

A Study On Implementation Of Right To Education Act, 2009 In The Tea Garden Management Schools Of Assam With Special Reference To Tinsukia District

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Abstract

Indian government has passed Right of children to free and compulsory Education, Act 2009 on 4th August 2009 and it has come in to force from the 1st April 2010. This Act ensures free and compulsory education for the children of age group of 6 to 14 years in primary schools. After the enactment of Right to Education Act, 2009 brings hope to the country in the development of elementary education; it has become compulsory for central and state government as well as for guardians to ensure that every child of age group of 6 to 14 is enrolled in school. Many times government passed so many Acts, policies etc for development of elementary education in the country. But actual development depends upon its proper implementation. Central as well as state Govt. has made many efforts to implement the Act in the country through different agencies. Sarva Siksha Abhiyan Mission is one of the important agencies for the implementation of the Act for the Government or public run schools. There are many elementary level Schools run by the various company or corporate sectors in India where especially the children of employee or workers of the company are enrolled. Tea Garden Management Schools are one of the company management schools in Assam. Tea Garden Management Authority is responsible for the educational development of their schools and for the Tea garden area people. But actual development of the education in the tea garden area will depend on the proper implementation of RTE Act 2009. In the present study aims to study the implementation of Right to Education Act 2009 in the tea garden management schools of Assam with special reference to Tinsukia District.

Key words: Right to Education Act, Tea Garden Management Schools, School Management Committee

Introduction

In 1990, delegates from 155 countries agreed at the World Conference on Education for All (EFA) at Jomtien, Thailand to universalize primary education and massively reduce illiteracy before the end of the decade. The conference helped move education back to the centre of the international development agenda and made progress towards EFA. In India as a part of EFA in the year 1993 the 86th Constitutional Amendment was passed by the parliament in 2002 by inserting Article 21A making education a fundamental right for children in the restricted age group of 6 to 14 years, and four years after the Draft Bill was prepared by the CABE (Central Advisory Board of Education) Committee, the Right to Free and Compulsory Education Bill was introduced in the Rajya Sabha on 15 December 2008. Effective and transformative education should be the result of the exercise of the right to education, which is a universal human right. The right is about the entitlement to claim the substance of it, it relates to the possibility of demanding the right to education and making it justifiable. The Right of the Children to Free and Compulsory Education Act or Right to Education

Act was passed by the Indian parliament on 4th August 2009 to execute the article 21(A) which was inserted after 86th amendment of the constitution. RTE can be achieved by free and compulsory education for which India had been striving even before country attains independence. But by including free and compulsory education in the 3rd chapter (fundamental right) i.e. article 21(A), “The state shall provide free and compulsory education to all children of the age group 6-14 years in such manner as the state may by law determine” it becomes a fundamental right of every child. During the period from 2002 to 2010, the process of drafting of bill, passing in both the house of parliament, notification as law has been completed and finally the law came into effect from 1st April 2010. Now according to section 3(1) Chapter 2, RTE Act 2009, “Every child of the age of 6 to 14 years shall have a right to free and compulsory education in a neighborhood school till completion of elementary education.” This act is passed as a consequence of the 86th amendment of the constitution where three important provisions are made. There are (i) Article 21(A) in Part III (Fundamental right) (ii) modified the article 45 (in directive principle) and added a new clause (K) under article 51 (A) (fundamental duties) making the parent or guardian responsible for providing opportunities for education to their children between six to fourteen years. It is evident therefore that the compulsory education Act though not new by inserting right to education as fundamental right in the constitution makes this act an unique one. Special Organization, the National Commission for the protection of Child Rights an autonomous body set up in 2007, is to monitor the implementation of this Act. State Commissions for Protection of Child Rights are also set up in the states. The state commissions have to monitor the implementation of RTE in the states. The Act specifies minimum norms in Elementary Schools regarding infrastructure, teacher-pupil ratio, teacher’s qualification etc. The act also provides that no child shall be held back, expelled, or required to pass a board examination until the completion of Elementary Education.

The Government of Assam made “The Assam Right of Children to Free and Compulsory Education Rules, 2011” for the implementation of RTE, Act 2009 in the State. In exercise of the powers conferred by section 38 of the Right of Children to Free and Compulsory Education Act, 2009 (Act No. 35 of 2009), the Government of Assam has made the rules.

Significance of the Study

Tea labour community, presently known as Tea Tribe is a disadvantaged social group comprising about 20 per cent of the population of Assam. But there are not enough studies on this community specially on their educational progress. One of the major reasons for this may be that the Tea Tribe community is a unique ethnic group specific for Assam alone. There was no such study about the implementation of RTE, 2009 in the tea garden management primary schools in general and in Tinsukia district of Assam in particular. To know about the proper implementation of RTE in the tea garden management schools of Tinsukia district of Assam, there is a need of the study on it.

Therefore, the present study has lots of scope to unearth many issues and concerns which are posing as an impediment on the path of implementation of RTE 2009 Act for the quality education in the state. As per the SSA survey which was done as a part of pre project activity revealed that in all districts where there are Tea gardens the number of non-enrolled children is highest (SSA, Assam, 2003). Therefore SSA also considers Tea Garden area as special focus area in implementing various interventions. RTE Act 2009 and the RTE Act of Assam 2011 came in to force to implement the Universalisation of Elementary Education in Assam. Especially Tea Garden Management Schools are there for the elementary education in tea garden area. At this juncture it is important to assess the status of Elementary Education among Tea Tribes and to know whether the right of the Children of this community is ensured as per RTE act 2009.

Objectives of the study

- To know about the management structure of tea garden schools.
- To find out the infrastructure facilities of the tea garden management schools.
- To find out the teacher qualifications in the tea garden management primary schools.
- To find out the functioning of School Management Committee (SMC) in the tea garden management schools.
- To find out the student enrolment and its retention in the schools.

Research Methodology

The research is based on descriptive field survey method. Interview schedule and questionnaire has been administered. The methodology of the study is based on collection of primary data as any other source i.e., secondary data may not be available for the area that is being selected in this study. A survey has been made by the investigator. The primary data, both qualitative and quantitative have been collected from the Head Teacher, teachers and SMC president of the selected schools. The investigator physically verified the school infrastructure with the help of self made observation schedule. A structured interview schedule and questionnaire have been administered to the tea garden management authority (especially tea garden welfare officer) and SSA functionaries regarding implementation of RTE Act 2009 in these schools.

Population of the study and Sampling Technique

Population for the study was tea garden schools in the tea tribe people living area inside the tea gardens of Tinsukia district of Assam. Tea garden management primary schools are selected for sample by employing purposive sampling technique. List of tea garden management schools of different tea gardens block wise of Tinsukia district collected from SSA office, Tinsukia. Two stage random sampling is used to select the tea garden schools. In the first stage two blocks are selected

out of 5 educational blocks of the district. In the second stage, 5 nos. of schools are selected from each block randomly total 10 Lower Primary Schools are selected out of 122 schools of the district.

Procedures used in data collection

Primary data are collected from tea garden schools by interviewing the Head Teachers, Assistant Teacher, SMC members, Tea Garden Welfare Officer and the functionaries of the SSA, Tinsukia District. School infrastructure was observed by the investigator as per RTE provisions in various levels. Secondary data are collected from office of the District Mission Coordinator, Government publications, Megazines, Tea Garden Published Journals and News Letters and from DIET, Tinsukia office. Data used in the study are both quantitative and qualitative.

Tools used for data collection

- (i) Observation Schedule for School Infrastructure
- (ii) Interview schedule for the Head Teacher and Assistant Teacher
- (iii) Interview schedule for the Welfare Officer of Tea Garden
- (iv) Interview schedule for the DEEO/DMC/DPO (SSA)
- (v) Field Notes

Statistical Techniques

For the interpretation of data the following statistical techniques has been used.

- Percentage
- Tabular form
- Graphical presentation

Findings of the study

1. Very poor quality of infrastructure in school building. All the school buildings are pucca but the buildings are not in a good condition due to not repairing timely also there are no adequate classrooms for all classes with well partitions. Majority of tea gardens have only one or two lower primary school with capacity of 100 to 250 students.
2. Classes are held in very poor quality building with inadequate desks and benches.
3. Teachers are not qualified as RTE norms. Most of the teachers are untrained teachers.
4. Usually there are one or at the most two teachers for five classes that have 100 to 250 students, so the PTR is very high.
5. Majority of the schools opens for half day during the tea harvesting seasons.
6. Student's absenteeism is one of the major problems of the all schools 80% of teachers stated.

7. Language problem is another problem of the students because the language speaking at home and school is not same.
8. As child labour is highly encouraged in the gardens, in majority cases children leave school to work in the tea garden for a nominal amount of money that is why the drop out rate is high in tea garden schools.
9. Main reason of student absenteeism is that the children has to do house hold works , take care of younger ones because both of their parents are going to work in the garden.
10. Teachers are paid very nominal salary as they are not involved in the production process.
11. The majority (85%) of teachers express that they are not satisfied because of the school going students belong to only tea garden community and their motivational level is not high. For this reasons the teacher's interest towards teaching diminishes to a very great extent. Moreover majority of the parents of the students educational level is not high enough as a result of which they provide less importance to education.
12. There are 0.85 percent CWSN student are studying in the schools but the special trained teachers are not available in the schools moreover the adequate ramp facilities not proper in the school buildings only 30 percent school have ramp facility.
13. Drinking water is another big problem in the tea garden schools 80 percent school have hand pump or tube well which water is not safe for drinking 20 percent school do not have the drinking water facilities.
14. Though there are 90 percent schools have the kitchen shed for the MDM but it is observed that most of the kitchen are not hygienic condition.
15. There are 90 percent school have the separate boys and girls toilet facilities but the toilets are in dirty in condition.

Conclusion

Tea tribe children who are living in Tea garden labour lines are primarily first generation learner whose parents are either illiterate or with low educational status. Though some of the parents of these children are literate the education level is not high and most of them are not yet aware about the need of education. Therefore the school system for them must be special. In all plans, programmes, decision and policy implementation Tea garden schools should get extra special attention. Proper implementation of RTE Act 2009 in the tea garden management schools will be the path of educational development of the Tea tribe working in the tea garden.

References

“Educational statistics at a glance,2013-14,” (Findings of DISE survey,2013-14), Axom Sarva Siksha Abhijan Mission, Kahilipara, Guwahati,Assam

“JANAVIKAS” (2012). *“Study on implementation of Right to Education Act-2009 in Gujrat”*
JANAVIKAS,Gujarat,www.janvikas.in

“Statistical Hand Book of Assam 2014” Government of Assam

“Status of implementation of the RTE Act 2009 in schools runs by Tea Garden Management.”(2015),
Compile-

TG management-schools-inspection-Report August 2015, SSA, Tinsukia district.

“The Assam Right to Children to Free and Compulsory Education Rules,2011” Government Notification,
Government of Assam,Dispur,2011

“The Right Children to Free and Compulsory Education Act 2009, Monitoring of RTE compliance in Assam 2011-2012”, Assam State Commission for Protection of Child Rights, Government of Assam.

Das,*“A study on implementation of Right to Education Act,2009 in Hajo Block of Kamrup District.”* Scholarly
Research Journal for interdisciplinary studies, Vol.II/XIII, July-August, 2014.

Hussain, Noushad (editor), *Right to Education Retrospect and Prospects*, Shipra Publications, Delhi. (2014).

Koul *“Methodology of Educational Research”*, Fourth Revised and Enlarged Edition, Vikash Publishing
House pvt. Ltd.(2012).

Kurmi, *“Problem of educational attainment of children, A case study of the Tea Garden Labourer’s households in Derby Tea Estate.”* Research Journal of Language, Literature and Humanities. Vol.1
(4), pp.1-7, May (2014).

Ojha, *“Implementing Right to Education: Issues and challenges.”* , Research Journal of Educational sciences,
Vol.1 (2), pp.1-7, May (2013)

Sahoo,Dukhabandhu, Konwar Konnaki,Sahoo,Bimal.,(2011) *“Health condition and health awareness among the tea garden labourers: A case study of tea garden in Tinsukia district of Assam”* The IUP Journal of
of Agricultural Economics, Vol.VII, No.4,20010.,
<http://www.researchgate.net/publication/227439861>

Sarma, Jayanta Kumar (edited), *Research in Elementary Education in Assam – A status and trend report (1995-2010)*, Deptt. Of Research and Training (SCERT), Assam.

Sarma, Gadapani. (2013), “ *A case study on socio economic condition of tea garden labourers – Lohpohia Tea Estate of Jorhat district, Assam*” “The Echo” a journal of Humanities & Social science, Assam

Sarma, Nirmala, (2011), “*Universalisation of elementary education among tea-tribe of Assam with special reference to Jorhat district*”, Assam State Commission for protection of Child Right, Guwahati, Assam

Satyawart (2012-13), “*Critical Evaluation of role of SMCs in the implementation of RTE Act in district Jhajjar (Haryana)*” a dissertation submitted to NUEPA, New Delhi for the partial fulfillment of DEPA.

Soni, R.B.L., (2013), “Status of implementation of RTE Act 2009, in context of disadvantaged children at elementary stage.” Department of Elementary Education, NCERT, New Delhi.

Srivastava Prachi, Noronha Claire, (2014) “*Institutional framing of the RTE Act contestation, controversy and concessions.*” Economic & political Weekly, May, 2014, Vol. XLIX No 18

The Gazette of India, Extraordinary, part-II-section1, New Delhi, Thursday, August 27, (2009), published by Authority, New Delhi.

Zubair Kales, Mohd. (2014), “*Challenges confronting Right to Education Act 2009 and implementation.*” Commonwealth Association for Education, Administration and management. Volume 2, Issue-1