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TOPIC OF THESIS: "RIGHT TO EDUCATION IN INDIA WITH SPECIAL REFERENCE TO "CHILD" – A CASE STUDY OF DISSTT. NAGPUR, MAHARASHTRA."

ABSTRACT

Education is the best infrastructure that could be laid for the prosperity of a Nation. Child centric human rights jurisprudence has come to be a new dimension in the larger role of law in social engineering. It necessitates an assurance that every child receives quality education that respects and promotes her or his right to dignity and optimum development. In the Millennium Development Goals (2000), the World's Governments including India are committed to achieving universal access to free, quality and compulsory education by 2015. Fulfilling its resolve, India by its Constitutional 86th Amendment Act 2002 inserted Article 21A. It ensured provision for free and compulsory education of all the children in the age group of 6-14 years as a Fundamental Right in such a manner as the State may, by law determine. Consequently, the Right of Children to Free and Compulsory Education Act, 2009 with effect from 1st April, 2010 was enacted by the Parliament in the Sixtieth Year of the Republic of India. In Maharashtra the State RTE Rules were notified on 11th October, 2011.

SCOPE OF STUDY:-

- To evaluate the progress of elementary education with reference to the RTE Act.
- To review the Committees, Commissions, Policies with emphasis on elementary education.

The present study encompasses the following findings:-

- The Committees, Policies and Plans has stressed the need of incorporating elementary education as a basic need. Since 1911 attempt has been made to bring in free and Compulsory Education all over the Country.
- Article 1 of the Convention of the Rights of the Child (CRC 1989), specifies the upper limit of Childhood as 18 years, rather than 'majority'. This means that the child can acquire full legal capacity earlier. Balancing the evolving capacities of the child with the State's obligation to provide special protection, Indian Legislation has defined minimum ages under various laws. There is a link between the upper limit of elementary schooling i.e. 14 years under the RTE Act and definition of 'Child' in labour laws. There is a clamour from child rights activist include individuals belonging to the ages 15-18 to be brought under the category of children.
- There is a low literacy level in the transgender community, just 46% as compared to 74% literacy in the general population.
- In Nagpur Disstt., the gender gap ranges from 3.3% to 4.0% except in the cases of nomadic tribes (4.9% to 5.8%).
- Annual dropout rate in primary classes is 3.1% and 2.6% in upper primary. Dropout at primary level is maximum in Vimukat Jatis (VJ) (17.9% to 22.7%) which is a case of great concern. At upper primary level (Std 6-8) dropout rate in Scheduled Tribe and *Vimukat Jatis* is maximum (10% to 11%).
- Total of 5981 children with special needs (CWSN) has been enrolled for classes I-VIII. Escorts are provided monetary benefits for bringing the students to the classroom.

In the Empirical study covering 40 Schools and 100 (Students/Teachers) it has been observed-

- Playgrounds are available in all the schools, however 37% are in good condition, while 25% are fairly small, while 12.5% are not in good condition. Sports equipment were found to be inadequate.
- Drinking water facility is available in all the schools. Tap water facility is available in 75% schools, drinking water facility through well is available in 12.8% schools, while by handpumps in 12.5% schools.
- Mid-Day Meal is available in 87.5% of the schools. The quality of mid-day meal is fine. Kitchen shed was in good condition in 75% of the schools. However, on enquiry with the (*Bachat Gat*) women workers it was found that the salary was not received timely.
- In 87.50% of the school's library facility was available. However, separate library room was not available.
- Almost all the schools have separate toilet facility for girls and boys. Some toilets needed maintenance. Some toilets were open which created problem during rainy season.
- 98% of the teachers were present at the time of the field study and were found to be qualified.
- 70% of the boys and 30% of the girls experienced corporal punishment.
- Near some of the schools (within 200 meters) gambling was found taking place.
- The RTE Act guarantees education of "equitable quality" to children in schools, but this guarantee has no meaning unless the term "equitable quality" is defined.
- Most of the students found English easy to write but difficult to read or talk. The next subject was Maths. Children loved science when they were given opportunity to experiment.
- Female Teachers were found to be in more numbers (66.16%).
- Mobile Teachers were made available to teach students, who are severely disabled at home.
- Schools are following 25% reservation.
- There have been complaints by the private unaided schools that reimbursement is not made on time as regards to complying with 25% reservation.
- Ramp facilities is available in major of the Zila Parishad Schools. Private schools yet lack basic necessities to cater to the children with special needs.
- Uniforms are provided free to Schedule Castes, Schedule Tribe, Specially Backward Class Students and Girl Students from below the poverty line. Though this practice is meant to help students as an incentive but in reality other classmates sometimes pass derogatory remarks, only because they do not get uniforms.
- Compulsory education creates an obligation on the appropriate Government to provide and ensure admission, attendance and completion of elementary education. However, question arises "what will happen if the parents do not send their children to school?"
- During admission time teachers try to bring in all the children in the neighborhood area to enroll in the school.
- No detention policy has benefitted the students, as there is no fear of failing. However, it has been found that sometimes students give blank answer sheets or do not study at all. Thus, rethinking is necessary. Also, it is necessary to realise how such children will cope once they reach Std IX.
