from the centre for implementing the Act.

The government is in the process of revising the norms of Sarva Siksha Abhiyan (SSA) to make it compitable with Right to Education norms. The SSA will be the vehicle for implementation of Right to Education.

The Act mendates that even private educational institutions have to reserve 25 percent seats for children from weaker sections. However, it will be implemented from next year from class one.

### **Benefits of Right To Education Act,2009 :-**

Right To Education has been a part of the directive principles of the State Policy under Article 45 of the4 Constitution, which is part of Chapter 4 of the Constitution. And right in Chapter 4 are not enforceable. For the first time in the history of India we have made this right enforceable by putting it in Chapter 3 of the Constitution a Article 21. This entitles children to have the Right to Education enforced as a fundamental right.

### **Challenges of Right To Education Act:-**

With the Right To Education Act coming into force today, government faces a number of challenges in its implementation, especially availability of teachers and setting up of neighborhood schools.

- There is a shortage of nearly five lakh teachers while there are about three lakh untrained teachers at elementary level.
- The right of children to free and Compulsory Education Act, which came into effect from today, there should be one teacher for every 30 students at elementary level.
- There are about seven lakh teachers in all the 1.29 million recognized elementary schools in the country at now. Of them nearly three lakh teachers are either untrained or under-trained.
- Shortage of teachers and neighborhood schools are the major challenges for implementation of the Act. In case of school not having trained teachers, they will have to comply with the provision within five years.
- As per the model rules the local bodies and the state governments will undertake household surveys and neighborhood school mapping to ensure that all children are sent to school. Besides, there are households of students who are working as child laborers. Providing education to such kids, including the children of sex workers, will be a challenge.
- At present, nearly 92 lakh children have either dropped out from schools or have never been to any educational institution. It will be binding on part of the local and state governments to ensure that all these children are brought back to schools.

### **Suggestions for Study:-**

- (1) The government should encourage mainstream schools, including well performing schools, to accept more children with some agency and disabilities.
- (2) The government should be careful about the admissions of children, monitored to ensure that all mainstream schools are accepting an adequate number of children.
- (3) The government should develop a national framework setting out minimum standard on the provision of suitable education for children.
- (4) The government should develop a standard curriculum of syllabus and system of examination.
- (5) The government should act on the recommendations of the House of Commons Education.
- (6) The government should develop the skills committee and ensure that primary develop a child centered approach.
- (7) The government should set challenging targets for same agency on educational outcomes for children with some agency institutions.
- (8) The government should develop the statementing process, assessment of needs, allocation of resources and placement of the students.

### **Conclusion:-**

The government committee is concerned at the still high rate of temporary and permanent exclusion from school affecting mainly children from specific groups ethnic minorities, including black children, children with disabilities, asylum-seekers, etc. But this analysis takes for granted the refusal of the government involved to prioritize comprehensive access to free primary education, and assumes that an agency and the individual government's human rights obligation in relation to the convention on the rights of the child or the rights of the child in the country concerned to enjoy access to primary education as of right. According to Dreze and Sen "Equality may then mean that all children are functionally illiterate".

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