



Right to education v. national education policy – A critique

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Abstract

National Education Policy, 2020 and Right to Education as per the Right of Children to Free and Compulsory Education Act, 2009 has been analysed. The author analyses the goals of education, strategies employed for achieving these goals and for identifying tools for assessing their impact. Since the Education is in Concurrent list, the State's legislation is subordinate to the Union's legislation. The primary education for children under the age of 6 to 14 years has become the fundamental right under Article 21A by means of 86th Constitutional Amendment Act, 2002. The National Education Policy, 2020 has made many new educational interventions. The author analyses the National Education Policy in the context of the Right of Children to Free and Compulsory Education.

Keywords: Curriculum, implementation, managements, NCERT

Introduction

The New Education Policy focuses on education meant to be universal right from primary school to the higher secondary level by the year 2030. It also focuses on bringing the discontinued students back to the education stream to continue their education. The curriculum is framed in 5+3+3+4 terms. The basic foundation education and education on numeracy are given much more importance. The separation between academic curriculum and extracurricular activities is much reduced ^[1].

The student's progress is tracked in a better holistic way with comprehensive analysis than the traditional scrutiny. The Gross Enrollment Ratio is expected to rise about 50% by 2035 in higher education with numerous flexible subjects. This mechanism in National education Policy has multiple entry and exit with suitable certification with credit transfer facility time to time. The National Education Policy also incorporates ways to include funds based on gender and special zones for education to encourage the non-accessible regions. National education forums are initiated to discuss the incorporation of technology ^[2].

Education Policy

The education policy in pre-independent India could further be classified into two time periods, Pre-British and the British period ^[3]. While discussing education policy in Pre-British India, an attempt has been made to analyse educational policies from the beginning of ancient period to the arrival of British. Since the beginning of Indian civilisation till contemporary times those in power have directed the course of education but it was only with the advent of modern times that a scientific approach began to be adopted in formulating educational policies ^[4].

Right to Education Act, 2009

Right to Education Act or The Right of Children to Free and Compulsory Education Act emphasises the importance of free and compulsory education for children who are in the age group of 6 to 14 years. The Act came into existence on 1st April, 2010 and since then India became one of the 135 countries to make education a fundamental right of every child. Further, this Act ^[5] specifies that all private schools

have to reserve 25% of seats to children of socially disadvantaged groups. It also laid down that no child shall be held back, expelled or required to pass a board examination until the completion of elementary education. For school dropouts there is a special training, given under this Act. Since education is a concurrent issue in the Indian Constitution, the responsibilities of implementation of this Act have been distributed among centre, state and local government bodies. The central government bears 70 percent of the expenses of the implementation of this Act and 30 percent is provided by state government.

However, the RTE encountered several hurdles in the implementation level. Only a few are mentioned below. First, this scheme covers children in classes 1 to 8 only. Second, the Act is gender neutral and does not provide any special provisions for encouraging education of girls. Third, it is also silent on the right to education for children with disability. Fourth, the Act does not talk of the post elementary stage ^[6]. After completing elementary education in elite schools children from vulnerable groups will not be able to pursue their education in such schools or colleges. Then they might have to slip back to schools of questionable standards which will have negative psychological impact on them. Finally, it is evidently apparent that there are many incidents of corruption by school managements while implementing the Act.

Besides these centrally sponsored education policies, state governments have also launched many support schemes such as for example, the Midday Meal Scheme, Bicycle scheme, establishment of pre and post-matric hostels to enhance access and utilisation of educational opportunities. Almost every state government has set up committees and commissions to recommend policy changes in the field of education, to make it more 'inclusive', 'quality conscious' and 'attune itself to meet globally accepted standards. But at the implementation level there have been many shortfalls which need to be addressed in future policies ^[7].

The National Education Policy has made many new educational interventions such as the Mid-day meal scheme, Sarva Siksha Abhiyan, Navodaya Vidyalas, Kendriya Vidyalayas, etc. This National Education policy focuses on bringing changes in the traditional schooling pattern in

school and higher education. The National Education Policy 2020 has been approved by the union cabinet headed by PM Shri. Narendra Modi. Hence replacing the Old National Education Policy, which is 34 years old, to gain globally competitive. The policy is well framed with five major key areas such as accessibility, equality, quality, affordability, and accountability. The United Nations Sustainable Development 2030 Agenda has set a benchmark for the National Education Policy. The National Education Policy is changing the Indian educational system into a globally competitive education system with the required flexibility. The multi-disciplinary aspect of the National Educational Policy will become a stepping stone for enhancing students' abilities.

School Education in National Education Policy

The National Educational policy is believed to bring back the dropouts from education by providing numerous ways to complete the education. It is forecasted that about two crore dropout students are expected to get back to mainstream education. The policy also makes provisions for informal education with collaborating the counsellors; it also enhances the open schooling system and adult literacy through life enrichment programs. The National Education Policy has focused much on early childhood education, the traditional 10th and +2 structures into 5+3+3+4 structure. The new school educational structure with respect to ages is defined as 3 years to 8 years, 8 years to 11 years, 11 years to 14 years, and 14 years to 18 years. The cognitive mental skills are much developed during the age of 3 years to 6 years; this age frame is well included in the National Education Policy on par with globally recognized educational structure.

The new education has 3 years of Anganwadi, which is a notable phenomenon. The NCERT will develop a National Curricular and Pedagogical Framework for Early Childhood Care and Education for the students up to the age of 8 years. The early childhood care will be enhanced in order to develop an inclusive strategy for anganwadi and the pre-schools.

The implementation of early childhood care and educational policies will be implemented by the Ministries of Human Resource Development, Women and Child development, health and family welfare and tribal affairs^[8].

Literacy and Numeracy

Foundational literacy is the need of the hour with respect to numeracy right from primary school. The Ministry of Human Resource Development sets up a National Mission for foundational Literacy and Numeracy through National Educational Policy 2020. It is expected that the states will implement the National Educational Policy guidelines by 2025 in respective states along with the formulation of National Book Promotion^[9]. The 21st-century development is well included in framing the National Education Policy with respect to the pedagogy and curriculum. The focus of the National Educational Policy is experimental learning through critical thinking. Hence students are to be provided with flexibility with respect to the subject options in learning with respect to science and art^[10].

Multilingualism

The National Education Policy has another feature other than numeracy which is language, the policy focus upon encouraging students to learn multi-languages. The National Education Policy provides an option for three language strategies right from school to higher education, where the students are free to choose their willing language course. Under the umbrella scheme "Ek Bharath Shrestha Bharat," students are encouraged to take up projects with respect to languages in India. The foreign language is given secondary priority compared to Indian languages. The hearing-impaired students are facilitated with Indian Sign Language, which will be standardized across the nation^[11].

Notable Reforms

The National Education Policy encourages students to take the test in 3rd, 5th, and 8th grades; these exams facilitate regular assessment. The regular assessment shows the student's skills along with their interest orientation with respect to their subjects. The Board exams will follow the traditional way, which is for 10th and 12th students but in a reformed way. The Performance Assessment, Review and Analysis of Knowledge for Holistic Development (PARAKH) will act as the National Assessment Centre.

The National Education Policy is keenly interested in holistic child education where no child is left behind the education. The Socially and Economically Disadvantaged groups which are based upon gender, social aspects, and geographical aspects will be undermined. There will not be any partial treatment for the students with disabilities where they can access all the schooling process right from primary education and be assisted with the needed amenities^[12]. The concept of Bal Bhavans, which is a daycare for the children, will be setup on all the districts. The Bal Bhavans will help in enriching the art-oriented activities based upon the interest of the students particularly in free school premises called as Samajik Chetna Kendras.

Robust Governance

The selection under the New Education Policy will be based upon multi-source performance periodic wise. The National Council for a Teacher Education will initiate the setup of National Professional Standards for Teachers by the year, 2022. The Educational premises will be engraved into clusters which will act as the premises of government based upon the availability of infrastructural and human resources. A separate function of policy formulation and other operational rules will be monitored through an independent State School Standard Authority. The quality of schools will be accessed by the school quality assessment and accreditation framework along with the other stakeholders^[13].

Multidisciplinary Education

The key point is that information technology will be utilized at every phase of the process in order to maintain quality standards. A uniform set of norms will be framed for both the public and the private institutions.

Mentoring Vision

The NCTE authority will formulate the curriculum for teacher education under National Curriculum Framework for Teacher Education. Hence the minimum qualification for teachers will be the four-year intergraded B.Ed degree. A mechanism of counselling or mentoring will be established where the retired faculties will act as mentors for the students either in a short term or long-term duration. Hence such a mechanism will not only prevent students from dropping out but also guide them towards the suitable career. Support for Students, in order to encourage socially backward students to take up education, scholarship are being provided and it can be accessed through National Scholarship Portal ^[14].

The Open and distance learning will also play a crucial role in extending the service of education. As recent initiative online courses under the domain of MOOC platform add the value to the traditional education without compromising the quality. The digital infrastructure is an option which will certainly support student during situations like Covid were one can learn by staying at home through online. In order to monitor the online platform an authority is setup called National Education Technology Forum. The Indian Institution of Translation and Interpretation is organized in order to promote the Indian Languages.

Four Distinct Features

- The first feature is the new education pattern which is 5+3+3+4 it was 10+2 system of pattern.
- The second important feature is the flexibility.
- The third feature is the effect of artificial intelligence in order to track the performance record of all the students with respect to Academics as well as with extracurricular activities.
- The fourth criteria or the feature is the challenging task which is setting for ever flexible syllabus which is coming up.

The Key Challenges

The national education policy has three challenges shareholders of the stakeholders of the national education policy. Here we will see the challenges step by step:

Challenge for the Parents of the Students

This is the first challenge. The Parents have no means of ideas regarding the national education policy. The policy has framed with utmost importance; still the parents find it difficult to come up with clear set of ideas regarding the national education policy. This is very much true with respect to the management education as well. This clearly separate the generation X from the generation Y and the upcoming generation as well. In the current scenario of covid-19 pandemic, parents have no clue regarding the online education which is currently being followed which is a trauma. The national education policy 2020 has become a challenge to be faced by the parents with respect to the student's education.

Flexibility with respect to the National Education Policy

The second challenge is the flexibility with respect to the national education policy, students already have flexible curriculum yet the students have never seen such flexibility in the previous era. Hence there is no guidance

for all the students particularly with respect to the students who are from village or rural background. To be precise particularly with the rural background people or students, they find it more difficult to understand the flexibility with respect to national education policy. They also don't know about the credit course as such how it is going to help them in gaining a degree course or bridge course or post-graduation, etc.

With the view on the Management courses the students are really nervous about the connectivity between the flexible syllabus and the real time need of the market. Students are nearly worried about the stations of the market. The existing market is based upon the traditional courses which prevailed before but the current scenario has brought out lot of changes to the education pattern.

Challenge is with the Market Players

The third challenge is with the market players with respect to the private companies and the government companies, they are the one who offers jobs to the students. The companies usually follow the traditional pattern where they look for right people or select employees based upon the qualification. The education were based on traditional educational pattern, the current national education policy 2020 has totally changed the prevailing pattern not only with respect to schooling pattern but also with the undergraduate as well as post graduate courses. Now the need of the hour is the private companies as well as Government companies have to change their recruiting policies based on the new education policy 2020. The private and the government recruiters have to analyze The National Education Policy thorough enough in order to frame the required recruitment policy.

Conclusion

The Merits of National Educational Policy are comprehensive, from the schooling to the post-doctoral research studies. The National Education guides and allows the schools, colleges, and universities to self-evaluate their institutions. The Policy helps in eliminating the prevailing inequalities and other pedagogical problems prevailing in the structure. Though the policy has enormous competitive aspects still the practical implementation is the need of the hour. The implementation requires the cooperation of educational entities and the support of all the states to support the challenging policy. With respect to funds, the Policy implementation totally depends on the government's funds, which is 6% of GDP, which is again a challenging task in the present scenario. Hence, effective implementation is the only need of the hour to overcome all the prevailing challenges.

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