**Implications of the Right to Education Act, 2009**

I present below details of the implications of the new ‘The Right of children to free and compulsory education act, 2009’ (Act No. 35 of 2009) as I perceive it. Do have a look. I shall also present soon an audio version of the same in this article.

I just bought the Bare Act copy yesterday and read through it to see what it implies and how it is going to affect each of us whether in the role of a child, a parent, a teacher, a school, a government official, an NCPCR member etc... Here we go!!! One simple remark though before I start.

‘No LAW can change human nature. Hope this LAW at least inspires some change for the better’

**Chapter-I: Preliminary:**

**Sec 2 (c):** ‘child’ refers to a child between ages of 6 and 14. Hence, children from 3-6 and kids of 15-18 are not addressed by this act except for 2 clauses where pre-primary education is mentioned.

a) **Sec 11** which suggests to the state governments that they may if they like, establish pre-primary schools (Not mandatory)

b) **Sec 12(1) (c) Proviso 1:** This one has a major implication for schools. This means that if a school (even an unaided private school) if running pre-primary education in the same school, then they have to give the 25% quota even in the pre-primary stage to the children from disadvantaged / weaker sections. This fact if really true is going to have a significant impact on the schools. This infact practically makes pre-primary education also a right for children as long as they can find a school in the neighbourhood which also runs a pre-primary school under the same name as the primary and secondary schools.

This is likely to be perceived by unaided private schools as a big additional problem to their already vehement resistance (some of them only. not all). The option they have is to probably decouple the pre-primary school and name it differently and run. This way, they can avoid admitting 25% children of weaker / disadvantaged sections. Another complication is that if they do choose to admit 25% students from these sections in pre-primary school also, the government might not refund the school (even at their rates) for these kids.

On the positive front, Sec 11 allows the state governments to be pro-active and do more than what is specified as minimum. It would be great if some states could implement this too.
Sec 2 (I): The rules to be framed under this act are going to be crucial. A lot of details in the act have been left to the rules. Sec 38 goes to say that rules will be framed by the appropriate governments (essentially meaning the state govts in most cases). This can lead to disparities in the system across states (Eg: Sec 38 (2) (a) might affect how children who have not entered school at right time are treated etc)

Chapter-II: Right to free and compulsory education:

Sec 3(1): Obviously, this is the most important section of the act. This means that all children today between ages of 6 and 14 would have to be in school starting May/June 2010 session. But since the act is just notified and states do not have rules under this yet, this year is going to be very difficult to get working. Recognition of schools, setup of neighbourhood schools, finding out which children are out of school etc are going to take time for the state govts. So, unless a parent / child herself pursues and goes to say that she wants to be admitted to the neighbourhood school, she might not be approached and admitted to school.

Sec 3(2): While no fees or charges can be charged by schools other than unaided private schools who also cannot charge for 25% of the strength, there is no obligation for the schools to provide for books, stationary, transport, uniform etc The govt is supposed to provide this (Sec 8(c), Sec 9(c)). Parents who understand implications of this act can go and get their children admitted and Sec 16 gives them relief from fact that no school can expel the child from school but how the child would be treated if the child goes without uniform, without books etc is to be seen. Sec 17 further provides for disciplinary action against teachers / school if they physically or mentally harass the child. This section becomes crucial and can be used to see that for lack of uniform etc, the child is not harassed, at least theoretically. But quite certainly these facts are going to mean that if a poor parent is not able to afford transport, uniforms, books etc, he/she would probably not send his/her child to an unaided private school where the child is likely to face trouble in the absence of state help. The good point though is that this problem is not so much since only 7% of schools across the country are private unaided schools. So, if the govts do a good job in establishing neighbourhood schools (within 1 km for primary and 3 km for upper primary), then most children can get to go to school.

Sec 4: This is meant to address children who have not been in school at 6 years and above. When they are brought into school by whoever, they need to be admitted to the class in accordance with their age and then provided special training to be able to cope up with the difficulty. This special training and the time-limits for this is to be set by the state govts in their rules. This is going to be crucial and a very difficult part. Some rules can be framed but without enough resources and effort, a child of say 9 yrs is directly admitted to 3rd standard and given little special training or none as usual in reality, the child is very likely to again dropout and lose confidence on the system. State govts and NGOs and schools and parents have to make a special effort to bridge the backlogs the child has due to not attending school earlier. Also, if not attending school at 9 yrs, quite likely that the child would be working in some small or big way. This section of children who are
today (in April 2010) above 7 yrs would find it very difficult to get mainstreamed. This act and this section in particular provides for little as against the need. The long term point though is that any child today below 7 yrs of age might get mainstreamed and 8 years from today, we would see that all children upto 15 yrs then have completed elementary education (best case scenario).

Chapter-III : Duties of appropriate govt .... and parents:

Sec 5: This is also a crucial section, especially for migrant labourers who take their children along wherever they go. Although in the best case, this allows them to transfer their child any time from the current school to one in the other town / city, practically, it is going to be very difficult. The child especially is going to find it very difficult to fit in the other place especially if the jump is across states. Sec 29(2)(f) states that the medium of instruction be as far as possible, the child’s mother tongue. Quite obviously, this is possible only if in each town/city there is at least one school which works in the language of the majority of immigrants. This scenario is very unlikely. The better way might have been that the state provided residential schooling facility for migrant labourers in their own native village / town. This would save trouble for all parties, parents, child, teachers, govt staff etc.

Sec 6: This means that some areas of the country might be upto 3 years behind in the best case. Too much time to establish one elementary school. The vision could have been much better. 1 year would be a descent time to setup a school.

Sec 7: Likely to be a big trouble area. Without clear definitions of the funding pattern, the budgets are likely to be inadequate or even absent until these things are finalised. While sub-section (4) does provide for the fact that centre can recommend more funds to state and also that the Prime Minister Dr. Manmohan Singh has stated that funds wont be a restriction, things could move very slowly. The union budget this year has not really anticipated enough funds for implementation of this act (Rs.31,000 crores is still just about 3.6% of GDP). This has also to be looked from the point of view that actually the Schedule asks for just 2 rooms and 2 teachers for a school with 60 children. This might quite likely exist in many places and hence state govts may claim that they are already inline with the provisions of this act and hence need not do more. The obvious fact is that this is highly inadequate.

Sec 7(6): This is crucial since it shows a very clear trend that the centre has tried to retain a lot of responsibility in it’s own hands. If curriculum, teacher training standards etc are decided by centre, states have little role and on the ground, a huge amount of friction is likely. This vision while good, does not fit well with the federal structure of our country. Education, being on the concurrent list, the state govt obviously would want an equal role. If the centre as is obvious seems to compromise the power of the states, implementation could be very difficult.

Sec 8 & Sec 9: A lot of the responsibilities are seen for both the ‘appropriate govt’ and also for the ‘local authority’. This can create more confusion with each shifting
blame to the other. It appears that one has been too casual in preparing this. For example, there really is no point in putting a duty on the local authority which is a Municipal corporation or panchayat to ensure timely prescribing of curriculum and courses of study. This is never done at this level and should not be.

**Sec 8(a):** Explanation of ‘compulsory education’. This along with other provisions clearly states what the govt intends to do in the form of ‘compulsory education’. It restricts the scope to admission, attendance and completion of elementary education of 8 years. This shows that the centre has set a very low benchmark to declare that Indian children be considered ‘100% literate’. The day (may be in 2018 or so), the govt has issued a certificate of completion of elementary education to all children below 14-15 yrs of age then, we would be declared a country with ‘100% child literacy’. Would that be real? Quite unlikely. With little emphasis on quality and minimum standards, this might only be on paper. This point will be reinforced later with discussion on Sec 30. Hang on!!!

**Sec 8(c), 9(c) & 12(1) (c) with Sec 2(d) & 2(e):** All these five sub-sections including the 2 definitions together are designed to bring in equal opportunity for the disadvantaged / weaker sections of the society. Reservations can be very useful and empowering when used well but the way Sec 2(d) and Sec 2(e) have been formulated, they do not exclude the ‘creamy layer’ within these groups. This is going to offer a very simple route to the unaided private schools to escape from becoming really inclusive. They can show strength of upto 25% of students as being from SC/ST category even though the parents of these children might very well be able to afford that school fees. Since no specific distribution among disadvantaged and weaker sections has been defined, schools need not really take in children from poor families. Also, if this issue is seen in relation to the government schools, it is quite irrelevant. It is anyway part of our constitution and also the Prevention of atrocities on Scheduled Castes and Scheduled Tribes act that no discrimination is to be done. This clause is irrelevant there. If an area has 90% socially backward groups, the schools there should have almost 90% of children of those socially backward groups there. 25% is not important in this case. These five definitions / clauses become necessary only when we look at aided schools and unaided private schools. But these schools anyway form a small part of our total number of schools (only 7% for unaided private schools. not sure about aided schools). The best approach (in long term) would have been to eliminate these aided and unaided schools and go to a Common Schooling System as advocated in many of our Education policy documents since the Kothari Commision of 1966. But looking at the short term difficulty, the centre has chosen to allow this 25% and ensure that privatisation of education and lack of real inclusiveness remains a reality for perpetuity. A big opportunity has been lost now to bring in the Common Schooling System. If Srilanka can have a common schooling system till secondary school, why not India? We need a will and good planning to enable this to happen but quite likely that ‘education lobbies’ are already too strong for the government to take on.

The one major good aspect of **Sec 8(c) and Sec 9(c)** is that they say that it is their responsibility to ensure that a child is not prevented from completing
elementary education on any grounds. This means that if transport or books / stationary is a problem for the kids, then the govt is supposed to provide the same and a child / a parent has a right to ask for the same.

Sec 9(k): A good note has been made to ensure that children of migrant families are also admitted to school. The local authority certainly is the right body to address this but they certainly would need support from the governments to maintain records of the same. The census 2011 and the Unique Identification Number projects are going to be crucial over the years. But as said earlier, this finally might not be the right solution. They way to handle the case of children of migrant labourers is to provide residential schooling at their native. Since at least some relatives can be expected to be around their native, the children might be able to retain extended family support and still study without interruptions.

Sec 11: As discussed earlier, this has been left optional. The importance of pre-school education has not been taken serious note of or budgeting has meant that there is not enough resource to ensure this also. It might just happen that due to Sec 12(c)'s proviso, some children in towns / cities may actually end up having a right to pre-school education. If the state govts do take this suggestion seriously, it would be great.

Chapter-IV: Responsibilities of schools and teachers:

Sec 12: One of the crucial sections. This is quite straight forward when govt schools and aided schools are concerned. The only main assumption that remains though is that a school is available in the neighbourhood and that books, stationary etc are provided for by the state. Even in respect of schools like kendriya vidyalaya, Navodaya and Sainik schools, there is not likely to be any issue. Coming to Sec 12 (1)(c) though, the trouble starts brewing. While a good number of private unaided schools have been forthcoming and are willing to cooperate, many others claim this as not practical. The govt has been very considerate to them to say that they would start with just admitting 25% of disadvantaged / weaker section children in Class 1. This would mean that the revenue of the schools would be only affected by 1/4th of 1/10th i.e. 2.5% if they have upto 10th standard. If a school runs pre-school till 10th standard, they would lose 7.5% revenue in the first year (LKG + UKG + 1st std). The govt is supposed to reimburse expenses at govt rates but this is likely to be negligible. Realistically speaking, a loss of this little revenue (2.5%) assuming that pre-school is separated out as a different entity, can certainly be borne by the schools. Also, if the parents are willing, they may pay a fraction of the fee too. Schools can also depend on NGOs or establish their own Trusts and raise revenue to such extent from the local community who are also stakeholders simply by fact that they live in the same area. The global community is also quite willing to extend support. All that is asked from the school is that they give the same respect to the disadvantaged child as others. Going further in the years, they would lose more revenue but this is certainly part of their joint social responsibility. We as a country certainly dont want to see schools as money making industries. But as said earlier though, the loose way in which this section has been defined allows an opportunity for the schools to simply show 25% strength coming from the
creamy layer of SC/ST and thereby leaving the weaker sections out. A solution could have been to really exclude the definition of ‘child from disadvantaged section’ and just keep the ‘child from an economically weaker section’. This would have ensured that the benefit actually reaches the needy. Quite obviously though political pressures bear upon the law of the land. Also, without a strong transparent system and given the fact that private unaided schools have been allowed to not have school management committees, fudging numbers and bribing govt officials might very well happen.

**Sec 13:** A clause with very good intentions. Good level of fine specified. But quite clearly the obvious strategy of the schools is going to be to plug that amount into the fees. Unless a separate act to prevent unfair practices (likely to become a reality soon I understand) in educational institutions comes up to curb fees or a Schools Regulatory Authority is setup, the fruits may not reach the public. While this is said, it is not as if the parents have been giving donations / capitation fees grudgingly. Many probably have seen this as a way of putting their kid in an elitist environment where the child is kept far from the disadvantaged / weaker sections. As long as this mindset of the rich-poor divide is not tackled in other ways too, this alone is not going to be enough to form an equitable society.

**Sec 14 & Sec 15:** Two of the very important clauses. Very often children for lack of age proof etc were made to miss admission. Also, since they miss admission at beginning of year, they used to lose out (if they migrate etc). Now, this should not be a problem.

**Sec 16:** Again a very crucial clause. Only two problems exist though. Firstly, without quality standards, an 8th standard pass-out through this system might be no better than what a 4th standard student should be according to NCERT syllabus. This really will not change the life of that child in the positive way. The only good thing is that he/she might have been kept away from labour and been given mid-day meals at least until the age of 14. Secondly, the penalties for expelling a child have not been spelt out. Also, given the grave troubles in the grievance redressal system (to be discussed later), schools might get away even after expelling children.

**Sec 18 & Sec 19:** This truly allows the govt to only check that the minimum standard of 2 rooms and 2 teachers for 60 children is made available. As long as the school meets this and the other aspects in the Schedule, they would get it. With the govt itself setting such a low standard, this might at worst hasten the mushrooming of more low quality private schools. The fine of upto 1 lakh rupees & Rs.10,000/- for each further day of violation is a good point though. It gives some teeth to the law. But allowing 3 years to come upto such level is again very slow.

**Sec 20:** Hope the govt uses this power (to amend the schedule) to increase the quality standards / introduce new quality standards over time. No such intent is seen though.
Sec 21: A very crucial section. This really is what makes the schools democratic. With a minimum of 75% strength being parents, proportionate representation of disadvantaged / weaker section parents and at 50% women, this committee certainly can if willing, ensure good functioning of the school as per the law. While power to monitor has been given, the power to force the school to comply with provisions still remains with the local authority (Sec 30). As long as these committees don’t remain dummy committees, this can do much more good than what the law in itself has done. This would allow the committee access to information on utilisation of grants, to monitor working etc and then to complain to the local authority in case of a violation. But as mentioned earlier, leaving out the private unaided schools from this requirement has been a bonus for them. The loser again is the disadvantaged child studying there who would have no one to speak for her (unless some other regulatory body handles this. I am not sure).

Sec 23: One of the few clauses that talks about minimum quality standards; in this case, of the teacher. The rules to come up under this act and notification of minimum qualifications by an academic authority authorised by the centre are going to be crucial. Time has been give to the govt as well as the teacher to get upto standard and this is realistically acceptable although the schedule could have been just 2-3 years for govt to recruit teachers in sufficient number. Sec 23(3) though appears to be a positive move that can give a good pay to the teachers. The only thing though is that taking teachers on contract should not become the norm as it will certainly hamper quality. State govt will have to be careful with this.

Sec 24: This again guarantees some good minimum conditions like for example sub-section 1(c) that says that the entire curriculum has to be completed in specified time. The school management committees can follow-up this and ensure the same. The threat of disciplinary action would hopefully bear some pressure on teachers to perform but if only the school management committees had the power to recommend disciplinary action, it would have been good.

Sec 25, Sec 26 & Sec 27: Again 3 sections on minimum standards, this time on pupil-teacher ratio and teacher availability. This is set at 30:1 for primary and 40:1 for upper primary (6th to 8th). This is a good enough ratio. Ensuring that at any time vacancies remain below 10% is also a good point. Further, ensuring that teachers are not deployed to other duties apart from the census, disaster relief, election duty etc is also good.

Sec 28: This section has major implications for teacher. By not distinguishing between teachers of any kind of school, it becomes an all-powerful law that practically ensures that a teacher working in any school never indulges in private tuitions. What is not distinguished again though is that private tuitions done for monetary gains and for free. It is quite likely that this section would get challenged in the courts and the Supreme Court may have to come up with an interpretation. Neither is there a definition for the term ‘teacher’ in Sec 2 nor is there one for ‘private tuitions’ or ‘private teaching activity’. This section though is very important and it would be good if it remains with the large scope that it currently has since
the ‘private tuition’ menace has become very bad in some areas adding to huge difficulties for children from weaker sections since actual teaching in the school is compromised by the teacher looking for monetary gains through tuitions.

Chapter-V: Curriculum and completion of elementary education:

Sec 29: The curriculum and evaluation procedures have been left to the state govt. The factors to consider while establishing a curriculum are good except that it quite noticeably stays away from defining what is essential for children with special needs. How the curriculum and evaluation procedure can be adjusted to meet the needs of special children will have to be taken care by the state govt now but they do not have any specific obligation under this act. This has been left to the persons with Disabilities Act, 1996 as mentioned in Sec 3 (2) of this act. It would have been very relevant and well placed to consider the educational needs of special children in this act rather than leave it out. Even the schedule hardly mentions anything for the special child except for a term ‘barrier-free access’ for the building. This is too vague and incomprehensive. Education for special children is going to be a very difficult issue and upto the state govt to come up with good rules to help them.

Sec 30: This is a crucial clause for the govt and not for the children. This is what the govt is going to use to demonstrate success. Their definition of success as stated earlier is going to be on the mere grounds that a child has attended school for 8 years and gone through upto 8th standard. Nothing more. Without an examination or even at least an evaluation of the performance in some form, the 8th standard certificate as it is going to be more importantly called is going to be of little value. This might in the future become the age proof certificate rather than the 10th std certificate as it is today. It is disappointing that the govt has had only so much vision. One can rest assured that at least this certificate would be given to all children easily because the govt needs to claim success by distributing such certificates rather than spreading true knowledge and empowering children. The strength of a country is going to be measured by the number of ‘8th standard certificates’ issued.

Chapter-VI: Protection of Rights of Children:

Sec 31(1): The National Commission for Protection of Child Rights (NCPCR) and the corresponding state commissions (SCPCRs) are entrusted with the additional responsibility of monitoring the implementation of the act and to suggest measures for effective implementation. The NCPRC also in any case has only recommendatory powers. So, even if they find some improvement opportunities and recommend, there is little guarantee that they would go through. Further they are expected to be part of the grievance redressal mechanism. This will be dealt with again when coming to Sec 32 but at this point what matters is the capacity of the Commissions to take up this additional responsibility. In principle, giving this responsibility to these commissions is certainly better than creating another parallel body but this has not been written in the act that constituted them. Hence, how they would get
additional funding to take up this big task is a fact to be seen. Further, very few states have till now established state commissions. In fact, this act has realised that and provided that the appropriate state govt will appoint someone else in case the state commissions do not exist.

**Sec 32:** Grievance Redressal. While grievance redressal is very crucial for any law, the introduction of this section actually seems to be intended to subvert justice. This section goes to say that if anyone sees that the right of education of any child is violated, one should first go to the local authority which may be a municipal corporation or panchayat. They are allowed 3 months to settle this. Then, if still not done, one can take it to the SCPCR or the other body which the state is supposed to have constituted in the absence of an SCPCR. But the crucial part comes here. There is no mention of where the appeal goes after this. Even the NCPCR has been kept out of the grievance redressal by this section which starts by saying “Notwithstanding anything contained in Sec 31….” It seems an extra-ordinary case of an act contradicting itself. Now, we know that even the NCPCR has only recommendatory powers. So, even if the appeal went to them, it is not of much use.

In fact, it is funny to see that the violator i.e. the local authority themselves are to stand in judgement of their own act which clearly violates the basic concepts of jurisprudence. Only in case, any school has been a violator, the local authority can stand in judgement but since Sec 9(c) put the onus squarely on the local authority, this section seems to be in violation of principles of jurisprudence.

I see this as an attempt to keep the High court of the concerned state and the Supreme court also out of this. The lawmakers obviously know that they anyway can’t keep the courts out (in the long run) since this is a fundamental right under Article 21(A) of the constitution, so, they seem to have come up with a way to delay grievance redressal using this section. By the time, one goes through the local authority, the SCPCR and may be NCPCR, it would be one year or more and still, one will only get a reccommendation from them to the state govt to act which wont be binding on them. Unless one is able to go to the High Court or Supreme Court for redressal, there is little outcome likely. In my view, there is quite likely going to be cases filed in the High courts and Supreme courts by people wanting to know the exact interpretation of this section. After this, when the Supreme court pronounces a judgement saying that notwithstanding anything contained in this act, the appeal from the SCPCR shall lie with the High Court, it will become clear. So, for the many children who in 2010 June may not get admitted to school, there is little help. I would go far enough to say that in my view this section is “Unconstitutional” and needs to be removed.

**Sec 33 & 34:** Constitution of National and State Advisory Councils: There seems to be little role for this body. The only function given to them is to “advice the govt on implementation of the provisions of the act in an effective manner”. While this
single function itself can in principle be a big task involving advising on where to put up schools, how to select teachers, how to train teachers, how to ensure correct enumeration of children in the area, how to ensure that the school development committees function well etc, it remains to be seen what actually the council will do. The point is that already the NCPCR and the SCPCR have been put in the job to monitor the implementation. Now, these Advisory Councils also have a similar role. Hence, it appears that this could clearly have been avoided. Either these councils are not necessary or the Commissions could have been kept out of monitoring. This situation now is likely to fuel conflicts at the ground level between these bodies when formed. Each may want to claim success for themselves and in this fight, the children may suffer.

Chapter-VII: Miscellaneous:

Sec 35: This section again seems to reflect the global policy that seems to exist behind enacting this legislation. The centre is trying to take a strong role in a concurrent subject. There is no reason why the centre should issue any guidelines to the local authorities. Even when issues, they may not be implemented since they are just guidelines and the local authorities may act only according to the rules to be framed by the state governments which is binding on them. Even the state would only follow it’s own rules. So, this section also seems a little ill-conceived.

Sec 36: Previous sanction for prosecution. If I understand correctly, in the normal circumstances, if any violation happens by the school and any parent / public spirited citizen lodges a complaint with the local authority (as per Sec 32), they are supposed to take action on the school. But due to this section, it appears that the local authority will have to take sanction from the officer authorised by the state govt for this purpose before doing so. This in itself seems fine but the larger question is whether the local authority has the authority to prosecute the school. What would happen if the school were to go to the district court and claim innocence and harassment by the local authority? The court in such case would obviously have to intervene. So, the best way would have been to let the local authority file an FIR and route the prosecution through the courts. This would have ensured authenticity to the prosecution and the appeals anyway would lie to the higher courts. This section seems to be fudging with the overall judicial mechanism.

Sec 37: Protection of action taken in good faith. This section seems to be an anticipatory bail taken well in advance. This section has taken in all the bodies in charge of the implementation of the rights and said that if any of these bodies do anything in good faith, then no suit or other legal proceeding shall lie against them. The simple implication is that, for any complaint against any of these bodies including the govt, if the body is able to establish that they acted in good faith, then they get away. Again, this seems to be a way to keep the courts out.

The point is that in any case, in any circumstance, if someone acts in good faith, they are not liable to be prosecuted. That is true even for a surgeon accidentally leading a patient to death during an operation. Given this well known principle of
our judicial system, why was it necessary to include this section?. It has been expressly stated here only in order to keep the judicial system out as far as possible. I would again say that this section needs to be removed. The ‘executive’ cannot subvert the power of the ‘judiciary’ and deny justice to the people at large in this way.

Sec 38: This section allows the state govts to make rules for many of the aspects. One can only hope that this happens soon and that the rules are framed well and with a motive to implement the principles behind this act.

The Schedule:

1. A teacher-pupil ratio of 30 to 1 in 1st to 5th standards and 40 to 1 in 6th to 8th standards has been mandated. This in itself is fine. The problem though is that for 60 students, only 2 teachers are necessary and they themselves would teach all the subjects to the primary class students. Only in 6th to 8th standards, a separate teacher for science and maths, one for social studies and one for languages has been mandated. This is a very low standard the govt has set for the country. Firstly, pre-primary has been kept out. Then, until 5th standard, the children would be taught by a teacher who only partly knows each of the subjects. This would mean that by the time a child reaches 6th class, he/she has already acquired a deficit in learning. It would be extremely difficult for children to complete 8th standard and say that they really know as much as they should. Given the data from the Annual Status of Education Report, 2009 (by ASER foundation), the 8th standard pass-outs from this system may know just as much as a 3rd or 4th standard student should know. In such case, how would they go ahead and pass 10th standard board exams? This act also removes all board exams upto 8th standard. Hence, there is little we can expect as an output from this system.

2. This means that only 2 rooms are required for a primary school of 60 children. Same poor standards as earlier. The barrier-free access terms seems to be intended towards providing for architectures that can help the children with special needs but is too simplistic to merit facilities on the ground being setup.
Conclusion:

In conclusion, it can be said that while some minimum guarantee of education has been given to all children aged between 6 and 14, a huge opportunity has been lost to make over the ailing elementary education system of the country. The act even in the best circumstances is going to guarantee little value addition to the lives of children and their future. Also, there seem to be major implementation hurdles and also serious unconstitutional components. The act is likely to be challenged on many counts in the courts due to the poor drafting and definitions. Since the ‘creamy layer’ of the disadvantaged sections have not been kept out of the reservation provided, little is going to be done in terms of creating a more equitable society.

The dream of seeing a common schooling system in which children irrespective of economic / social background come together and study and learn to live together and hence create a more equitable society remains a dream. The dream of quality education for all children remains a dream. The only dream that has come true is that all children aged 6 to 14 now have a positive right to be educated.

Hoping for some important cases to be filed in the Supreme Court challenging the provisions of this act so that it can get better!!!!

Jai Hind !!!

(No sarcasm meant. I still truly salute the nation. All my articles would show this)