

## **UNDERSTANDING EDUCATIONAL FRAMEWORKS: ANALYSING THE IMPACT OF PRIVATIZATION ON RIGHT TO EDUCATION (RTE)**

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### **ABSTRACT**

Education is an essential instrument for the emancipation of humankind. It plays a significant role in social and cultural development. Education provides social, economic, cultural and political rights to the deprived and marginalized communities. Eminent philosophers of education such as John Dewey, Emile Durkheim, one of the founding fathers of sociology, and B.R. Ambedkar, the father of the Indian constitution perceived education as a vehicle for social transformation and as a means of individual and community emancipation. The liberalization, privatization and globalization policies in the Indian education sector have challenged the constitutional right to education. This paper aims to explain the impact of privatization and globalization on the education system in India. It also explains the privatization of education and its impact on women and marginalized communities. Further, this paper explains changes in primary and higher education in the post-implementation period of privatization and globalization policies.

**Keywords:** Exclusion, Globalization, Indian Constitution, Marginalized Communities, Privatization, and Right to Education.

## **INTRODUCTION**

Education is a very significant factor in the growth and development of a country. The growth and development of any modern state primarily depend on standards of its educational foundations. It contributes to the total development of human being including their physical, mental, moral, economic and political aspects. Many thinkers from Aristotle to Ambedkar considered education as a most-vibrant tool for the cultural, social, economic and political transformation in the societies. Education is one of the most powerful and effective instrument for promoting fundamental and radical changes in the behaviour of Citizens (Reddy, Manchala and Amareswaran 2008).

The role of education in a developing country like India is very significant for the purpose of economic production and political decision making. Privatization and Globalization policies have contributed to the development and growth of every sector in the world. At the same time, it is important to critically analyse the effects of privatization and globalization on the education sector. The policies of privatization and globalization have changed the entire educational framework throughout the world. Initiation of privatization and globalization in Indian educational sector has impacted in several ways such as inequalities in educational patterns, cost of education, violation of the right to education, exclusions of marginal communities, the decrease in public educational institutions, and creation of divisions among the students. The Private educational institutions primary motive is to create profits; it prevents them from providing valuable education.

This paper is analytical in nature and makes use of both the primary and secondary resources. Most of the data analysed in this paper is collected from official websites and reports of the various government agencies and institutions. This article is divided into three different segments; the first part analyses the history and evolution of the education system in India. This part also briefly discusses the constitutional provisions for free and compulsory education. The second part mainly focuses on the privatization of education and its impact on Indian society. The last and third part of this paper suggests few recommendations for better implementation of the right to education policies in the Indian context.

## **EVOLUTION OF EDUCATION SYSTEM IN INDIA**

There is a need to revisit and investigate the implementation of the Right to Education (RTE) especially after the emergence of privatization and globalization in Indian education system.

Historically, India has given significant importance for the education and state has played a crucial role in providing education. During the ancient and medieval periods, educational institutions were supported by the royal nobility. The system of finance for educational institutions was different and education was supported by the centre and provinces under the British colonial regime. During the initial period of independence, the primary, secondary and higher education was under the responsibility of union and state governments. In 1991, the implementation of liberalization, privatization and globalization policies in India; has led to the privatization of education. But, even today the majority of the primary schools are public schools directly under the control of state and union governments. However, the secondary education and higher education sector in India is dominated by private actors.

When the Indian constitution makers decided to educate its citizens, they envisaged an important role for the state. According to the Indian constitution, the state is ultimately responsible for ensuring and implementing the right to education policy without any kind of discriminative patterns. The founding members of the Indian constitution laid down the major provisions for compulsory and free primary education under Fundamental Rights (FR) in Part-III and Directive Principles of State Policy (DPSP) in Part-IV. In addition to this, Article 21 (A) was added to fundamental rights by the constitution (Eighty-sixth Amendment) Act-2000, which made free and compulsory education as a fundamental right of all children in the age group of six to fourteen years (MHRD 2018). The major provisions for free and compulsory education in the Indian constitution are:

- Articles 20 and 30 of the constitution states that no citizen shall be denied the admission to public educational institutions on the basis of religion, race, caste, language, and region, etc.
- Article 41 lays down the guidelines for the state to make effective programmes for implementing and securing the right to education.
- Article 45 provides that the state shall offer early child care and compulsory education until they reach 14 years of age.
- Article 46 delivers and promotes the state to adopt educational, economic and welfare policies to protect weaker sections particularly Scheduled Castes (SC) and Scheduled Tribes (ST) from social injustice and exploitation.

However, the centre and state governments also initiated number of policies and legislation to fulfil the free and compulsory education provision of the Indian constitution through measures such as Right to Education Act (RTE 2009), District Primary Education Programme (DPEP),

Sarva Shiksha Abhiyan (SSA), National Programme for Education of Girls at Elementary Level (NPEGEL), Beti Bachao- Beti Padhao (BBBP), and National Education Policy (NEP) with the shared financial and infrastructure resources.

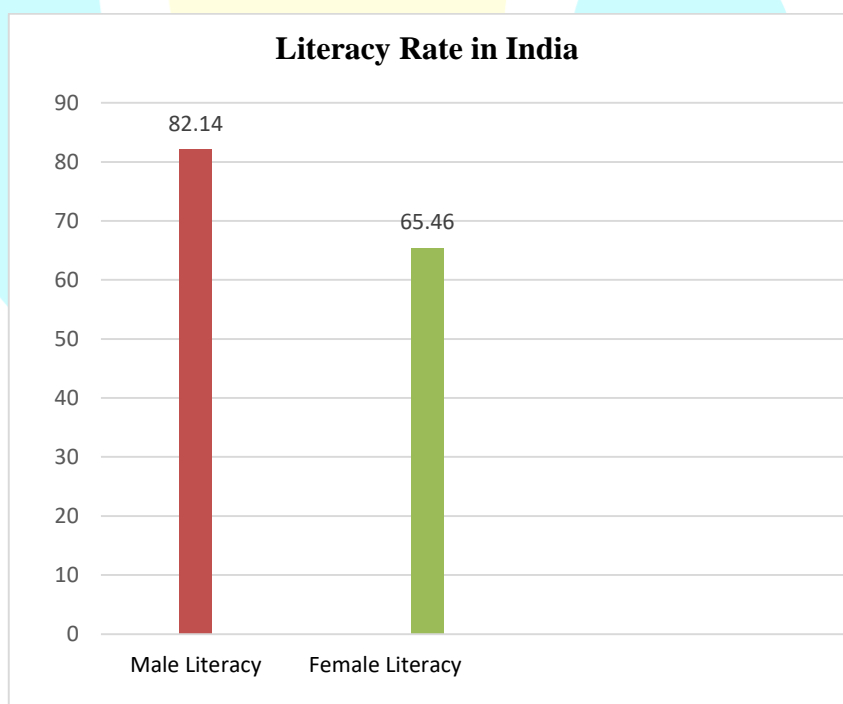
**Table I: Number of Institutions by Type (2014-15)**

School Education	Type	Number
	Primary	847118
	Upper Primary	425094
	Secondary	135335
	Senior Secondary	109318
	Total	1516865

Source: MHRD (2018).

Table- I illustrates the existing number of primary and secondary schools in India. All the existing constitutional provisions, acts and legislation by union and state governments encouraged individuals and religious groups to construct different types of schools and institutions. In the Indian education system, we have the multiplicity of schools; public schools, private and unaided schools, religious and language minority schools (Jallepalli and Rao 2008).

**Figure I: Literacy Rate (2011)**



Source: MHRD (2018) and Census Data (2011).

Literacy rate during the British rule grew very slowly, but after independence, India witnessed rapid growth in both male and female literacy rates due to the free and compulsory education

provisions of the constitution. According to the 2011 census, the literacy rate in India is 74.04 per cent, whereas male literacy accounts for 82.14 per cent and female literacy is 65.46 per cent.

## **RIGHT TO EDUCATION ACT**

The Right of Children to Free and Compulsory Education (RTE) Act, 2009 came into force in 2010 with the main objective of free and compulsory education for all. 'Free education' means that no child, other than a child who has been admitted by his or her parents to a school which is not supported by the appropriate Government, shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary education. 'Compulsory education' casts an obligation on the appropriate Government and local authorities to provide and ensure admission, attendance and completion of elementary education by all children in the 6-14 age group. With this, India has moved forward to a rights-based framework that casts a legal obligation on the Central and State Governments to implement this fundamental child right as enshrined in the Article 21A of the Constitution, in accordance with the provisions of the RTE Act" (MHRD 2018).

The major provisions of the Right to Education Act (2009) are given below:

- Right to free and compulsory education for children in the 6 to 14 years age group.
- No child is liable to pay any kind of fee or charges for education under RTE.
- Non-admitted children must be admitted to schools.
- It makes state and central governments' responsibility to provide free and compulsory education by sharing financial and other resources.
- It also lays down the principles and norms related to student-teacher ratio, infrastructure, working days and hours of the schools.
- RTE also prohibits mental harassment, physical punishment, private tuition by government teachers and running un-recognized schools.
- It promotes the friendly learning environment for children in schools (RTE 2009).

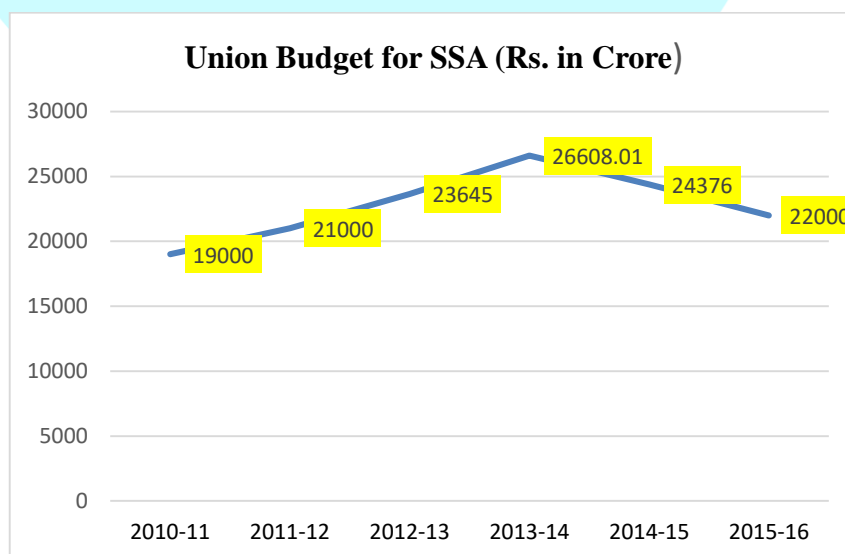
It is the government responsibility to spread literacy throughout India. Equality of opportunities in all spheres of human activity is the professed aim of our planners and policy makers (Jallepalli and Rao 2008).

## IMPACT OF PRIVATIZATION AND GLOBALIZATION ON INDIAN EDUCATION SYSTEM

The wave of privatization and Globalization is sweeping across the world. The policies of privatization and globalization are inter-dependent and support each other. The term privatization is aimed at breaking the monopoly of the public sector. Privatization is a process which can be defined as the transfer of activities, assets, and responsibility from the state to private individual and agencies (Abrol 2016). Privatization of education can be defined as an attempt to encourage any type of educational institutions not founded or controlled by the state, and removing state authorities' control from educational institutions. Privatization generally depends on two main points'-ownership and profit. Ball and Youdell notably analysed two kinds of privatization in education sector: (a) privatization of public education, which allows private-sector design and strategies in the public education system on a profit basis; (b) privatization in public education, which involves the importing ideas and techniques of private sector to public education system in order to introduce business orientation (Ball and Youdell 2008).

The Public-Private Partnership (PPP) in the Indian education system adversely affected the state funding institutions. As a result of the involvement of private agencies, central and state governments reduced the allocation of funds for primary education programmes such as Sarva Shiksha Abhiyan (SSA).

**Figure II: Budget Allocations for SSA**



Source: RTE Forum (2015).

The above graph illustrates the gradual decrease in government budget allocation for the SSA between the years of 2010 to 2016, mainly because of the rapid growth of privatization in the Indian education sector.

**Table II: International Comparison of Public Expenditure on Education as % of GDP (2014)**

Countries	Public Expenditure on Education as a percentage of GDP
India	4.13
Nepal	4.71
Pakistan	2.47
Germany	4.93
Russia	4.15
South Africa	6.05
UK	5.68
USA	5.22

Source: MHRD (2018).

India has the second largest population in the world, but marginalized communities and women are facing several challenges. Women's literacy rate is very low in India. The table illustrates that, India is investing a very low share of GDP on education policies. Smallest countries such as Nepal (4.71) and South Africa (6.05) are allocating the larger share of their GDP on educational development. Even developed countries like the UK and USA, with the low density of population, are spending comparatively more than what India does in the education sector. This will affect the rural education system in India. The lack of minimum facilities such as infrastructure, drinking water, toilets, washrooms and quality of education lead to decrease in enrolment of the students, which ultimately lead to the closure or merging of the schools. Most of the schools were closed down in Rajasthan, Gujarat, Karnataka and Andhra Pradesh due to lack of minimum enrolment of students.

**Table III: School Closures and Mergers**

Name of the State	Number of Schools Closed till 2014
Rajasthan	17129
Gujarat	13450
Maharashtra	13905
Karnataka	12000

Andhra Pradesh	5503
Odisha	5000
Telangana	4000
Madhya Pradesh	3500
Tamil Nadu	3000
Uttarakhand	1200
Punjab	1170
Chhattisgarh	790

Source: RTE Forum (2015).

The private agencies' involvement in the education sector minimized the role of the state, which led to the cut-off of resources to public institutions. The lack of government support resulted in the poor infrastructure and low quality of education in publicly funded schools. It is generally believed that private institutions are providing infrastructure and quality of education, whereas public schools are considered as institutions with low quality (Jallepalli and Rao 2008). Because of the poor quality of education and lack of infrastructure facilities in public schools, some middle class, and upper-middle-class citizens along with the elite class are opting for private educational institutions and schools. This structural change and increased demand for education in India resulted in establishing the number of unrecognized institutions across the country.

**Table IV: Unrecognized Schools**

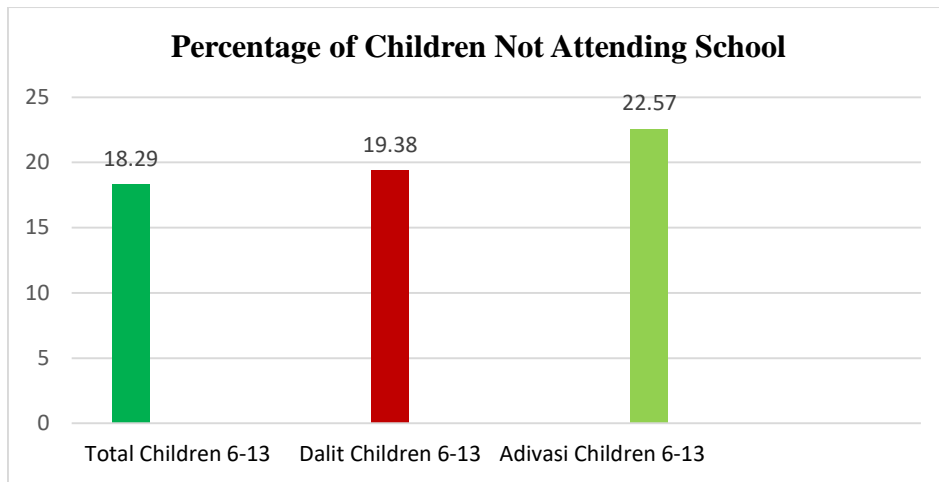
Year	Unrecognized Schools	Enrolment	
		Primary	Upper Primary
2010-11	26377	29 lakhs	59 lakhs
2013-14	21351	36 lakhs	11 lakhs

Source: RTE Forum (2015) and UDISE (2015).

According to Right to Education Forum (RTE) reports, there are more than 21351 unrecognized primary educational institutions in operation throughout India. These private institutions come under the violation of Right to Education Act (2009) principles. They are not accountable to any public agency, and this leads to the imposition of additional charges for education. The formation of unlawful institutions will adversely affect the education of Dalits, Adivasis, Muslims and other marginalized groups in India.

**Figure III: Indian Children (6-13) Not Attending Educational Institutions (2011)**

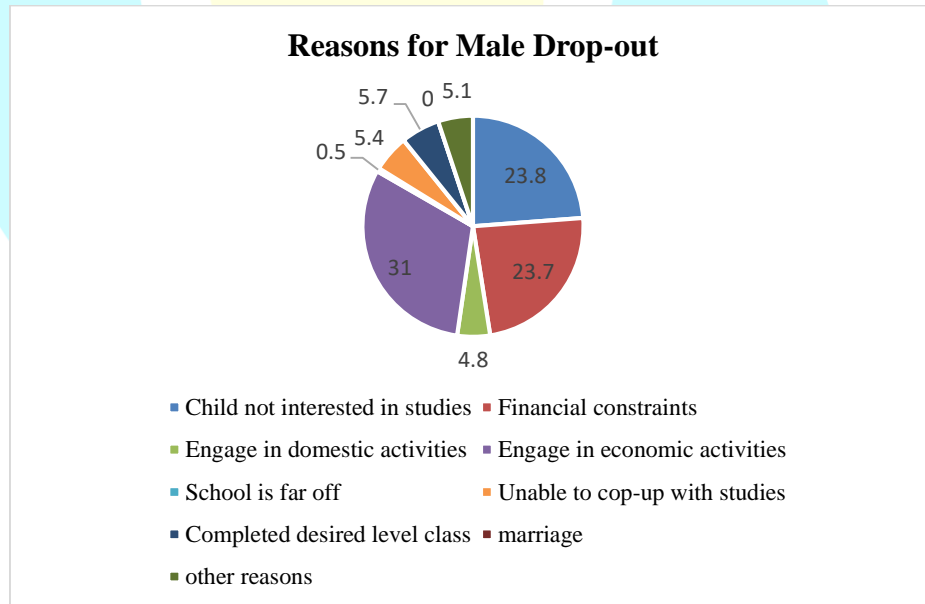




Source: Kurian (2015) and RTE Forum (2015).

The National Sample Survey Organisation (NSSO) report estimated that, three out of four children presently not attending school in India are Adivasis, Dalits, and Muslims. The above chart clearly illustrates that Dalits (19.8) and Adivasis (22.57) are still not able to enrol in the primary education institutions (Kurian 2015).

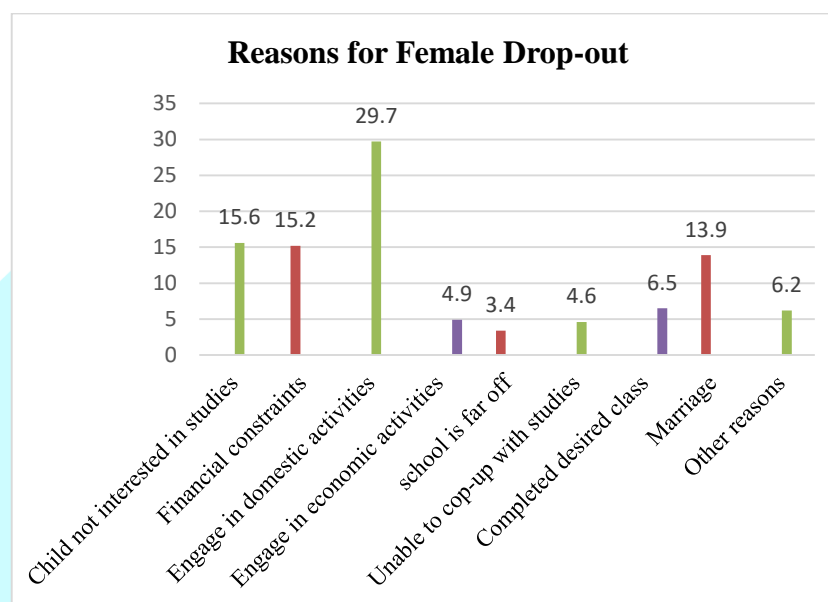
Figure IV: Major Reasons for Male Dropout



Source: MHRD (2018).

Privatization and globalization policies also contributed to the increase in the dropout rate among the marginalized communities. High admission fee, lack of financial resources, lack of availability of school, and child labour are the major reasons for male dropout in India.

**Figure V: Major Reasons for Female Dropout**



Source: MHRD (2018).

The MHRD and several other reports on primary education in India, listed child labour, engaging in domestic activities, lack of availability of schools, financial constraints, and marriage as the major reasons for increased dropout among female students.

Privatization of education has both positive and negative implications on the Indian society, especially on marginalized communities, and women. According to Abrol (2016), privatization of Indian education system leads to new policies, employment, income opportunities and national economic development. It endorsed and encouraged the establishment of schools, college, and private universities to meet the growing demand for education in India.

Positive implications of privatization:

- A number of religious organizations run by missionaries, philanthropists, and educational societies have played an important role in the spread of education at all levels and in almost all areas.
- They have shown themselves to be well disciplined and achieved better grades for students.

- The level of efficiency maintained by the schools was considerable of high degree and a historical fact.
- These schools also benefited most of the students from elite and middle- class families
- Some of the philanthropists contributed a large amount of finance, thereby bettering facilities (Abrol 2016).

According to the UNCEDAW report, privatization of education demonstrated against the goals of human rights throughout the world. This will also run against inclusive education policies in developing countries. Marginalized and vulnerable groups including women and girls are most disadvantaged and affected groups by the privatization of education (UNCEDAW 2014).

Negative implications of privatization:

- Charging exorbitant amounts for admission.
- Imposing the unauthorized additional charges in the garb of development fees.
- Collecting hefty amounts for admission on management quota and NRI quota (Raghu 2008).
- Privatization of education leads to inequality, profit-making.
- Poor students will never get access to education.
- Exclusion and marginalization.
- Accessibility, affordability, and accountability are affected.

Goals of our constitution to provide educational opportunities to all might not become a reality, due to complete privatization of Indian education system (Jallepalli and Rao 2008).

## **CONCLUSION**

The privatization of education in India is the major challenge for the implementation of Right to Education Act (RTE) and constitutional provisions of free and compulsory education. The marginalized communities including women are unable to access free and affordable education. To fulfil the objectives of Right to Education, the Indian government should provide basic necessities and resources in public schools such as drinking water, restrooms, toilets, hand wash, and other infrastructure facilities. According to the UNCEDAW, the following are the major recommendation to respect, protect and fulfil the objectives of the right to education:

- The State should provide a free and accessible public education with good quality, which is non-discriminatory with the objective of gender equality.

- The State should also eliminate the structural discrimination by providing affordable, accessible education to marginalized communities.
- States should properly regulate and monitor the private educational actors to enforce the right to education objectives (UNCEDAW 2014).
- India should introduce privatization in education through the concept of Public-Private Partnerships (PPP), where governments hold the larger share and responsibilities.
- The state and central governments should initiate more programmes like Sarva Shiksha Abhiyan (SSA), Beti Bachao- Beti Padhao (BBBP), etc.

Even after seven decades of independence, the condition of Adivasis, Dalit's, Muslims and women are susceptible in India. Many children from these communities are facing challenges of child labour, child marriages, and trafficking. One of the main reasons for the backwardness of these groups is lack of education. According to the Indian constitution and human rights conventions, right to free education is a fundamental right of every citizen of India. Therefore, the government should take responsibility and accountability to provide free and compulsory education to all children without any discrimination.

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