



NATIONAL COUNCIL OF EDUCATIONAL RESEARCH AND TRAINING

# Right of Children To Free and Compulsory Education Act, 2009

## Status Report on Implementation in States/ UTs



Department of Elementary Education

MARCH 2012





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Department of Elementary Education

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## FOREWORD

The Government of India has enacted the Right of Children to Free and Compulsory Education (RTE) Act, 2009 with effect from April 2010. The RTE Act provides a justifiable legal framework that entitles all children between the ages of 6-14 years to an education of reasonable quality, based on principles of equity and non-discrimination. It provides for children's right to free and compulsory admission, attendance and completion of elementary education. More importantly, it provides for the child's right to education that is free from fear, stress and anxiety. The Honourable Minister of Human Resource Development has requested on National Education Day (11<sup>th</sup> November 2011) –

We must keep in mind that mere enactment of the RTE legislation is not enough to ensure every child's right to education. Our work and dreams are only half fulfilled. Our biggest challenge is to implement the RTE Act in its true spirit. What is of utmost importance is to ensure that there are enough schools with trained and motivated teachers, that books and learning material are made available, and children should come to study with a sense of confidence and optimism.

Keeping in view the provisions of the RTE Act, the Department of Elementary Education (DEE), National Council of Educational Research and Training (NCERT), New Delhi has undertaken an exploratory study on implementation of various provisions of the RTE Act in 34 States/ UTs (except Jammu & Kashmir) in year 2011-12. The Department has received information from 28 States/UTs till February 2012.

The present Report is, therefore, a comprehensive reference document containing relevant information on implementation of various provisions of the RTE Act in the States/ UTs. In developing and bringing out this Report, the information have been primarily drawn up from the States/UTs, more precisely, the State Project Office to Sarva Siksha Abiyan (SSA) Mission or so responsible for implementation of the RTE Act in State/UT, and comments received from the Expert Groups of NCERT and Faculty Members of DEE, NCERT.

I express my sincere gratitude to the Director, NCERT and Joint Director, NCERT for their continuous support and guidance; and Members of Expert Groups for their inputs and involvement at various stages in developing this Report. I congratulate to the Faculty Members in the Department, namely, Dr. R.B.L. Soni, Dr. G.C. Upadhyaya, Dr. Yogesh Kumar, Dr. Lata Pandey, Dr. Puspa Mandal, Dr. Ramesh Kumar and Dr. V.P. Singh, Progamame Co-ordinator for their contribution and continuous efforts in the development process of this Report. I hope that the Report will be useful to educational planners, researchers and administrator in understanding the status of implementation of various provisions of the RTE Act in States/ UTs during year 2011-12.

Place: New Delhi

Date: March 2012

Kiran Devendra  
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The States/UTs Project Offices on SSA and their Officers deserve the special thanks. It gives me pleasure to express sense of gratitude to the State Project Directors on SSA of States/UTs for providing information/data in bringing out this report.

Besides, I am thankful to Prof. K.K. Vashishtha, Former Head of this Department, Dr. M.L. Lakhera, Professor in Statistics at Indira Gandhi Agriculture University Raipur, Dr. Sunil Singh, Associate Professor in Education at Banaras Hindu University Varanasi for their support as resource persons including others who are directly and indirectly associated/involved with this programme.

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## EXECUTIVE SUMMARY

The Right of Children to Free and Compulsory Education Act, 2009 (RTE Act, 2009) has envisaged free and compulsory education of all children of the age of six to fourteen years, till completion of elementary stage, in a neighbourhood school. The RTE Act has provisions for every child who is above six years of age and has not yet been admitted to any school or could not complete his/ her elementary education due to any reason to be admitted in a class appropriate to his or her age.

The present study is, therefore, exploratory in nature, and initiated with an objective to find out the status of provisions of RTE Act and implementation thereof in the 34 States/UTs (except Jammu and Kashmir). It is proposed to approach the States/UTs for collection of data on the initiatives taken on the various provisions of RTE Act, 2009 through a questionnaire to seek the information / data about the steps taken so far. The quantitative and qualitative data so obtained are subjected to the mixed analysis approach for drawing inferences based on question-wise findings using simple statistical techniques.

Out of 34 States / UTs, only 24 States (Andhra Pradesh, Assam, Chhattisgarh, Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Manipur, Meghalaya, Mizoram, Odisha, Punjab, Rajasthan, Sikkim, Tamilnadu, Tripura, Uttar Pradesh, Uttarakhand, West Bengal) and 4 UTs (A & N Islands, Chandigarh, Daman & Diu and Lakshadweep) have responded up to February 2012. The received responses from the 28 States/UTs were subjected to qualitative and quantitative data presentation and analysis. The following are the major emerging conclusions:

- RTE Act, 2009 has been implemented in 21 States (Andhra Pradesh, Chhattisgarh, Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Kerala, Madhya Pradesh, Manipur, Meghalaya, Mizoram, Odisha, Punjab, Rajasthan, Sikkim, Tripura, Uttar Pradesh, Uttarakhand, West Bengal), and 4 UTs (A & N Islands, Chandigarh, Daman & Diu, Lakshadweep). In the States of Karnataka, Tamilnadu and Assam, it is in the process.
- Model rules for RTE Act, 2009 have been framed by 23 States (Andhra Pradesh, Assam, Chhattisgarh, Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Manipur, Meghalaya, Mizoram, Odisha, Punjab, Rajasthan, Sikkim, Tripura, Uttar Pradesh, Uttarakhand, West Bengal), and 2 UTs (A & N Islands, Chandigarh). Eighteen States and 1 UT have approved these rules.
- Notifications with regard to age appropriate admission of children have been issued by all the responding 24 States and 4 UTs. Twenty States except Manipur, Sikkim, Assam and Gujarat and 3 UTs except Chandigarh have framed norms for availability of neighbourhood schools. Twenty-one States except Sikkim, Himachal Pradesh, Manipur and 4 UTs have provisions for children belonging to weaker sections and disadvantaged sections of the society.

- Nineteen States and 3 UTs have revised their curriculum / syllabi. Revisions have been done with respect to all round development of the child (16 States and 3 UTs), building up child's knowledge, potentiality and talent (15 States and 3 UTs) and development of physical and mental abilities to the fullest extent (15 States and 3 UTs).
- Various types of activities like seminars (6 States and one UT), awareness programmes through websites, newspapers etc. (14 States and 2 UTs), workshops (14 States), training programmes (14 States and 2 UTs), community programmes (6 States and 2 UTs), translational act (2 States), leaflet / pamphlet distribution (8 States) and other activities like *nukkad natak*, dance / drama, radio and TV shows on RTE etc. (3 States) have been carried out to create awareness about RTE Act among teachers, parents and community members.
- Out of 24 States, 16 are providing free pre-school education to children below 6 years through '*Anganwadi*'. ECC centres are functioning to provide this facility in 4 States viz. Mizoram, Meghalaya, Gujarat and Tamilnadu. In West Bengal, ICDS Centre is facilitating pre-school education. The States of Haryana, Jharkhand and Delhi could not provide information on provisions of pre-school education. Assam has provision of *Ka-sreni* (pre-primary section) in addition to '*Anganwadis*', Goa has '*Balwadis*' and '*Kindergartens*'. All the 4 UTs have made provisions for pre-school education to children.
- As per RTE provisions, actions have been taken for ensuring learning through activities, discovery and exploration in a child centred and child friendly manner by all responding States/UTs in different modes. Specifically some interesting programmes like Kanjapuri Active Group of Learning (KAGL in Uttarakhand), *Nali-Kali* (Karnataka), *Samadhan* and *Sanjog* (Odisha), Activity Based Learning (ABL) & Activity Learning Material (ALM) (Madhya Pradesh), LEHAR (Learning Enhancement Activities in Rajasthan), ABL (Tripura), Project Based Learning (Haryana), Experience-Reflection-Application-Consolidation and *Pragna* (Gujarat), Learning through story books and print rich classroom (Chandigarh) etc. have been introduced. Similarly, action has been taken with regard to Comprehensive and Continuous Evaluation (CCE) / assessment of ability to understand and apply knowledge and 22 States (except Kerala and Gujarat) and 3 UTs (except Daman & Diu) have already implemented it. All the 24 responding States and 4 UTs have taken interesting initiatives such as reduction of number of paper-pen test (A & N Islands), ban on screening test (Uttarakhand), corporal punishment, expulsion (Uttarakhand, Chhattisgarh, West Bengal, Manipur, Punjab, Delhi, Tripura, Uttar Pradesh), awareness programme for teachers (Mizoram, Andhra Pradesh), no detention policy (Sikkim, West Bengal, Tamilnadu, Uttar Pradesh), *Ama Vidyalaya* (Odisha), LEHAR Room (Rajasthan), Group Work and Peer Activity (Madhya Pradesh), Peer sensitisation and appointment of counsellors (Chandigarh), Joyful Learning (Delhi) etc. to make children free from fear, trauma and anxiety. Further practical action has also been taken by 24 States and 4 UTs for providing opportunity of free expression to children through participation in group discussions, extempore, debate, organisation of activities like '*Srijan Vaadan*', Metric Mela, '*Baal Shodh*', '*Sapno Ki Udaan*' (Uttarakhand); *Pratibha Karanji Programme* and Metric Melas (Karnataka); '*Baal Sabha*', '*Akkad Bakkad Magazine*' (Himachal Pradesh); School cabinets, '*Meena Manch*', Child reporters & child representatives (Odisha); LEHAR Programme (Rajasthan); '*Aale Bhole Magazine*' (Punjab); '*Baal Sabha*', Child

Committees (Uttar Pradesh). Corporal punishment has been banned in all the responding States/UTs. The teachers of various States have been imparted training for not using physical punishment and mental harassment. In Odisha, toll-free school students' helpline number has been introduced.

- Schools in various States have initiated various measures for creation of child friendly learning environment. Some important initiatives are such as– Activity based learning (Mizoram, Karnataka, Sikkim, Odisha, West Bengal, Tamilnadu, Goa, Manipur), Use of learning, corners, TLM, Interactive learning material, Srijan Vaadan, Child friendly assessment, KAGL, ABL. and use of Library, reading kits by Pratham and Room-to-Read etc. (Uttarakhand), TLM, maps displayed in the class room, good thoughts, proverbs, beautiful drawings were painted on the walls and project based learning (Karnataka) and involving the children in the preparation of TLM and personal interaction with students (Andhra Pradesh, Tamilnadu), Training on creation of child friendly learning environment in the class rooms and demonstration of classroom management techniques (Chhattisgarh, Himachal Pradesh, Meghalaya, Gujarat, Delhi), giving small prizes to children, home visits by the teachers, specific books would be designed for promoting the questioning spirit of the children and organisation of Bal Melas, Sports activities etc. by children (Himachal Pradesh), **‘Ama Vidyalaya’**: A drive for beautification of school (Odisha), implementation of BaLA (West Bengal, Tripura, Chandigarh), interacting with parents, children and teachers to curb corporal punishment and mental harassment to children (Tamilnadu), introduction of LEHAR room as an attractive “Bal-mitra” room (Rajasthan), promotion of reading corners (Uttar Pradesh), introduction of rotational sitting system in class rooms (Tripura), project based learning (Haryana), implementation of Pragna (Gujarat), ADEPTS Programme (Daman & Diu).
- Some significant strategies adopted to identify the out-of-school children (OoSC) by States/UTs are Household Survey (HHS – 16 States and 3 UTs) and Child Tracking System (CTS – 3 States) and Village Education Register (VER) and Comprehensive Survey (CS – 5 States and 1 UT). It is quite motivating to find that 19 States and 2 UTs have taken initiatives for development of training package / module for capacity building of teachers keeping in view the admission of out-of-school children in their age appropriate grades. Bridge course, special training package allocating extra teaching hours are some important programmes for capacity building adopted by some States/UTs.
- Nineteen States and 2 UTs have taken initiatives for preparation of teaching learning materials of Bridge course for special training of out-of-school children (OoSC). The specific initiatives are: development of course materials [A & N Islands (Languages and EVS), Madhya Pradesh (Subject-wise), Mizoram], standard-wise breakup of training module (Uttarakhand, Assam, Chandigarh, Uttar Pradesh), Chinnara and Angala teacher's book, Chinnara Angala workbooks (Karnataka), special reading materials (Chhattisgarh), Individual Education Plan (IEP) (Tamilnadu), condensed course (Rajasthan, Tamilnadu, Assam, Tripura, Uttar Pradesh), PYAS [Jharkhand (Text + Exercise book)].
- Some important provisions have been made by the States/UTs regarding planning of Special Training for directly admitted children to age appropriate class such as: Residential Special Training Centres (RSTCs) and Non-Residential Special Training Centres (NRSTCs) (Mizoram, Karnataka, Andhra Pradesh, Chhattisgarh, Kerala,

Tripura, Manipur (NRSTCs), Uttar Pradesh, Goa, Gujarat, A & N Islands, Chandigarh, Odisha), Residential Bridge Courses (RBCs) and Non-Residential Bridge Courses (NRBCs) (Mizoram, Himachal Pradesh, Madhya Pradesh, Rajasthan, Jharkhand, Punjab), Preparation of Teaching Learning Materials (TLMs) [Mizoram, Meghalaya, Himachal Pradesh, Kerala (age-appropriate TLMs)], Activity Based Learning (ABL) (Sikkim), field visits, discussion, linkages with local knowledge (Himachal Pradesh), Assessment sheets based evaluation [Jharkhand (Buniyad & Buniyad plus)], Condensed curriculum (Uttar Pradesh).

- School Management Committees (SMCs) have been constituted in 17 States and 4 UTs. Three States i.e. Delhi, Punjab and Tamilnadu have not yet formed SMCs, other 2 States *viz.* Kerala and Chhattisgarh are in the process of formation of SMCs whereas 2 States *viz.* Goa and Manipur did not respond.
- School Development Plan (SDP) has been formulated in 15 States and 3 UTs. Some specific initiatives related to SDP preparation by different States are such as: training on SDP preparation [Daman & Diu, Odisha (Sahajog), West Bengal, Chandigarh, Tamilnadu, Rajasthan, Assam, Uttar Pradesh, Goa], community mobilisation (Chhattisgarh, Odisha), issuance of directions / guidelines on SDP (Himachal Pradesh, Kerala, Uttarakhand), orientation programmes (Odisha, Madhya Pradesh, Uttar Pradesh), workshops (Tripura).
- Admission to the children of transfer cases is given throughout the year in 21 States and 3 UTs. However, 3 States i.e., Uttarakhand, Punjab, Meghalaya and 1 UT Lakshadweep have no such provisions to accommodate such students.
- The scenario of recruitment of teachers as per RTE norms is not so encouraging among the responding States/UTs. In 10 States and 1 UT the recruitment procedure is still in the process. The States of Chhattisgarh, Odisha and UP have taken permission from MHRD/ NCTE in connection to the recruitment of teachers as per RTE norms. The States of Haryana, Gujarat and Punjab have shown appreciative gestures and already completed Teachers' Eligibility Test (TET). In the States of West Bengal, Madhya Pradesh, Rajasthan, Gujarat and in UTs of A & N Islands and Lakshadweep, recruitment rules of teachers have been amended as per RTE norms.
- All the four UTs and the States of Karnataka, Andhra Pradesh, Rajasthan, Goa, Haryana, Gujarat and Delhi have not appointed any untrained teacher. In the remaining States training to the in-service teachers is being provided through these institution: CTEs / DIETs / IGNOU (DPE) / NIOS with State Boards / DPEP / TTIs / SCERTs / Directorate of Teacher Education / Distance Education Programme.
- Provisions regarding redressal of the grievances of the teachers adopted by various States, include - constitution of Grievance Redressal Committee/Forum, functioning of RTI cell, online Redressal mechanism, monitoring committees at block/district/State level, State Administrative Tribunal, RTE Appellate Authority, meetings of teacher unions under the chairmanship of Education ministers, School Managing Committee and posting of grievances to Directorate of Education through proper channel. In UT, Daman & Diu 'Complaint/Suggestion box' are kept in the schools and toll free number has been introduced in the education office for the redressal.
- The State Advisory Council (SAC), for implementation of RTE, has been constituted in one UT (A & N Islands) and 5 States *viz.* Karnataka, Punjab, Mizoram, Tripura and



Goa. Twelve States viz. Uttarakhand, Andhra Pradesh, Sikkim, Chhattisgarh, Kerala, Madhya Pradesh, Odisha, Rajasthan, Tamilnadu, Meghalaya, Delhi and Manipur have not formed SAC. Other 6 States viz. Himachal Pradesh, West Bengal, Assam, Uttar Pradesh, Haryana and Gujarat and UT Lakshadweep are under the process of forming SAC.

- Monitoring of Child's Right to Education is being done by Right to Education Protection Authority (REPA) in the UT A & N Islands & States of Mizoram and Haryana. It is under the process in Tripura and Tamilnadu. In 8 States viz. Karnataka, Chhattisgarh, Madhya Pradesh, Assam, Jharkhand, Goa, Gujarat and Manipur the State Commission for Protection of Child Rights (SCPCR) is acting as monitoring agency.
- Six States viz. Mizoram, Karnataka, Uttarakhand, Goa, Tripura and Meghalaya and one UT A & N Islands have Pupil Teacher Ratio below the prescribed norm. Other 9 States i.e. Andhra Pradesh, Sikkim, Chhattisgarh, Tamilnadu, Madhya Pradesh, Rajasthan, Assam, Punjab, UP and one UT i.e. Chandigarh also lie below the norm but are striving to achieve the target. Remaining 4 States i.e. West Bengal, Haryana, Gujarat, Himachal Pradesh and 2 UTs i.e. Lakshadweep and Daman & Diu have achieved the prescribed ratio. Further, it has also been found that rationalization of teachers' posts after implementation of RTE Act, has already been carried out in 7 States (Karnataka, Andhra Pradesh, Himachal Pradesh, Madhya Pradesh, Punjab, Tripura and Gujarat) and in one UT (Lakshadweep). It is in under the process in 9 States viz. Mizoram, Uttarakhand, Chhattisgarh, Odisha, West Bengal, Tamilnadu, Assam, Uttar Pradesh and Haryana and in 3 UTs viz. Daman & Diu, A & N Islands and Chandigarh.
- The guidelines for ensuring 25% admission in neighbourhood schools have been prepared by 11 States viz. Uttarakhand, Andhra Pradesh, Chhattisgarh, Kerala, Odisha, West Bengal, Madhya Pradesh, Rajasthan, Punjab, Uttar Pradesh and Haryana. The States of Sikkim, Jharkhand, Manipur and Tamilnadu have not prepared the guidelines. Remaining 6 States viz. Karnataka, Himachal Pradesh, Assam, Tripura, Meghalaya and Gujarat, the guidelines are under the process of preparation. In case of Mizoram and Goa, preparation of such guidelines has not been perceived as a necessity and in the State of Delhi, no specific information was obtained. In case of UTs guidelines have been issued in A & N Islands and Chandigarh whereas in Daman & Diu they are under the process of preparation. In case of Lakshadweep, administration has ensured the availability of school facility to all sections therefore no such guidelines have been framed.
- Some of the States/UTs have also undertaken some important additional steps regarding implementation of RTE Act, 2009. The important ones are: Notification of SCERT as academic authority in Uttarakhand, establishment of residential schools for urban deprived children in Andhra Pradesh, creation of Web blog on RTE in Odisha, issuance of guidelines for ensuring 25% admission of children from weaker / marginalised sections of the society, organisation of several meetings with private school managements and principals in Jharkhand, setting up of District and State level cells in Punjab, training of 62,000 graduate *shiksha mitras* in Uttar Pradesh.