

Chapter 4

Right to Education – Human Rights

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Introduction

The main text of this paper focuses on the various laws enacted by our government and the awareness about them and whether these laws are serving their real purpose or blemishing the quality education. We have tried to highlight the ground realities of the various laws and what are their psychological effects on the students, parents and teachers.

Right to Education is one of the primary Human Right. The present scenario of our country is such that basic needs are not being fulfilled. Statistics from FAO state that 195.9 million people are undernourished in India. Hunger being most serious problem other vices like Corruption, Malicious Activities, Mob Lynching, Communalism add up to the fact that Laws are neither respected nor enforced in India.

These problems have their roots repressed deep inside the system that has been developing over the past hence to work against them is not an easy task. To eliminate these problems, one has to work on the grass root level that requires strengthening our six basic fundamental rights (right to equality, right to freedom, right against exploitation, right to freedom of religion, cultural and educational rights, right to constitutional remedies). And to strengthen them one has to work on Right to Education. Because education is the only key to unlock the doors of awareness in our society.

Although our government is working on this subject but the concern still remains unsolved, Why? The answer is well known that our government works on Quantity Education and not on Quality Education. This gives rise to one question, “Are laws enacted by our government advantageous for our education system?”

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The research focuses on answering these questions and other queries like:

Ground realities behind the present order of education system.

Awareness about Act to Education in general population by keeping in different accounts.

The laws introduced in RTE and their effect on the education system on practical basis.

Ground Reality

India is a vast country with a population of 1.3 Billion people. In this country of diverse cultures and backgrounds Kerala is ranked as the most

literate state in the country with a literacy rate of 93.91%, while Bihar as the least literate state with a literacy rate of 63.82%.

The Majority of the people who undertook the survey claim to know the RTE act but the results showed otherwise that is, most of the people are still unaware.

In the state of Bihar, majority of the fathers in a family work as laborers with no guaranteed daily wage or food. Majority of the citizens of Bihar are also unaware of the free and compulsory education provided by the govt. for 6-14 years old. And some among the minority who are aware of these refuses to send their kids to school because of high unemployment rates of Bihar and low certainty of a school kid securing a job.

The schools we visited, not all govt. schools abide by the laws made by the govt.

The Govt. in 2013 spent 3.8% of GDP on education sector whereas Kothari Commission recommends to have 6% of GDP allocated for education.

In H.P (focus of survey on H.P) before the amendments were made to No Detention Policy in 2019 [4]. The govt. teachers interviewed revealed that some of the students in 9th class doesn't even know how to spell their names in English, and majority didn't know how to write basic English words like fruit, juice, etc.

Majority of the govt. teachers are still unaware of the new amendments made in RTE regarding No Detention Policy in 2019.

Parents living on a less income resort to substance abuse to deal with their emotions, anxieties and stresses in life. These coping behaviors further leads to other coping behaviors, among these coping behaviors (defense mechanisms) the most often used are projection and displacement which is the cause of domestic violence and proves to be an unsafe environment for kids even at their homes.

Kids at a very young age are exposed to harmful behaviors such as substance abuse, physical abuse, emotional abuse, etc. These behaviors are detrimental to their emotional health which leads to high stress and low performance in school.

Literature review

The Right of Children to Free and Compulsory Education Act or Right to Education Act (RTE) is an act of the Parliament of India enacted on 4 August 2009, which describes the modalities of the importance of free and compulsory education for children between the age of 6 to 14 years in India under Article 21A of the Indian constitution. It came into force on 1 April 2010.

Various studies have been conducted in the field of Right to Education and Right to Education awareness. A study conducted to analyze the awareness of primary school teachers towards Right of Children to Free and Compulsory education Act, 2009 revealed that the awareness among teachers towards Right to Education Act was affected by their gender. Also, a study conducted in the districts of Doaba and Malwa

regions in the state of Punjab to find out the level of awareness among the parents of children belonging to economically weaker sections of the society about the Right of children to Free and Compulsory Education Act revealed that parents residing in urban areas had significantly higher levels of awareness than the parents residing in rural areas. A research conducted by Ms. Shruthi Raman and Ms. Kritika B S (2017) regarding implementation of the Right of children to Free and Compulsory education act, 2009 revealed that the key stakeholders who are responsible for the implementation of the act are neither aware of the act nor of their roles and responsibilities under the act. Along with this there are many reasons for bad quality of education in India like shortage of teachers, lack of innovative practices of teaching, overburdening of teachers with non-teaching work, lack of sensitivity towards children and their needs, lack of basic amenities, lack of awareness among parents about their duties etc. According to Annual Status of Education Report (ASER) 2019 one out of every Class 8 student in rural India is unable to read even a Class 2 text. And over one in two Class 8 students cannot solve a problem that involves basic division. Only a little more than half of all children enrolled in Class 5 can read a Class 2 level text. The figure was 47.9% in 2016, and it rose to 50.3% in 2018, courtesy an improved performance by Himachal Pradesh, Uttar Pradesh, Odisha, Chhattisgarh, Karnataka, Kerala, Arunachal Pradesh and Mizoram, according to the survey of ASER

Research Report

Overall review of the research:

The questionnaire contained 20 questions related to awareness of RTE.

The questionnaire was filled by people of age between 15 to 45 years.

The total number of respondents were 87.

The data show that out of these 87 respondents 43.7% went to government schools for their primary and secondary level education while 39.1% went to private.

The rest 17.2% went to both.

The respondents between age of 20-23 years who were either graduates or post graduates had maximum number of right answers as compared to other age groups.

Based on family incomes of the respondents, those with high family incomes had a negative attitude towards government schools.

56% out of the total respondents were not aware about the new changes in the RTE.

Most of the respondents who had their primary and secondary level education from government schools were not aware that according to various RTE provisions a pupil should be provided with basic facilities like libraries, free books, free uniform, separate toilet for boys and girls etc. in government schools.

54.2% of the respondents didn't know that education in India is free for children between the age 6 to 14 years. 7.1% think that it is free until the student complete his education, 21.2% think that it depends on the socio-economic status of the family while 25.9% think that it is not free. Only the rest that is 45.9% are aware of this fact.

25.9% of the respondents were not aware that education is also compulsory for 6-14 years old children in India.

Suggestion

Children are highly receptive until the age of 7, and they will adapt to whatever environment they are brought up in - learning the intrinsic ways, and behaviors of the people in their environment. In these crucial years the children in poor families are abused and traumatized frequently. They suffer from malnutrition; hence their bodies don't develop well and their brains remain inefficient due to lack of nutritious foods.

As humans, our basic and most important priority is survival. When our basic necessities of survival like food is not being met, and when we don't even know if we could even

survive a month, it is highly unlikely to think ahead 10 years in the future. And this is the case with poor families, as they don't have the money to even feed their family properly. For some families, it 5

is hard enough already to even feed every member in the family, even with all the members working as laborer's, and kids doing what little they could by begging or working. In family situations like these, even with all they can do, it is still not enough. Yet we ask of them to be aware, know their rights, and fulfil their duties but how can they worry about anything else if their basic needs are not even being met and the grown-ups in the family have to resort to subduing their ever-growing pain by drugs because the pressure is too much to bear. These people live in constant fear, and have lost all hope that their lives can get better; that they can quit addictions; that even their children will see better days.

So, to tackle this we purpose two solutions: One in schools and the other for the family. The two places where the students spend most of their time.

For School: The govt. schools today focus on passing as many students as possible; Quantity. And not much upon how well the student learns; Quality. Children and teenagers are more sensitive to emotions than adults, hence they feel more intensely and get hurt easily. Teaching emotional intelligence in schools especially in govt. schools (because of the frequent emotional abuse in majority of families) is very crucial for the child to show up well in adulthood. By learning how to handle failures, setbacks, heartbreaks, suicidal thoughts, managing temptations, controlling anger, self-care, and optimizing performance in academics and in life. By learning how to manage emotions, the child will have better control over their reactions and decision making. As the child will not be swayed by emotions easily and will have better impulse-control. Teaching emotional intelligence at least twice per week in schools is recommended.

For Family: Aside from the reason mentioned above, another root cause of willful ignorance among majority of the poor is that they have lost hope for a better future: for themselves and their family. And then because they have lost all hope, they believe that it is pointless to try and act, because it will reap no rewards. So, no efforts to learn, and educate themselves.

So, to really change our education system and how much quality it brings to the lives of the learning students, in hope for a better future. It is crucial that the mind-sets of the family are improvised over time, as parents' influence on their child's personality is evident, as proved by many researches in the past.

And, to do that. We suggest an experiment:

12 Food facilities situated across 12 different states in India ordered in descending order of the literacy rate in India. The purpose of these facilities is to provide breakfast every day to the poor families and citizens. The No. 1 reason for choosing breakfast is that after having full bellies with a healthy protein rich breakfast, the brain of these people will be

more inclined to think about other important things other than food. No. 2 reason is that it will keep their bodies well fed for the better half of the day, hence less exhaustion and no more displacement of their anger on their kids. No. 3 reason is that if instead of breakfast, they are given dinner, they will sleep well but wake up hungry in the morning and won't be able to do much productive work.

The food facility will be open only from 7:00am - 9:00am and will not serve afterwards. This encourages them to be punctual. As being late will not be rewarded, hence a probable change in the behavior soon. During these two hours, the only thing that will be played on speakers is podcasts, and top news headline that every citizen needs to be aware of. The podcasts will be in the local language to communicate well with the citizens. These podcasts will include self-development, productivity tactics, ensuring the strength in character, emotional health, biographies and success stories of people who made it big despite their circumstances, and most important of all – child psychology, and how to raise children properly. All these topics mentioned above work together intrinsically, complementing one another to ensure that if some parent/citizen is not ready to accept new beliefs in one area, they will be able to change some of their perspectives in others. The facility will be under strict no smoking, alcohol, pan policy and violators will be banned for a week to ensure that rules are not broken and citizens learn to respect the boundaries set by the facilities.

Taking a hypothesis of an average person eating in the facility every day for a month. During the 20 minutes breakfast that this average person will spend eating here, they will learn something. In 30 days of learning something, this person is likely to find at least one thing interesting and is likely to try it. Possible outcomes of this is either success in getting the result, or failure. If the person succeeds, the method is repeated, which will lead to a habit, and a very likely behavior and perspective change in that field. However, if that person fails, they are either going to give up or look for solutions; in any situation, the person would have found something useful in the podcasts in the follow up day or the days to come in the future. Hence repeating the loop. As the loop gets repeated, the probability of a breakthrough increases, until eventually, some day in the future they breakthrough, which will lead to hope, and faith that the information is valuable. And once there, the word of mouth will spread, encouraging the society to try, test, fail/succeed, and repeat, until breakthrough. And then the loop begins all over again. The suggestive period for this experiment is 5 years, even though significant quality changes would be afoot in the first 3 years in most families and their children.

During this time, families' behavior must be observed for 3 days, observations held monthly, where changes in the families' behavior, emotional, and physical health are being tracked.

This makes sure that the progress made by a child in learning and growing as a human is not hindered, as the families grow more understanding and supportive rather than detrimental and abusive.

Conclusion

The data collected shows that most respondents were unaware about Right to Education. Although most of the respondents were educated yet the results show that the laws in India are neither respected nor enforced. This conclusion can be withdrawn keeping in mind the answers given by respondents. It is a common site that the citizens are unaware about the rules made by the government and the same was seen in the case of Right to Education.