
Right to Education: Private Institutions as a medium of Extension in Higher Education

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“A man who has never gone to school may steal from a freight car; but if he has a university education he may steal the whole railroad.”

Theodore Roosevelt (1858-1919), American president

ABSTRACT

In the global era private Institutions play a major role in the Extension of Knowledge. It has underlined the need for reform in the educational system with particular reference to the wider utilization of information technology, giving productivity dimension on the education and emphasis on its research and development activities. It has caused a paradigm shift in the very concept of education. Education today goes beyond the traditionally accepted values and norms. The motto of Education is not to educate the child with moral values but it tries to make him contribute in the form of his earnings. Education goes much beyond new literacy and is expected to sustain the portal of knowledge and to empower the educated, with the ability to dig mine the hidden knowledge usable for the welfare of the people. The function of Education also is to retain the knowledge for sustenance and for posterity. In many hierarchical societies, there existed a culture of deprivation of the opportunity to get educated. People deprived of the culture of letters were liberated often through uprisings and mass movements. The different education system in the world have been successful in their own way due their different kinds of approaches, however, the end being the same, i.e. imparting of learning to the seeker. But in the current information age, the idea of communication linked to executing of educational concept have taken severe turns and have become complex than ever. Thus, even the concept of education today has taken major twist. Through this paper we shall try to describe the role of private institution in education sector.

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INTRODUCTION

Education goes much beyond new literacy and is expected to sustain the portal of knowledge and to empower the educated, with the ability to dig mine the hidden knowledge usable for the welfare of the people. The function of Education also is to retain the knowledge for sustenance and for posterity. In many hierarchical societies, there existed a culture of deprivation of the opportunity to get educated. People deprived of the culture of letters were liberated often through uprisings and mass movements.

The different education system in the world have been successful in their own way due their different kinds of approaches, however, the end being the same, i.e. imparting of learning to the seeker. But in the current information age, the idea of communication linked to executing of educational concept have taken severe turns and have become complex than ever. Thus, even the concept of education today has taken major twist. It is reasonably that education enables individuals to reach their full potential as human beings, individually as well as members of the society. Education is one of the important drivers of a country's economic and social growth, in India it got the statue very late. Many educationists and social engineers have raised the issue of providing equal access to quality education to all, but despite the government having initiated several sound policies, education has not shown as much progress in the country as in many other countries, which started at the same level as India in the 1950s. The main factor that contributed to this was that people were less aware and state had taken fewer responsibilities in providing education to all. The same time private sector got the rights to provide education and helped the country to educate. This paper is an attempt to contribute to the ongoing discourse of the education in the country regarding the private institution. The researchers think that public and private partnerships will make a positive difference in the country's education system.

The Parliament of India enacted the Right to Education Act to fulfil a commitment for providing education to all children in the age group 6 –14 years in the country. However, several concerns have come to the forefront, some of which have been elaborated in this paper. Of course, much more needs to be done, but as a first step, the provisions of the Act should be ensured for children as their right and teachers should be strongly supported in their task of imparting quality education to them (Ernst & Young, 5).

Globally, Right to Education drives its legal basis from Article 26(1) of the Universal Declaration of Human Rights (UDHR), which states that "Everyone has the Right to Education. Education shall be free, at least in elementary and fundamental stages. Elementary education shall be compulsory."

The Right of Education Act (RTE), enacted in India in 2009, has ushered in hope for school education in country. It is the culmination of efforts made by educationists, members of civil society and judiciary for the last many years (Ministry of Law and Justice, 2009).

The Right to Education Act in India, which came into force on 1st April, 2010 after 62 years of independence from British rule. Then India has joined the group of those countries who provide for a constitutional guarantee to free and compulsory education. The enforcement of this right has made it a joint responsibility of Central and State Government to provide free and compulsory education to all children by all means (Kumar, 2010).

Silent feature of Right to Education Act:

The right to education Act is a detailed and comprehensive piece of legislation which includes provisions related to schools, teachers, curriculum, evaluation, access and specific division of duties and responsibilities of all concerned. Major features of the Act as under:

1. Every child 6 to 14 years of age shall have the right to free and compulsory education in a neighbourhood school till completion of elementary education.
2. Private schools shall provide 25 percent reservation for weaker sections and economically disadvantaged groups in the admission.
3. All schools except government school schools are required to meet all specified norms and standards within three years to avoid cancellation of their recognition.
4. The Act calls for a fixed pupil-teacher ratio, i.e., 30:1.
5. The Act mandates improvement in quality of education.
6. Financial burden will be shared between Central and Governments (Kumar, 10).

All these above mentioned features described that the government of India through Right to Education Act provide compulsory education for all children in the age group of 6-14 years. But all these policies are implemented in papers only because there are large numbers of examples of its breakdown like:

- Lack of basic infrastructure facilities.
- Failure of the state to ensure free and compulsory equitable quality education to all, irrespective of gender, class, caste and social status
- Lack of community involvement and low level of awareness of the Government's plans and programs
- Limited focus on learning outcomes.
- Lack of effective performance-monitoring system
- Inadequate school infrastructure and shortage of quality teachers

- Poor coordination between planning and implementation
- Prevalence of child labour and absence of parents' interest in school functioning
- Lack of accountability (Times of India, 2009).
- According to the RTE Act, the following infrastructure facilities have to be made available to students by schools within a time frame of three years from the period of notification of the Act. All-weather school buildings should consist of:
 - One-teacher classrooms and a head teacher-cum-office room with barrier-free access.
 - Separate toilets for boys and girls.
 - Safe and adequate drinking water facilities for all children.
 - A kitchen where the mid-day meal is cooked in the school.
 - Playground.
 - Arrangements for securing the school building by a boundary wall.

Although tremendous efforts were being made on infrastructure development, some of the significant shortages in the provision of infrastructure facilities are highlighted below:

- **Few classrooms available:** According to the DISE Flash Statistics 2009–10 reports, there were only 3.6 classrooms per school on an average. Furthermore, almost 25% of the total enrolment in 2009–10 was in schools with a student classroom ratio >60. The average number of classes in government schools was 3.8, and this figure for private schools was more than double (7.8).
- **Lack of sanitation:** Only 58% the schools had toilets for girls in 2009–10.
- **Lack of computer facilities:** Only 39% schools have electricity connection and only 16.65% have computer facilities.
- **Lack of transport facilities and safety features:** Most government schools do not provide transport facilities, and therefore, students living in rural areas or difficult terrains find it difficult to commute and drop out of school. Furthermore, in such schools, admission of girls is minimal. Almost 50% of the schools do not have boundary walls.

Therefore, in light of the infrastructural issues mentioned above, we see that there is a need for significant effort to be made by all stakeholders to improve available in schools according RTE norms.

Schools operating without headmaster or teachers:

To ensure a good quality education in schools, a head master and teacher are required to maintain the required standard and quality of teaching. A headmaster is also needed for general administration of the school to ensure that quality education is imparted. Almost 40% of the government primary schools, which had enrolled more than 150

students in 2009–10, have been operating without a head master or teacher. In the case of upper primary schools, almost 57% do not have a headmaster, in spite of enrolment figures of more than 100 students. Therefore, a large number of schools at the elementary level operate without a designated authority or head to ensure that the rules specified by the RTE Act are being implemented in the school.

Teacher absenteeism: Teacher absenteeism is another a major challenge the Act faces is to address is the high level of absenteeism among teachers. While the average of teacher absenteeism is around 20% worldwide, India has the highest teacher absenteeism in the world at 25% (according to the UNESCO's International Institute of Educational Planning study on corruption in education. The level of absenteeism among government primary school teachers ranges from 15%–40%, with higher rates in the case of the poorer states. Difficult access to schools (particularly in rural areas) is a major disincentive for getting suitable qualified teachers to provide education in such areas. Some of the other reasons identified include lack of basic toilet facilities, poor electricity supply, lack of well-established criteria for recruitment of teachers and lack of a uniform policy on promotion¹³. Teacher absenteeism impacts the quality of education and requirement of funds. It is a major drain on resources, causing wastage of 22.5% of the Government's education funds.

All these weaknesses in government schools are increased the major role of private sector in education.

Participation of private institutions: Education as a service industry is party of globalization process under the umbrella of general Agreement on trade in services (GATTs). There is however, a distinct possibility that this might “Force countries with quite different academic needs and resources to conform to structures inevitably designed to service the interest of the most powerful academic system and corporate education providers and there by breeding in equality and dependence” (Altbach, 2002). Further “Globalization.....can lead to unregulated and poor quality of Higher education, with the worldwide marketing of fraudulent degrees and other so-called higher education credentials.....”(World Bank's Task Force, 2000).

Education system in India currently represents paradox. When we feel proud with or IIMs and IITs that rank among the world class institutes, at the same time we express our inability to provide minimum basic infrastructure for smooth running of a number of other education institutes though we have crossed 60years. Border of post independence period, we are still far-away from universally literary. During the last phase of 20th century educationists and policy makers shifted their focus for educational planning from routine traditional framework to a more dynamic multidimensional pattern to fulfill the needs of 21st century. Three international conferences namely,

International conference on Secondary education at New Delhi in 1993, WTO conference at Uruguay in 1994 and International conference on higher education at Paris in 1998 served as platforms where directives and guidelines for educational planning relevant for 21st century were chalked out. Cry for Quality education and its percolation at all levels was raised for obvious reasons.

The Declaration of the conference was that the society is increasingly knowledge based therefore higher education and researches now act as an essential components of cultural, socio-economic and environmentally sustainable developments of individuals, communities and resolved that “beyond its traditional functions of teaching, training, research and study, all of which remain fundamental. The higher education must promote development of the whole person and train responsible informed citizens committed to working for a better society in near future.”

Private school associations in various states (Rajasthan, UP and Karnataka) have petitioned the Supreme Court, challenging the RTE Act's provision for reserving 25% seats for underprivileged Students. Petitioners' concern areas:

- According to the petitioners, the Act violates the rights of private educational institutions. They also cite Supreme Court's ruling in the TMA Pai case, which rules that maximum autonomy should be given to private educational institutions.
- Petitioners have expressed their concern about lack of educational provision between the ages of three to six years for children under the RTE Act.
- They also believe that the amount of money paid by a state government (INR 2,800 per student) as school fee and other expenditure per annum is meager, given the amount of money spent on salaries and other facilities.
- The petitioners have also highlighted the fact that the Government's expenditure on strengthening the school system is much less than that of other countries. (India's public spending on education was only 3.1% of its GDP in 2006.) On the other hand, private schools have been accused of implementing money-spinning ventures and have been told to wake up to their social responsibility of imparting education to all segments of society.

Apex Supreme Court gave landmark decision on private institution petitioned, allow them to enhance 25% seats in their respective institution. On this basis the dominance of education is increased in education sector.

The role of the private sector was recognized even in 1960s when the Kothari Commission was assigned the task of preparing a road map

for school education in the country. The government of India has invited private sector participation in implementation of the act. This does not merely mean their making financial resources available, but also sharing their technical knowledge and non-financial resources. But, a more broad based debate is required to understand what this will mean for students and teachers in schools (Aggarwal, 2000).

During the discourse on education, when it comes to private players, the reference point is usually corporate players that engage with the education sector in many meaningful ways. NGOs, international and corporate foundations, and private trusts and societies that have set up schools are also playing a vital role. However, some educationalists are totally against this PPP system like:

“I do not believe in the principle of PPP in core sectors such as health and education. These sectors are based on the principle of social good and should be a part of the public sector. The private and corporate sector can contribute to the process of universalization of equitable and quality school education from the pre-primary level to class 12 by allocating resources to a public corpus, but the overall responsibility should be with the government (Agarwal, 43).”

Dr. Niranjanaradhaya, VP, Fellow CCL-NLSIU and social activist

Looking at private sector involvement in education from the point of view of privatization, there is a difference between the state and the private sector perspective. The constitution mandates that the state provides education to all its citizens as their rights, whereas for the recipient of education is a consumer. This is the basis for viewing each other with caution.

“For the state, an individual is a citizen with rights, for whom the Indian state has now constitutionally mandated the right to free and compulsory education. The government is obliged to provide this. For the market (the private sector), people are consumers who can obtain services according to their ability to pay.”

Prof. Vinod Raina

But when seen from the point of view of private participation, there are several commonalities that can be found. There are several examples of initiatives taken up by NGOs, corporate foundations, INGOs and individuals that are aimed at achieving the objective of providing good quality education to all. As independent efforts these are laudable, but as programs that can be scaled up or can be scaled up or can sustain, there are very few examples from which we can learn. The following section maps the work of some organizations (among non-state players) to highlight that each of these efforts would provide some benefit to students 44.

Now we discussed the participation of private institutions in education sector. First of all NGOs: it is seen that NGOs are engaged in several activities that are aimed at improving access to education of the disadvantaged sections of society. Their strength lies in working with communities and mobilizing them. Being close to communities, their most significant contribution is to engage them with the education system to demand good quality education for their children. Great success is achieved where there is a balance between encouraging communities to demand education as their right and extending support to the existing system by filling the gaps (Kingdon, 2005).

Role of NGOs:

Both Shiksha Samiti: This organization engaged in program (in urban slums and rural habitations). **Student's Educational and Cultural Movement of Ladakh (SECMOL):** This organization formed to reform Ladakh educational system. **Centre for Learning and Resources:** Focuses on the fields of early childhood care and development, early childhood education, elementary education and teaching of English in Maharashtra and other states in India. **Deepalaya:** Works on issues affecting the urban and rural poor with a focus on children. **Pratham:** Offers quality pre-school education to underprivileged children in India. **AMIED:** Through its work over the years in an area with extremely low literacy levels, has not only helped to make people realize the importance of education, but also demand quality education program focuses especially on Muslim girl children (Singh, 2003).

It is quite evident that all parents want their children to be educated. At times, they find it difficult to overcome barriers. This may be due to lack of awareness, procedural hurdles or deep-rooted social and cultural beliefs. Sustained efforts are required to overcome these barriers. NGOs, if supported, are well positioned to work with communities and build their capacities.

International NGOs (INGOs) have played a significant role in adopting a right based approach and support civil society groups to demand good quality education. They contribute towards policy development and support initiatives within communities. INGOs, through their work, have helped in linking education with child rights and the development paradigm. Their support in providing the vital link between grass root level works with advocacy has been helpful in encouraging people to demand education as a right for their children (Kingdon, 1996).

International NGOs present in India and their functions: **Plan India:** aims to provide children with access to their rights, including the right to protection, basic education, proper health care, a healthy environment, livelihood opportunities and participation in decisions. **Bal Raksha Bharat:** Focused on child survival, protection, education and responds to emergencies and disaster reduction. **Action Aid India:** Supports people in their demand for the right to food, shelter, work,

education, health care and human security, and helps them have a say in development decisions affecting their lives and livelihood. **Oxfam India:** right based organization that fights poverty and injustice. Addresses root causes of absolute poverty and inequality in the four areas of: Economic justice, Essential services, Gender justice, Humanitarian response and disaster risk reduction. **World Vision:** Focuses on building the capacity and ability of communities and families to ensure the well-being of children.

There are some foundations that have developed their approach area development, including education along with other development issues. These interventions are guided by their vision. For instance, there are foundations such as the **Srinivasan Services Trust:** That work to strengthen existing government schools, while others such as the **Bharti Foundation:** Adopt the dual approach of setting up their own schools and working in partnership with the government to improve existing state-run schools (Dreze, 2001).

The Srinivasan Services Trust (SST): Believes in integrated and sustainable development. Its five pillars for integrated development include economic development, health, education, environment and infrastructure. As on date, it works in 510 balwadis and 451 schools. It has taken a holistic approach to improving the state of education infrastructure and capacity development of teachers and community involvement. The SST has built or renovated schools and anganwadis, built playground and toilets, and provides safe drinking water, computers and other facilities. Its education awareness programs have ensured 100% enrolment of children in schools, with no dropouts. The SST organizes team building sessions for teachers and students, and its teacher training programme and PTA meetings have improved teaching standards in schools. Its vocational training courses provide employment for young people and its literacy classes have encouraged women to become literate (Ibid, 45).

Satya Bharti School Program: Bharti Foundation: The flagship rural initiative of the Bharti Foundation was initiated in 2006 with the establishment of seven schools of Punjab. The program currently has 250 schools, which include 233 primaries, 12 elementary and 5 senior secondary schools. The program reaches out to over 33,000 children across six states in the country.

Each of the above mentioned non-state players that have engaged with the education sector have a role to play. Although it is difficult to estimate total allocation of resources by non-government players, it may be assumed by looking at their activities that their contribution is substantial. Furthermore, with the mandate given to public sector undertakings to allocate part of their profits to CSR-related activities, there is the likelihood of enhanced resource expenditure on the education sector. Non-government players have the option of continuing with their existing activities or pool their resources financial and

technical to support implementation of the RTE Act.

CONCLUSION

As is evident from data and feedback from respondents, there are several issues that need to be addressed for effective implementation of the RTE Act. Some of these can be resolved through legal recourse or policy change; others will need to be addressed as the act is rolled out. While the ultimate responsibility of providing education rests with the government, as enshrined in the constitution, it is evident that the government's efforts alone will not be sufficient to provide good quality education to all. There are several pilot initiatives that have been taken up by non-state players. These initiatives are improving certain aspects of education at some of the places where they are being implemented. The formulation of the RTE Act has provided an opportunity to converge different efforts by using it, with the national policy on education 1992 as the backdrop. As a result, there are several good initiatives, but these are insufficient to make a difference to the existing education system.

The main concerns raised in the implementation of the RTE Act: There is lack of awareness about the Act at the community level. Although there has been some improvement in student' access, there are still a large number of student out of school, who need to be brought into the education system. There is limited focus on quality aspects, since the norms largely relate to input required for school and not the outcome. There is an inadequate number of trained teachers who are equipped to provide quality education. There is lack of community involvement through SMCs and PTAs. Moreover, there is a need for better planning, management, monitoring and evaluation of the education system. Lack of this leads to issues related to accountability.

It is not possible for any one organization to address all the concerns related to the implementation of the RTE Act, but it is possible to address these through collaborative efforts.

In the knowledge era of twenty-first century there is a basic question before the academicians and the readers to think over the concept of Education and the changes coming in this Institution so as for the social welfare and transformation of the society. There is an urgent need to understand the basic motto of Education in the light of Indian Culture and tradition.