

# Right to Education and Common School System



*Convention organised by :*

***People's Campaign for  
Common School System***

during India Socail Forum (9-13 November 2006)

**Working Committee Members**  
**of**  
**People's Campaign for Common School System**  
**(SAMAAN SKOOL PRANALI KI JAN MUHIM)**

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# Foreword

India Social Forum (ISF) has given the opportunity to those who are fighting for betterment of their lives and against the effect of Imperialist Globalization which is crudely continuing in our country since nineties. The grass root movements and national networks have come together here for sharing their views, discussing the mode of struggle, searching the prospects for unity and making loud the voice of downtrodden at national level. People whether deprived from their livelihood means, health facilities, educational opportunities, employment and other developmental scopes or facing displacement, eviction, communal violences, untouchability, gender discrimination, poverty, hunger and attack on Sovereignty and Independence of the nation all have come together at one platform here. We with the commitment for the deprived fighting for Equity in education have also conducted two events as seminar/convention on the issue of Impact of Globalisation on Education and Right to Education and Common School System. In these events, the representatives from 15 states and eminent intellectuals, educationists, advocates, teachers and social activists have participated to strengthen the struggle for the right to quality education with equal opportunities for all children of our Nation.

Friends, the fight for achieving a meaningful education which is being continued since independence and ever before.... Also we know that education, as in content and system has always been a mirror of any society – portraying its social composition as well as economic and political order. A human society is always characterized by its ability to renew itself, because life, as John Dewey, a renowned educationist, describes “is a self renewing process”. And this self renewal, it ought to realized, is not just the renewal mere physical existence. It is, as Dewey argued, “the renewal of the entire experiences of the group- its ‘beliefs’, ideals, hopes, happiness, miseries and practices”. And education, he wrote in its broadest sense, “is the means of this social continuity of life. In other words, education is process of transmission and communication of the group heritage. It is this educative process that allows a society to continue and renew itself”. In fact, education is the essential source to decide either for building a modern society

handing over to future generation or keeping it with all backwardness, following primitive values and patriarchy and retaining colonial mindset by its content and system. We have a long debating discourse on education in our country in this regard-how to bring all the sections of the society in the educational arena, system for achievable to all, content reflecting to diversity of our country, protection of our legacy regarding our culture and language through the education. It has also debated time to time how to create nationhood, democratic and secular values among our new generation and how to eradicate apartheid existing in our society since decade. Shaheed Bhagat singh to Dr. Ambedkar and Mahatma Gandhi to Rabindranath Tagore, we have great tradition of leaders who were worried and fought against discrimination and perused for equity in every aspect of our social life. Education has been serious concern of freedom struggle too, when Gandhi introduced National system of education through "Basic Education" and tried to link 'word of knowledge and word of work". The message was clear to build a system of education free from colonial mindset and to realize our need committed towards building a modern India. They knew the fact, without getting relevant education critical masses would never be able to overcome their basic problems or to compete with the other world. I would like to remember Prof. Kothari, at this juncture under whose leadership a comprehensive report focusing the importance of basic education reflecting the spirit of our National movement again had come out in 1966-68 with concrete recommendations. Prof. Kothari had recommended Common School System based on neighborhood schools. It was not to address merely the issue of equity in education but as a task for Nation building by eliminating apartheid existing in our society since decades. It is astonishing that even after decades of Kothari's recommendations to commit for an unambiguous but ambitious project of constructing common schools in all neighborhood of a quality that "no parent would ordinarily feel the need to send his child to institutions outside the system"; the state never tried to revert back to the betrayed promise of constructing a national system of school education robust and potent enough to consign the monstrous "segregation between schools of the rich and the schools of the poor. Naturally, each and every child has a right to get quality education and it is the sole responsibility of a State claiming to retain its character of welfarism.

We have passed 60 years of our journey of independence but common school system is still a dream for Indian masses. "Literacy for masses and education for classes" said by Prof. Kothari is carrying by our multi track of cheap educational system. The declaration of universalisation of elementary education has been proved futile. The growing phenomenon of privatization and commercialization in the era of Globalization destroyed the whole formal school system of our country by which the deprived people could have access the educational opportunity. Now education has become a commodity. The people belonging to privileged community can buy the quality education from the open market through the mushrooming private schools after paying high cost and whole of India representing majority population are compelled to remain deprived for getting even low quality of education. After the historic decision of Supreme Court in the case of JP Unnikrishnan vs Andhra Govt. the discourse of right to education again came out in limelight, when Supreme Court stated that the state has no right to deny its constitutional responsibility to provide free and compulsory education to all children until they complete the age of fourteen years. The Supreme Court further reiterated that this right "flows from article 21" when read in conjunction with the original Article 45. In 2002 Indian parliament by the 86th amendment in constitution has proved its commitment to provide free and compulsory education for all the children between the age group of 6-14 years. It was diluted commitment, while crores of children between 0-6 years and 14-18 years have been left out from the constitutional obligation. When CAME was reconstituted by the present govt. realizing common school system a reality and commitment to table pending right to education bill in the parliament for the ensuring fundamental right; the people of India again got enthusiasm that they can get the bright future for their children but as you know friend, the present government has also followed the footsteps like previous govts. They have abdicated from their promised responsibility and betraying the constitution by saying the centre can not fulfill the need of resources to provide education of our children. The so-called model bill is not only repetition of previous approaches of state but also departure from the hope of our country to get quality education for downtrodden with equal opportunity for ever.

There are some more significant points in the present context deeply related to the issue of education. That is the issue of Child labour which is undoubtedly the outcome of our existing socio-economic structure generating poverty, starvation and disparity among the people. Our political structure and economic policies are carrying out it, till now, in spite of some existing laws for its elimination. The experiences and laws leading to our economic path have reached on the conclusion that the complete abolition of child labour is possible, only, if the process of social transformation of our society is being started. It is closely linked with the democratization of our society, too. However, a bigger task to link our issues with broader goal affecting the entire society has been laid down. We should not hesitate in accepting the fact that abolition of Child labour and availability of good quality school for all, with equity can't be separated. Simultaneously, we can't keep this issue confined up to the diluted views that "the availability of schools will be able to remove the total child labour" without eliminating the root causes generating child labour. In my view, the issue will be digressed by such opinions.

The issue of child labour is now under debate suggesting the amendments in the existing Act. The implementation of new laws on real grounds would certainly remain a distant dream until the tough task of the democratization of our society is completed. The issue has come up at conceptual as well as mobilization level both, considering child labour as prominent social evil in this era. We have to intervene powerfully and should try to radicalize the whole discourse under the garb of fundamental right, availability of schools providing with equitable opportunity and by fulfilling the basic needs of parents.

With all these references, I would like to introduce here the deliberations made by our eminent guests in our seminar on the issue of Right to Education and Common School System so that the people of India could be aware with the present status and the way by which the issue could be taken forward for the mobilization.

At last, I want to share with you the very concept lying behind the formation of our organization. We have started People's Campaign for Common School System with the objective of bringing together educationists and social activists to make right to education

a political agenda with people's orientation as well as to make the struggle for CSS achieve its goal by its implementation in our country, so that our younger generation could be able to get quality education with equity.

**Ambarish Rai**  
**National Convener**  
**People's Campaign for Common School System**

## Session in India Social Forum

People's Campaign for Common School System organized a seminar on Right to Education and Common School System during ISF which lasted for three hours. It was divided in two sessions. The first session was conducted by Shri Ambarish Rai, National Convener of PCCSS. The following are the gist of deliberations by different speakers.

### Ist Session

**Prof. Muchkund Dubey**  
**Ex-Foreign Secretary, Government of India**

We have to look upon some facts while discussing the Right of Education of common man in our country. First we should try to understand the importance of education in our society. It becomes clear when we see that people in our society are trying to educate their children even curtailing their expenses on their basic needs. Pointing towards the significance of education it was said in our country – *sa vidya ya vimuktaye*; i.e. education makes us free. In Iran it was said that *one who is not educated is not strong (Jo gyanvan nahi vo shaktishali nahi)*. Throughout the world the importance of education is recognized in various ways. In fact, education is the important tool to develop our ability to get our rights. During the freedom struggle, our leaders were well-acquainted with this fact and therefore they had insisted to make everyone educated till 1965. But unfortunately, education could not find the status of Fundamental right till then. It is unfortunate that even today, in 2006; we are not near to make education accessible to each and every one in our country. In our country, a large number

of population is out of educational scenario even today. And the basic reason is not the lack of desire in common mass but it is deeply rooted in our socio-political configuration which has deprived them of basic need of education. Different researches have also shown that today education is not a problem of demand but it is the problem of supply. Facts also tell us that only 50% children are able to access education after primary level. It is more pathetic in the tribal belt where 90% of children are deprived of education after primary level. If we look at the ratio of youth of 17-24 years age group in higher educational institutions we find that it is 70% in USA, 55-60% in European Union countries, and in the developing countries of Mexico, Brazil, Argentina, Philippines it is 25-30% while in India it is only 7%. The disastrous results are before us.

**Firstly**, the segregation already present in society is continuously increasing. Moreover, it seems that there is a conscious effort to maintain it. **Secondly**, it is wastage of available human resources. **Thirdly**, India can never be economically strong in these unpleasant situations as it is claimed today. It is continuously being said that India has achieved the economic growth rate of 8% which is a good symptom indicating its development. But it is just like a mirage for a country making no use of more than 90% of available human resources and where it has been institutionalized to let the merit go wasted without any recognition. All over the world, we would rarely find any such example among continuously developing countries. Although it is true that some important changes have taken place in our country during the last 10-15 years regarding education, such as Right to education has become a fundamental right after 86<sup>e</sup> <sup>o</sup>th amendment of Indian Constitution in 2002 but the ultimate aim of education does not seem to be fulfilled in near future. Here we have to understand the real meaning of this fundamental right.

**Firstly**, we have got it at the moment, it was declared as our fundamental right. It is our right now and it is not being given as concession or advantage to us. Its aim is to make us proficient from educational point of view. **Secondly**, it is justiciable i.e. we can go to court in case of any obstacle in the way of getting the right properly. **Thirdly**, it refers to quality education and not mere literacy or education. The Supreme Court had told in its decision that *right to education is right to quality education*. **Fourthly**, it is compulsory for the state to implement it on the basis of quality education. But,

it is unfortunate that the government is continuously ignoring it, which is also the violation of 86th amendment.

One more point having major significance is that government is duty bound to make necessary arrangement for resources in order to impart quality education to each and every child of the country and it cannot shrug off its responsibilities in the name of lack of resources. The government should reprioritize the use of resources available in the country. The reason for not implementing the right to education in the name of lack of resources is totally misleading while the government has decided to spend 50000 crore rupees for commonwealth games to be organized in Delhi in 2010. Also, according to report of Finance Ministry the exemption in taxes for Special Economic Zones is 2 lack rupees. But the government is showing the financial crunch as the main reason while talking about the necessary expenditure on primary education. Certainly, it is the sole responsibility of the government to make quality education with equal opportunities accessible to each and every child of the country. It cannot betray from its promised liability.

The last important issue is the problem regarding child labour. It is sure that there would be no possibilities of child labours if the schools are available for the children of the age group of 6-14.

It should also be noticed that a number of countries spend a certain percentage of GDP for the implementation of common school system and to give primary education. We have also submitted memorandum to Prime Minister and president in this regard but could not get any enthusiastic responses. So, in this adverse situation, common mass awareness and people's strength is the only way of victory in the crucial struggle of the implementation of Common School System

**Professor J.B.G. Tilak**  
**Head, Finance Department, NIUPEA**

While talking about Common School System, it becomes necessary to understand its appropriate meaning. Common School System of education includes a neighborhood concept of education. It also means imparting equal education, be it formal, informal or non-formal education. Right to Education Bill being discussed here

is important in many ways and one major aspect is that it has serious financial implications. Our Constitution in the Directive Principles of State Policy has defined as to what is meant by free and compulsory education. It refers to any education provided by the government schools and which does not charge any fees. But it has been seen in the last five and half decades that government has not been able to provide good quality education.

There are three issues related to free and compulsory education, which the government has failed to realize. **First**, the Draft of Right to Education Bill stated that all kinds of charges will be abolished and families need not worry about their children's education in financial terms. **Second**, compulsory education means there should be a compulsion for the parents to send their children to schools and it should be the responsibility of the government to provide good and compulsory schools for all children. **Third**, education should be equated with all kind of education like formal, informal, non-formal, private and alternative system of education. However, all these provisions have not come into force till now.

The Right to Education Bill emphasizes on what is a desirable system of education rather than the Common School System of education. Earlier emphasis had been given to the fact that parents should send their children to schools. But what has not been looked upon is the fact that it is the role of government to bring all children to school.

There is another point of significance which must be discussed. We see that our Constitution has given importance to only eight years of schooling i.e. for the children belonging to 6-14 years of age. But the irony is that the government fails to answer the basic question of what kind of education should be given before 6 years and above 14 years of age. Government is silent on these crucial points.

National Policy on Education (NPE), 1986 gave importance to expenditure on education. According to the Policy Provisions, it was decided that financial aids would be given to different states and regions for the development of education. This provision has been continuing till the 11th Five Year Plan. As per the plan, the center should shoulder exactly half of the responsibility. But the

central government has not been able to live up to the expectations. Rather it has shifted the responsibilities to the state governments stating that it will provide 75 percent of the financial assistance with the state governments having to carry out everything else on their own.

There are certain popular myths regarding good primary education which must be countered:

**First**, most people think that money is not always important for imparting quality education, rather, a good teacher who teaches sincerely to the students can qualify the parameter of good quality education even without resources. But it is not true now- a- days. However, for any educational development we need money. But then the belief that money will solve everything is also not true. Motivated teachers, students, and resources- all these are essential factors for good quality education. In other words, money becomes a necessary means, but not a sufficient means for the development of education.

**Second**, it is argued that India is a developing country and as it is an economically poor country, we cannot afford good quality education. But this is also a myth. It becomes clear when we analyse our national and international experiences. We see that most of the developing countries are spending more in education sector and are able to afford good education even if they are economically backward than India. Even in India, there are many states, which though poor are spending more on educational development.

**Third**, an Expert Committee on education stated that we need around 137,000 crores of money for good quality education. Some experts are of view that our economic growth rate is only 8 percent which is not enough to afford good quality education. But a closer scrutiny would reveal that the amount estimated was just 1 percent of the total G.D.P. So blaming the slow G.D.P growth rate as the main hindrance to the educational development is not a correct statement.

We should also look upon the trends of the financial expenditure on education by the government in last few decades. Kothari Commission (1964-66) and National Policy on Education (1986) directed the central government to spend 6 percent of the GDP on

national education. But till now we are spending only 4 percent of GDP. It is coming down year by year and is likely to come down in near future also because the statistics shows that the total expenditure on education tends to decline continuously for last 10-15 years.

Another important trend to be noticed is the family expenditures on education. It has been observed that family expenditure on education is continuously increasing. Families are spending more on children going to government-aided schools, which are expected to give free education. Parents are spending more on tuition fees, transportation, uniforms and books. But observations reveal that they are not enthusiastic while spending more but rather compelled to spend more as the government fails to spend on schools. For example, lack of good and trained teachers, non-availability of schools near to the residential area etc. are major factors due to which a family is bound to spend more on education of their children.

We can have a clear picture of the status of education in our country if we go through the statistics of the budgetary allocations in different Five Year Plans regarding the developmental aspects of the education. First Five Year Plan resolved to spend at least 8 percent of the national income on education. It had been decreased to 6.2 percent in the Ninth Five Year Plan. In case of primary education it shows a gloomy picture. On elementary education it came down to only 1.5 percent in the Tenth Five Year Plan.

There are several reasons for less expenditure by the government on education and in this context external funding is an important factor. In order to cope up with the resource crunch on education, the government had sought external assistance from World Bank, International Monetary Fund etc. in terms of grants and loans. However in a real sense, it has not received any huge money. For example, in 2003-04 the government had received only 1300 crores as monetary assistance. However, the Right to Education Bill has made an analysis of the situation and concluded that the amount is not very large. Moreover, there is a false feeling that state governments can do nothing for quality education unless they adopt foreign aided projects or unless the central government gets any additional assistance.

Going back to the issue of spending 6 percent of G.D.P, the Committee stated that 50 per cent of the total educational share of G.D.P should go for the development of the elementary education, another 1.5 percent to the secondary education and remaining 1.5 per cent should go for the development of higher (both general and professional) education. But the government is not serious about implementing the plan.

In fact, the lack of funding is not a major issue. The situation of education is deplorable because government lacks political will. And the present situation may certainly change if the government has strong political will to spend the 6 percent of the G.D.P on education in a more qualitative way as was also promised in the Common Minimum Program of the UPA Government. For this, government has to be more willing and should realize the situation more intensely. .

**Dr. Avani Baral**  
**Leader, Teacher's Association, Orissa**

In the context of education, we have to fulfill two dreams. The first one is getting Right to Education, which is a Fundamental Right. The second dream is the implementation of the provision of Common School System. It is unfortunate that in spite of the fact that right to education is a fundamental right, it has not been achievable yet because of many reasons.

The first and the most significant reason being financial difficulties posed by the government. Eleventh Five Year Plan has been finalized. But it reveals that not a single word has been stated regarding the funding to implement the Right to Education Bill in its real sense. Astonishingly some members of the committee were against the Bill. A draft prepared by the financial department stated that the government should not increase its spending on the Right to Education Bill, because already 93 percent of children are in the school, which is totally wrong. The example of Orissa is before us which is considered to be one of the poorest states of the nation. Many children from K.B.K districts are still away from the schools in Orissa.

Before Kothari Commission (1964-66), there was no policy document on the educational development of our country. For the first time this Commission gave importance to social equality in education in its comprehensive report. It emphasized that all children should go to school irrespective of the caste, creed and religion. But in reality a major chunk of the children are still out of the school.

We must understand the meaning of quality education used by the government. The plan document has emphasized both on government and private schools. Here quality means quality of education provided by various schools. It includes good trained teachers, good infrastructure, up to date curriculum, qualitative teaching process and qualitative funding. But in reality, government is just wasting money in the name of quality and working without any plans.

We see that the most prestigious plan of the government i.e. Sarva Siksha Abhiyaan has become the major factor deteriorating the quality education contrary to the claims of achieving the goal of univesalisation of elementary education. Actually it has become "Sarba Khia Abhiyaan" or "Sarva Satyanash Abhiyaan". These kinds of programs and schemes have been proved futile where in the name of quality education, government officials are more interested in their own personal developments. Another example is Education Guarantee Scheme. Here also the scenario is much worse. Officers are corrupt and most of the time the fund never reaches the needy persons.

Another major problem affecting the education scenario is that there are different kinds of schooling for different children in the society. There is a yawning gap between the kind of education for the children of the rich and urban families as compared to that for the poor and tribal children. The only remedy to these problems is that common school system should be introduced and not Para teachers but the contextual teachers should be motivated to impart education. At last, the most important thing is that, we must realise that education is our right and it is the high time for us to fight for our fundamental right.

**Yamuna Bai Padvi**  
**Lok Sangharsh Morcha, Maharashtra**

The government has continuously shown indifferent attitude towards education of the children of the marginalised and the poor of the country. The situation among the tribal is even worst where lack of good schools is a well-known truth. In fact, the very existence of schools seems to be a distant dream in the most of the tribal areas. Some of the tribal children having passed high schools are unable to get a job. While half of the tribal children die due to malnutrition, another half suffers from a miserable life.

All of us are aware with the significant role of education in our life. We know that the Right to Education is our fundamental right just like the rights over "*Jaal, Jangal, Jameen*" and natural resources for the tribes; as they are the real inhabitants of the land. But they are continuously denied from getting education on the one hand and facing displacement and eviction due to the developmental plans of the government in the interest of ruling elite of the country. The tribals are displaced from their motherland again and again which has affected their children's education, health and overall development. Though government is talking about free education up to 14 years, there has been no such development in tribal areas. The government must ensure to make education accessible to each and every child up to higher secondary stage.

It is unfortunate that contrary to the claims of development programs, the government is trying to implement the anti-people policies under the impact of globalization and privatisation leading to eviction and displacement of the tribals at mass scale all over the country. And, simultaneously the ruling government is trying to crush the voices of the common mass struggling to get their rights. The evidences of state atrocities too have become common phenomena. It is imposing false allegations on our tribal leaders putting them into the jail in the name of PASA as seen in the case of Suman Vasava, a leader of Lok Sangharsh Morcha in Gujarat fighting for the betterment of tribes in the region. But we are committed to fight against the state sponsored attacks with a revolutionary spirit taking the struggle forward. We would fight against the false government at any cost. We all must join hands to fight for equality in education and strive for a common school system throughout the country.

**Dr. Shantha Sinha**  
**M.V. Foundation, Hyderabad**

Quality education is our birthright and we will have it at any cost. But for that we will have to struggle a lot. We have to fight for every child to go to school. The issue of child labour is deeply related with the whole discourse on education. The exploitation of children must be stopped at any cost. We should not engage them in any kind of hazardous work. There are two kinds of child labour which is widely practiced in our society. (a) Bal Majdoor: - for example, children who are working in construction sites, mining sites and hazardous farms. They are compelled to work to fulfill the basic necessities of the so called civil society i.e. for "*roti, kapda and makan*". Most of these working children suffer from chronic diseases due to chemicals, pesticides etc.

(b) Domestic child labour: - Minor girls from Orissa, Andhra Pradesh, Gujarat come to the city to work in the houses of the rich.

It is shameful and shocking too that today we are living a comfortable life at the cost of the life of a child. We cannot understand their problem, until and unless we go through their kind of living. Unfortunately, we are insensitive to our own country's children. We only think about good education of our children, but close our eyes to the child who works as a maid or servant in our own house.

These children also want to go to school, want to study, and want to lead a good life. But nothing has been done for them. Over the years it has been observed that lacks of children are being pushed out from the schools. Schools with better educational environment, trained and quality teachers are dream for them. They do not get books and the schools lack basic infrastructure. Going to school has become a kind of lottery ticket for them. Only few of them who are fortunate enough are able to go to school.

In the current adverse situation the only remedy left is the implementation of Common School System all over the country. One important fact to be noticed is that our education system has divided society into two sections such as those who are highly educated and those who cannot afford to even go to school. This

has created inequality in every sphere of life. The basic function of education should be to harmonize rather than to divide society. A common school system would enable the achievement of the goal. Schools are the only medium to bring about revolutionary changes. For a democracy having deep roots we need a common school system.

**Dr. Vasanthi V. Devi**

**Former Chairperson, Tamilnadu Women's Commission,**

Common School System is the need of the hour in our country. Unfortunately, the present school system is elitist in nature. In fact it has become an exclusive system to exclude maximum number of children from the school. Probably, for the first time in the world, our country tried to universalize primary education and though we have achieved a bit of our target, our society has in the process become divided into rich and poor.

Historical development of education shows that there were several examples of school systems in India 50 years ago when it was more or less a kind of common school system. At that time only a few were going to the elite schools. But the present school system has created a hierarchical society on the basis of caste, class and patriarchy. These inequalities are not only perpetuated but also increasing day by day by the school system existing in the country.

The school curriculum has been specially designed to cater to the needs of the powerful elite class. This is not relevant to the common mass, because it is an excluding system. Moreover, the government is not sensitive enough to the issue of common school system as the elite classes remain contended with their children going to the expensive public schools. We should learn from the common experience in all the developing countries that only a common school system can do away with inequalities minimizing the gap between different layers of the society. The basic aim of the common school system is that all children irrespective of their caste and class would be given a similar kind of education. There should be common curriculum, common infrastructure and common medium of instruction throughout the country. Needless to say that only the Common School System can provide the equal opportunities to all children. For that what is needed is to filter the

educational system from the beginning, starting at the bottom. Right to Education and a Common School System can create an equal democratic society in India.

## Second Session

During the Second Session several representatives from different states put their views on the issue making the whole discussion more meaningful and lively. Shri Ravi Kumar, working committee member of PCCSS and Associate Fellow at Council for Soical Development conducted the session.

### Representation from Different States

#### Noor Mohammad, Rajasthan

There are a lot of differences between the figures told by the government as compared to the ground realities regarding education. For example, according to the government figures, in Alwar district of Rajasthan only 2000 children are deprived of education but a survey done in the 7 villages of the region reveal that 600 girls never went to the school. Then we can easily imagine the total number of non-school going children in the whole district. Survey also reveals that Mewa Muslims comprising a larger population in Mewat region prefer to send their children in Madarsas in stead of government schools because they have come to realization that government schools are not providing education at all. So, we have to fight a long struggle if we really want the dream of educating our children fulfilled.

#### Rajeev Ranjan, Bihar

The continuously deteriorating status of education throughout our country is a well-known fact today. The non-formal education schemes like Sarva Shiksha Abhiyan which is claiming to make education accessible to all children has been proved totally wrong and it has destroyed the formal schooling system too. In fact, it has worsened the educational status promoting low quality education, poor infrastructure of schools and increasing trend of appointment of untrained teachers. Most of the schools are deprived of even basic facilities like drinking water, toilets etc. The appointment of 2 lacks 38 thousands Shiksha Mitra as teachers in Bihar should be opposed because today we need trained teachers capable of providing quality education and not matriculate teachers. We also welcome the

Commission formed in Bihar for the implementation of Common School System but we must start debates and discussions at grassroots level making common man aware of the real meaning of Common School System. It is told that the Mid-Day Meal Scheme has improved the status of education because the total enrollment of children has been increased. But it is not the ground reality. The truth is that at several places where mid day meal scheme has been implemented, teachers and students are involved in cooking food and making arrangements for that. Another problem arising here is the serious misuse of the funds allocated for Sarva Shiksha Abhiyan and Mid Day Meal Schemes.

**Vimal Sharma, Madhya Pradesh**

We should pay more attention for the betterment of condition of schools, improvement in educational status as well as complete development of the children. In Madhya Pradesh, the condition regarding education is very pathetic. Most of the schools are not having adequate number of teachers. Particularly, most of the primary schools are running with one or without teachers. Another major problem is that teachers are compelled to involve in non-educational work. Madhya Pradesh government has started *School Chalen Abhiyan* but when children ask why they should go to school, where there is no scope of getting education, we feel unable to answer them. It is beyond imagination that how a single teacher can manage five classes at a time and this is the actual position in the most of the schools. All these things have made a mockery of our education system. In these adverse conditions the improvement in the educational status is possible only with the full commitment to provide quality education, trained teachers and better educational environment.

**Mr. Baby Paul, Kerala**

The debates regarding education and educational system in our country have again become an important agenda generating some rays of hopes towards changing the existing educational scenario. Since long the concept of Common School System is being discussed and now the time has come that all the state government schools should take stand along with the common people in favor of Common School System in every state.

### **Dara Singh, Maharashtra**

In the remote tribal belt of Satpuragiri of Maharashtra, the situation of education is very miserable. One who cannot fill up the forms is likely to be deprived of his education while it is duty of government to educate each and every child. Schools are situated at a very long distance and children have to go up to 50 miles. How it is possible without any basic facilities? We are talking about Common School System since long but it is not clear if and when it will be possible. Whatever we have to do for a common school system, we have to do urgently.

### **Madhukar Gumle, Maharashtra**

In Amravati district of Maharashtra, a survey done in tribal belt of Melghat, it was found that children are dying of malnutrition. The government is presenting the wrong figures of hundred percent enrollments of children in Ashram Schools and Zilla Parishad Schools of the tribal region. In fact, more than 50% of children are out of schools. The question arises that how long these education schemes will run in the name of educating children? And when these children will grow older, the adult education schemes will take place of these schemes in due course? We should discuss seriously on these issues to resolve them.

### **Sanjay Kumar, Uttar Pradesh**

It is claimed that Uttar Pradesh is a leading state in implementing Sarva Shiksha Abhiyan. But figures reveal that 20% of schools in the state are closed and 30% schools are one room schools. It is a serious mark of interrogation on school system running in the state. Teachers have become contractors having no dedication for education. In most of the villages there is a continuous conflict between teachers and Gram Pradhans which is obviously affecting the school environment. Mid -day Meal schemes are not being implemented properly. Gram Shiksha Samitis have made a mockery of the campaigns run in the name of training teachers. Lalitpur of Bundelkhand region has been declared an ideal village achieving the targets of literacy but the reality is something different. Hundreds of the schools are still lying in non-functioning conditions revealing the truth. It clearly shows the intention of the government lacking desire to take appropriate steps towards making changes in the educational scenario of the state. It is needless to say that government should make serious efforts to open new schools and

also for a fair implementation of Mid-day Meal schemes and various vocational education schemes. At last, we see that there is only one option open to us and that is to take forward the struggle for the implementation of right to education with united force of common people.

### **Action Aid India, West Bengal**

A Survey was done by the team of Kolkata Regional Office of Action Aid India in government schools across West Bengal on Right to Education of the girl child. The study focused on the main obstacles in the education of girl children. The survey study covering two blocks from the districts Nadia and South 24 Parganas revealed some important facts. It was found that long distance of schools, poor school infrastructure and low quality of education as well as unenthusiastic attitude of parents, government officials, administration and school authorities towards girl education account for poor educational status of girls. In fact, poor sanitation, no electricity, lack of drinking water facility, poor condition of school buildings as well as less number of teachers, lack of facilities regarding books and library have made it difficult for girls to continue their schooling. Along with these factors increasing tendency of violence against girl students amounting to social insecurity and early marriages are also responsible for the low percentage of admissions and increasing drop-out rate of the girls from schools. Certainly, we have to go a long way to resolve these problems if we want to fulfill the dream of building a well-educated civil society, an essential feature of the developed nation.

In the concluding session, Prof. Anil Sadgopal, renowned educationist and social activist, mentioned that according to article 21(a) and (b) fundamental rights means right to equality in every sphere along with education. He told that Common School System with the neighbourhood school concept is the only device to do away with the disparities and injustice prevailing in our social structure and it is, in fact, an alternative system to fight against Imperialism.

The Session was concluded with the slogans:

**Rashtrapti Ki Ho Ya Chaprasi Ki Sataan,  
Sabko Shiksha Ek Samaan  
Sabko Kaam, Sabko Shiksha Ek Samaan  
Maang Raha Hai Hindustaan**



## RIGHT TO EDUCATION, STATE AND THE NEO-LIBERAL ASSAULT

- Dr. Anil Sadgopal

The debate on Right to Education was initiated by Mahatma Jotirao Phule almost 125 years ago when a substantial part of the memorandum presented by him to the Indian Education Commission (i.e. the Hunter Commission) in 1882 dwelt upon how the British Government's funding of education tended to benefit "Brahmins and the higher classes" while leaving "the masses wallowing in ignorance and poverty." In 1911, when Gopal Krishna Gokhale moved his Free and Compulsory Education Bill in the Imperial Legislative Assembly, he faced stiff resistance. Instead of supporting the Bill, the members representing the privileged classes from Mumbai, Maharajas and other rulers from princely states and the big landlords from feudal areas talked of the conditions in the country not being ripe for such a Bill and that haste should be avoided. The Maharaja of Darbhanga from Bihar collected 11,000 signatures on a Memorandum expressing concern about what would happen to their farm operations if all children were sent to the school! The Bill could not be approved. At the National Education Conference held at Wardha (Maharashtra) in 1937, Mahatma Gandhi had to use all the moral powers at his command to persuade the Ministers of Education of the newly elected Congress governments of seven provinces to give priority to Basic Education (*Nai Talim*) of seven years and allocate adequate funds for this purpose. The Ministers kept on pointing out that there was no money.

During the Constituent Assembly debate in 1948-49, a member contended that the commitment made in the draft Article (later to be known as Article 45) to provide "free and compulsory education" to children *up to 14 years of age* should be limited to *only 11 years of age* as India would not have the necessary resources. The dilution would have been made but for Dr. Babasaheb Ambedkar's clarity of mind that it is at this age of 11 years that a substantial proportion of children become child labourers. He forcefully argued that the place for children at this age in independent India should be in

schools, not in farms or factories. This is how an unambiguous commitment to provide *free* education through regular full-time schools to all children up to 14 years of age (including children below 6 years) became an integral component of India's Constitution. This implies that the persistence of **more than half of our children** today in the school going age group of 6-14 years as **out-of-school children** (at least 5 crores of them being child labourers) constitutes a clear violation of the Constitution. Likewise, the provision of non-formal education in the National Policy on Education-1986 as well as the parallel streams of facilities of varying qualities in the World Bank-sponsored District Primary Education Programme (DPEP) of the 1990s and the ongoing Sarva Shiksha Abhiyan violate the basic spirit of the Constitution as all these are designed to co-exist with child labour.

The rhetoric of lack of resources for mass education has continued to dominate policy formulation since independence. In June 2006, the Central Government, claiming lack of resources, decided not to present the Right to Education Bill in the Parliament in spite of it becoming obligatory under Article 21A introduced through 86th Constitutional Amendment in December 2002. Instead, the central government sent a highly diluted and distorted draft Bill to the state/UT governments advising them to get it approved in their respective assemblies. This amounted to blatant abdication by the centre of its Constitutional obligation to give effect to the Fundamental Right accorded to elementary education for children in the 6-14 year age group.

### **Right to Education as Envisioned in the Constitution**

The majority comprising the upper classes and upper castes in the Constituent Assembly ignored Dr. Ambedkar's plea to place Article 45 in Part III of the Constitution, thereby denying education the status of a Fundamental Right in modern India. Instead, this Article was placed in Part IV of the Constitution making it a Directive Principle of the State Policy. In spite of this denial, there are five critical dimensions of the vision of education that emerges from the Constitution which must guide social movements in their struggle to gain Right to Education. **First**, this was the only Article among Directive Principles (Part IV) that had spelt out a time frame for its fulfillment viz. *within ten years* of the commencement of the

Constitution. The political leadership since independence has failed to meet this obligation. **Second**, the *children below six years of age* were included in the reference to the children up to 14 years of age in Article 45. This made the provision of Early Childhood Care (including nutrition, health care and balanced development) along with pre-primary education of the children from birth to six years of age a Constitutional obligation of the State.<sup>1</sup> **Third**, the Constitution placed the agenda of *eight years of elementary education* before the State, rather than *merely five years of primary education*. In this light, the attempt by the policy makers since the 1990s, as reflected in World Bank-sponsored DPEP, to reduce this agenda to primary education must be viewed as being violative of the Constitution's vision. **Fourth**, elementary education must be provided in such manner *as not to violate other provisions* of the Constitution, especially Fundamental Rights. For instance, educational planning must be *consonant with the principles of equality and social justice* enshrined as Fundamental Rights. This has major implications that we will take up when we discuss the agenda of Common School System. It would suffice to state here that any programme that provides education of varying quality to different sections of society and denies education of equitable quality is not allowed by the Constitution. **Fifth**, the Article 45 should have been invariably read *in conjunction with Article 46* which directs the State to give special attention to the education of the SCs and STs.

The discourse on Right to Education in India got a new turn with Supreme Court's Unnikrishnan's Judgement in 1993. In this historic judgment the Supreme Court stated that it is necessary to read Article 45 in Part IV of the Constitution in a "*harmonious construction*" with Article 21 (*Right to Life*) in Part III since Right to Life is meaningless if it is without access to knowledge. Thus the Supreme Court in 1993 **accorded the status of Fundamental Right to "free and compulsory education" of all children up to 14 years of age** (including the children below six years of age).

### **Right to Education and the Ruling Class**

The above historic declaration by the Supreme Court in 1993 made India's ruling class uncomfortable. The central government undertook a series of exercises in the following years designed to extricate itself of the implication of the judgment. The Saikia

Committee Report (1997) and the 83rd Constitutional Amendment Bill (August 1997) along with the report of the HRD Ministry-related Parliamentary Committee (November 1997) provide evidence of the clever ways being conceived in order to dilute and distort the concept of the Fundamental Right to education. However, there was public criticism of these attempts. Intellectuals, activists and people's organizations presented memoranda of their concerns to the Parliamentary Committee and organized public debates. Sensing this resistance, the entire matter of Right to Education was put in cold storage for the next four years.

In November 2001, the 86th Constitutional Amendment Bill was presented to the Lok Sabha. This Bill, like its predecessor 83rd Amendment Bill, too, was flawed. It was misconceived insofar it (a) excluded almost 17 crore children up to six years of age from the provision of Fundamental Right to *free* early childhood care and pre-primary education; (b) restricted the Fundamental Right of even the 6-14 year age group by introducing the phrase "*as the State may, by law, determine*" in Article 21A; (c) shifted the Constitutional obligation towards free and compulsory education from the State to the parents/guardians by making it their Fundamental Duty under Article 51A (k) to "*provide opportunities for education*" to their children in the 6-14 age group; and (d) reduced, as per the Financial Memorandum attached to the amendment Bill, the State's financial commitment by almost 30% of what was estimated by the Tapas Majumdar Committee in 1999.

There was widespread public criticism of the anti-people character of the above Bill. A rally of 40,000 people, drawn from different parts of the country, at Delhi's Ramlila Grounds held on the day the Bill was discussed in the Lok Sabha (Nov. 28, 2001) demanded radical amendments in the Bill. Several Lok Sabha MPs, cutting across party lines, also criticized the Bill. In public mind, it was becoming clear that the **hidden agenda of the Bill** was not to accord the status of Fundamental Right to elementary education but to snatch away the comprehensive right that the children up to 14 years of age had gained through the Unnikrishnan Judgment. Ignoring the public outcry, however, a consensus was arrived at among all the political parties of varying ideological backgrounds and the Bill was passed in both Houses of the Parliament without even a single dissenting vote. The aforesaid four flaws in the Bill,

now legitimized through the 86th Amendment in December 2002, have since provided the basis for misconceiving the Sarva Shiksha Abhiyan and, more recently, the Draft Right to Education Bill (2006) sent to the state/UT governments.

It is noteworthy that the new Article 21A introduced through the 86th Amendment is the only Fundamental Right that has been given *conditionally*. As pointed out above, this Right will be given to the children "*as the State may, by law, determine.*" None of the other Fundamental Rights is tied to such a pre-condition. It is precisely this legislation that both the NDA and UPA governments failed to finalise and present in the Parliament. The latest move of the centre in June 2006 to shelve the Bill altogether by sending a flawed draft to the states/UTs amounts to abdication by the Indian State of its Constitutional obligations. Why did it become necessary for the ruling elite to incorporate such a pre-condition in Article 21A in the first place and then not to enact the legislation as per its requirement? In order to answer this question, we must examine the major policy shift that has taken place as a result of the adoption of the so-called economic reforms and the neo-liberal agenda of globalization.

Before probing the impact of the neo-liberal agenda, let us acknowledge a rather discomfoting reality. In spite of the significant flaws of the 86th Constitutional Amendment as pointed out above, it has taken the country more than four decades to accord education the status of Fundamental Right. In this sense, the amendment has indeed given the social movements a fairly powerful weapon to continue and broaden their struggle for education with equality, social justice and dignity. From this perception emerges a **three-fold agenda** viz. (a) struggle for realizing the full entitlement made available from this limited 86th Amendment; (b) using policy analysis (see the following Section) as a people's tool of struggle, expose the political economy of the amendment with a view to reveal the character of the Indian State as well as the neo-liberal agenda before the masses; and (c) extend the struggle to seek pro-people amendment of the 86th Amendment itself.

## Neo-Liberal Assault on Education Policy

Although the agenda of globalization started operating in India from the mid-1980s onwards, its formal announcement was made through the New Economic Policy in 1991. The new element was IMF-World Bank's Structural Adjustment Programme imposed on the Indian economy as a pre-condition to receiving fresh international loans/grants. This meant that the Indian government was *obliged to steadily reduce its expenditure on the social sector*, particularly health and education. This was a rather enigmatic pre-condition in a country where the vast majority of the people did not have access to quality health or education. In education, it made even less sense as it was imposed by those who were advocating 'Education For All' programme along with the move towards the so-called "Knowledge Economy". One can't, therefore, avoid asking the question: what was the hidden agenda? An analysis of the declaration issued by the World Bank-UN sponsored "World Conference on Education for All" (1990) reveals that the central thesis in the Indian context was three-fold. **First**, the *State must abdicate* its Constitutional obligation towards education of the masses in general and school-based elementary education in particular, become dependent on international aid for even primary education and work through NGOs, religious bodies and corporate houses. **Second**, the people *neither have a human right* as enshrined in the UN Charter *nor a Fundamental Right* to receiving *free* elementary education of *equitable* quality as implied by the 86th Amendment. **Third**, *education is a commodity* that can be marketed in the global market. It follows, therefore, that the education system - from the pre-school stage to higher education - must be, as rapidly as possible, privatized and commercialised. This central thesis has originated from the highest echelons of the global market economy and the Indian Parliament, along with India Inc., has unfortunately acquiesced without any critical scrutiny whatsoever, presumably in larger "national interest". Prof. Noam Chomsky, the redoubtable US scholar-cum-activist, would not have found a more shameful example of his proposition of "**manufacturing of consent**"!

In smaller countries, particularly in the ones lacking a strong base of government-funded schools, the above neo-liberal agenda would not be hard to implement. However, in a vast country like India, having a rich history of government's engagement in education,

the neo-liberal agenda required a special strategy. The Indian situation was marked by glaring contradictions. On the one hand, a whole generation of academia, writers, scientists, doctors and engineers, civil servants, lawyers and public figures until the 1990s had been, by and large, nurtured in the government-supported education system. In 1991, the massive school network comprised more than 8 lakh schools (the figure has grown to more than 11 lakhs today), 94% of which were either government/local body or private but government-aided schools. **Less than 6% were private unaided schools.** The higher education system then comprised about 5,000 colleges, 1,000 professional institutions and 200 universities. It is no body's case, on the other hand, that the system was adequate – either in quantity or in quality. Half of the nation's children (and two-thirds of the girls) were essentially out of school – unable to complete even eight years of elementary education. The Constitutional goal of achieving universal elementary education by 1960 eluded the policy makers, as it continues to do even today. A conservative estimate showed that the number of primary schools needed to be increased by almost two-fold while the number of upper primary and secondary schools needed to multiply several fold. As a conservative estimate, we needed *at least* twice as many qualified and well-trained school teachers as we had in 1991 (this number then was about 40 lakhs).

The 1986 education policy had resolved to raise investment in education such that it will reach *at least* 6% of GDP by the year 2000. This unfulfilled resolve was incorporated in the UPA's Common Minimum Programme in May 2004. Yet, as percentage of GDP, India spent less on education in 2005-06 (less than 3.5% of GDP) than what it spent in 1985-86 when the policy was passed by the Parliament. This is despite the fact that the Government has levied 2% Education Cess and raised almost 40% of the resources for Sarva Shiksha Abhiyan from international funding agencies. Clearly, as a result of the Structural Adjustment Programme, the political will to mobilize public resources for education by reprioritisation of Indian economy is at a lower level today than what it was 20 years ago!

What the country needed in 1991 – five years after the 1986 policy – was a firm resolve to first rapidly fill up the **cumulative gap** resulting from continued underinvestment and then maintain the elusive investment level of 6% of GDP in the following decades. Nothing short of a radical departure was long awaited in order to **energise and restructure the entire education system along with its curriculum**. Yet, what the global market forces persuaded the Indian State to do in the 1990s was precisely the opposite of what was directed by the Constitution and resolved by the 1986 policy. The undeclared but operative strategy was to “*let the vast government education system (from schools to universities) starve of funds and, consequently, deteriorate in quality.*” As the quality would decline, resulting in low learning levels, the parents, even the poor among them, would begin to withdraw their children from the system. A sense of desperation and exclusion from the socio-economic and political space in the country would prevail.

When the children “**walk-out**” of the schools in protest against poor quality and irrelevance (**no child ever drops out**, the official claims notwithstanding!), two possibilities would emerge. First, low fee-charging unaided private schools (recognized or unrecognized) would mushroom to meet the new demand. Second, the government would have an *alibi* for closing down its schools as their low enrolment would have made them unviable. The school campuses could then be converted into commercial ventures such as shopping malls in urban areas or police stations in rural areas, as it has been happening all over the country. The latter and a well-equipped police force will increasingly become the State’s priority in order to control the young people turning into lumpen elements (or terrorists/drug traffickers) as they were excluded from these very schools only a few years earlier. More importantly, the *opportunity of socialization*, necessary for becoming part of even the bourgeois vision of the nation through schools and colleges, was effectively denied to them. Yet, closure of schools would be unabashedly termed “rationalization” of the school system in the official reports. The 1990s and the beginning of the 21st century stand witness to this phenomenon. The neo-liberal agenda was operating as per its original design!

The public expectations from the government system posed another challenge to the global market forces. Arguably, a general

unrest in the country might be expected if the above neo-liberal strategy of demolishing the government school system became too apparent. The World Bank-sponsored District Primary Education Programme (DPEP), therefore, took a cue from the 1986 policy's non-formal stream for the poor. It started promoting low quality parallel streams, rather than providing more of regular full-time schools. From 1993-94 onwards, the DPEP pushed and eulogized all kinds of parallel streams such as alternative schools, education guarantee centres, multi-grade teaching and bridge courses – anything but a regular school! The cadre of teachers was rapidly replaced by *para*-teachers i.e. under-qualified, untrained and under-paid young persons appointed on short-term contract. A new sociological principle emerged: a separate layer of educational 'facility' (not a school) as per the social and economic status of the child. A **Common School System functioning through Neighbourhood Schools** would have instead enabled children of different class, caste, religious and language backgrounds to study and socialise together. This would have helped promote equality and social justice and also an appreciation of India's rich diversity and composite culture. With their own children studying in the Neighbourhood School, this would have also provided an objective basis for the more powerful and privileged sections of society to have a vested interest in the state-supported school system, thereby maintaining both its quality and political credibility. However, the emerging system in the 1990s, as promoted by the neo-liberal agenda, was designed to isolate and alienate children belonging to different sections of society. The Indian Constitution was in tatters.

The impact of neo-liberal agenda on the Indian education policies must not be underestimated. Education is no more viewed as a tool of social development but as an investment for developing human resource and global market (see Ambani-Birla Report's Foreword, GoI, 2000). This innocuous looking statement of the purpose of education amounts to a major paradigm shift. The dominant features of education with serious epistemic and associated implications which emerge out of this paradigm shift may be identified as follows:

- i) trivialisation of the goals of education e.g. confusing education with merely literacy or skills;

- ii) fragmentation of knowledge, as was done in Minimum Levels of Learning;
- iii) alienation of knowledge from its social ethos and material base;
- iv) increasingly dominant role of the global market forces in determination of the character of knowledge;
- v) institutionalisation of economic, technological and socio-cultural hegemony of the international instruments in the formulation of curriculum e.g. space being given to World Bank, UN agencies, corporate houses and their foundations, foreign universities and externally funded researches and projects in decision-making;
- vi) introduction of parallel and hierarchical educational streams for different social segments;
- vii) marginalisation of poor children and youth as well as the backward regions through competitive screening and a discriminatory system of institutional assessment and accreditation; and
- viii) attrition of the State-supported and democratic structures for educational planning, finance allocation and management.

Admittedly, however, many of the features enumerated above were evident either in rudimentary or relatively more pronounced forms in the 'pre-globalisation' phase as well. This is exactly what one would expect in view of the colonial control before independence and hegemony of the ruling classes on the Indian State, with no significant democratic social intervention, in educational policy formulation since independence. What globalisation has done is the heightening and sharpening of these pre-existing contradictions.

All these dilutions and distortions were institutionalized in India's education policy during the 1990s through World Bank's DPEP in more than half of India's districts spread over 18 states. None of

these policy measures were formally approved by the Parliament, though they were violating the Constitution's principle of equality and social justice. The much-hyped Sarva Shiksha Abhiyan packaged all these measures into one 'mega' scheme and sought legitimacy through the Tenth Plan. The Parliament was no more the supreme policy-making body. Directions were coming from the World Bank and such other agencies representing the global market.

### What is Common School System?

The Education Commission (1964-66) had recommended a Common School System of Public Education (CSS) as the basis of building up the National System of Education with a view to "bring the different social classes and groups together and thus promote the emergence of an egalitarian and integrated society." The Commission warned that "instead of doing so, education itself is tending to increase social segregation and to perpetuate and widen class distinctions." It further noted that "this is bad not only for the children of the poor but also for the children of the rich and the privileged groups" since "by segregating their children, such privileged parents prevent them from sharing the life and experiences of the children of the poor and coming into contact with the realities of life. . . . also render the education of their own children *anaemic and incomplete*. (emphasis added)" The Commission contended that "if these evils are to be eliminated and the education system is to become a powerful instrument of national development in general, and social and national integration in particular, we must move towards the goal of a common school system of public education."

The Commission also pointed out that such a system exists "in different forms and to varying degrees" in other nations like the USA, France and the Scandinavian countries. The British system, however, was based upon privileges and discrimination but, in recent decades, under rising democratic pressure, it has steadily moved towards a comprehensive school system which is akin to the Common School System as recommended by the Commission. There are other developed countries as well like Canada and Japan that practice similar systems. It may not be an exaggeration to assert that none of the G-8 countries have reached where they are without practicing the essential attributes of a Common School

System. Can India hope to be an exception to this historical experience if it wishes to join the comity of developed nations?

The 1986 policy, while advocating a National System of Education, resolved that "effective measures will be taken in the direction of the Common School System recommended in the 1968 policy." Taking into consideration these policy imperatives and the contemporary emphasis on decetralisation along with the necessary flexibility in the school system to be able to respond to the contextual curricular demands, the concept of the Common School System (CSS) has itself been evolving. There are three widespread misconceptions about CSS, often promoted by its detractors, which we must deal with before going ahead. First, **CSS is misperceived as a uniform school system.** On the contrary, the Education Commission itself advocated that each institution should be "intimately involved with the local community . . . . . be regarded as an individuality and given academic freedom." This guiding principle has assumed even greater significance in recent times in view of the expectation from each school or a cluster of schools to be able to respond to the local contexts and reflect the rich diversity across the country. The rigidity of the present school system will be adequately challenged when flexibility, contextuality and plurality are accepted, among others, as the defining principles of CSS. Second, **it is wrongly claimed that CSS will not permit a privately managed school to retain its non-government and unaided (or aided) character.** Again, on the contrary, CSS implies that all schools – irrespective of the type of their management, sources of income or affiliating Boards of examinations – will participate and fulfill their responsibility as part of the National System of Education. In no case, however, a school will be allowed to use education for profit making or spreading disharmony. The only expectation from the private schools shall be to function in consonance with the Constitutional, in general, and provide free elementary education of equitable quality, as required under Article 21A. Third, the private school lobby has worked overtime **claiming that CSS would mean complete government control over schools.** There is no reason whatsoever to assume that Govt. grants necessarily lead to government control – the two needed to be viewed independently of each other. In developed countries like USA and Canada, the school system is entirely funded by the state governments but it is

entirely managed locally in a decentralised mode. In light of the 73rd and 74th Constitutional Amendments, decentralized management of schools with full accountability is now a statutory expectation. This, however, does not absolve the government from fulfilling its obligations towards financing, monitoring and making policies.

We must also note that 86th Constitutional Amendment (2002) enjoins upon the State to provide free and compulsory education to all children as a Fundamental Right. This amendment in Part III of the Constitution has major implications for the national system of education which cannot continue to function as it has since independence. All schools in the country, including privately managed unaided (or aided) schools, are under social obligation to act as agencies of the State to fulfill the obligation flowing out of Article 21A regarding equality and social justice. This means that they have to act as genuine neighbourhood schools to provide free education to all children residing in the neighbourhood as may be prescribed by the government from time to time. The central and state governments are hence required to take concrete time-bound measures, including policy modification, in order to meet the new Constitutional obligation.

Based upon the evolving public discourse since the Education Commission's recommendation in 1966, the following principles have come to define the framework within which CSS is to be conceived:

- i. The system of school education is to be rooted in the vision of the Constitution. This implies that, while being consonant with the Preamble, it must also ensure that (a) the Fundamental Rights, especially those relating to equality and social justice, as enshrined in Part III are not violated and (b) the Directive Principles as ordained in Part IV are promoted.
- ii. Education of equitable quality is a Constitutional imperative.
- iii. Education is not used for profiteering, spreading disharmony or subjugation.

- iv. Schools that promote inequality, discrimination and injustice in society are not to be allowed to function.

The following may, therefore, be listed as essential features of a CSS that is to be developed as the National System of Education pertaining to school education:

- coverage from pre-primary to Plus Two stage;
- all schools, including private unaided schools, to provide absolutely free education from Class I-VIII as per Article 21A of the Constitution; for pre-primary and secondary education, a rational fee structure to be ensured by the state/ UT governments and/or local bodies in all category of schools;
- all schools, including private unaided schools, to become neighbourhood schools; neighbourhood to be specified for each school; necessary legislation to cover all government, local body and private schools to be enacted;
- screening, interviews or parental interaction not allowed as a valid basis for admissions;
- common *minimum* norms and standards for infrastructure, equipment and teacher-related aspects for both state-funded and private unaided schools (recognized and unrecognized); these may relate to school land and buildings, number, size and design of classrooms, drinking water and toilets, mid-day meals, barrier-free access and other requirements of various categories of disabilities, facilities for girls at the age of puberty, playground and sports, performing and fine arts facilities, teaching aids, library, laboratory, information technology, number of teachers and their qualifications/specializations along with pre-service and in-service training, pupil:teacher ratio and others such requirements;
- common curriculum framework, shared features of curriculum and comparable syllabi with flexibility relating to texts, teaching aids, teaching-learning process, evaluation parameters, assessment procedures and school calendar;

- common language policy that takes into account the multi-lingual context of the majority of Indian children, pedagogic role of the mother tongue and its relationship with the state language, minority languages (Article 350A) and the increasing significance of English in providing equitable access to knowledge, careers and economic opportunities;
- decentralized school management that ensures the necessary degree of institutional autonomy while locating it within the broad framework of the 73rd and 74th Constitutional Amendments relating to rural and urban areas respectively;
- affiliation to a common Board of Examinations for all schools within a state/UT;

We may add that the principles underlying the concept of Inclusive Education are integral to the vision of Common School System. In the Indian context, Inclusive Education has to go beyond the Salamanca Declaration (UNESCO, 1994) and transcend the issue of disability. It must concern itself with all marginalized sections of society viz. *dalits*, tribals, religious and linguistic minorities, child labour and of course, the physically and mentally disabled and particularly the girls in each of these categories, whom the school system tends to exclude in substantial proportions. Unless this exclusionary character of Indian education is challenged, both theoretically and in practice, by application of the principles of Inclusive Education, neither the Common School System nor Universalisation of Elementary Education (UEE) can become a reality.

Further, the kind of paradigm shift National Curricular Framework – 2005 (NCF-2005) is apparently advocating can become sustainable only when it is implemented in all categories of schools, including the private unaided schools, in the whole of the country within a declared timeframe through a properly phased programme. The essential linkage between curricular reforms and systemic reforms must be appreciated, before it is too late. Few realize that curricular reforms in a school system founded on inequality and discrimination will increase disparity in the quality of education. Such reforms, therefore, would be meaningful as well as feasible only within the framework of a Common School System.

The educational vision reflected in Common School System has become critical for the survival of India as a sovereign State and a civilized society since the global market forces are rapidly encroaching upon government school campuses and also impacting on the nature of knowledge inherent in the curriculum, with little concern for the Constitutional principles or the welfare of the large majority of the people.<sup>2</sup> Transformation of the present multi-layered school system into a Common School System calls for a major dialogue-building nation-wide political exercise, keeping the federal structure of the country and concurrency of education in mind. To be sure, people's movements must lead this campaign and build up public pressure on the State.

Let us acknowledge that no developed or developing country has ever achieved UEE or, for that matter, Universal Secondary Education, without a powerful state-funded and state-regulated well-functioning Common School System, founded on the principle of Neighbourhood Schools, in one form or another. India is unlikely to be an exception to this historical and global experience, notwithstanding the ambition of the Indian State to become a 'superpower' by 2020!

### **New Assaults on Right to Education**

During the past 2-3 years, the neo-liberal forces have Yet, Yet, come up with new forms of assaults on the notion of Right to Education and Common School System. It is critical that we learn to identify and deconstruct these assaults. Here are three examples that should enable us to identify all such moves that will emerge in future:

A new diversionary tactic was conceived and effectively used during the recent debate on Right to Education Bill viz. **25% reservation** for weaker sections in private unaided schools drawn from the latter's neighbourhood. The entire debate was diverted away from the issue of the Common School System to the problems that the private school lobby is likely to face in finding resources for such reservations and the cultural gap between those who pay fees and those who would get the same education due to their entitlement. No body was bothered by the implication of 25% reservation that 75% of the children paying fees shall not come from

the neighbourhood. Does this amount to a move towards equality or charity? Would the charging of fees from the privileged children in the 6-14 year age group not amount to violation of Article 21A? An issue of even greater significance is about the number of children this provision is likely to 'benefit'. Let us make an estimate. The enrolment at the elementary stage in the private unaided schools (including the low quality unrecognized ones) in the whole country is hardly 20% of the total enrolment at this stage (Seventh All India School Educational Survey, NCERT, 2003). This means that the total capacity of the private unaided school sector to provide elementary education is limited to a maximum of 4 crore children out of 20 crore children in the 6-14 year age group. If 25% of this capacity of the private school sector is reserved for the weaker sections, the number of the so-called 'beneficiaries' can in no case exceed 1 crore children. What about the Right to Education of the remaining 19 crore children? Clearly, the proposal of 25% reservation in private schools has nothing to do with either the issue of Right to Education, nor with Common School System nor with any programme of systemic transformation as per 86<sup>th</sup> Amendment. Yet, the political leadership concerned with policy formulation and the bureaucracy as well as the entire media, child right organizations and even the judiciary is going overboard in promoting the idea of '25% issue' as if the Right to Education is realizable only through this mechanism. This apparently myopic perception is a result of the ruling class knowing that the proposal of 25% reservation will not necessitate any changes in the national economy against its vested interests and also that this will not come in the way of the ongoing privatization and commercialization of education.

The Eleventh Plan's Approach Paper has made a reference to the **Voucher System for government school children** without any evidence of prior democratic consultation or academic discourse.<sup>3</sup> What is Voucher System? As per its promoters, the under-privileged children shall be given these vouchers that promise to pay their fees in private schools contingent upon the children getting admission. However, the promoters are not telling the public that the system has already collapsed in several countries. The hidden agenda of course is to provide backdoor funding of private schools by shifting resources from the government schools using the instrumentality of the voucher. The market lobby knows

that this will be an effective means of demolishing the government school system and thus accelerating the pace of privatization.

As explained above, the neo-liberal forces have operated a policy design during the past 15 years aimed at **demolishing the government school system**. After having achieved considerable success in these objectives, these forces are now organizing so-called **researches and studies** on the school system in India through partnership with NGOs and individual academics. All these studies are designed to produce data to establish how ineffective is the government school system in terms of poor pupil:teacher ratio, teacher absenteeism and low quality teaching. However, no such report throws any light on how these schools have reached this state of ineffectiveness. Nor do these reports tell us about the role played by the ruling class in collusion with the market forces in destroying a school system that was functioning fairly well only 20-25 years ago. Obviously, the objective of destroying the credibility of the government schools is so overpowering for the market forces that it does not have any space for truth whatsoever.

### **The Epistemic Assault**

The Ambani-Birla Report (2000), submitted to the Prime Minister's office, was yet another example of how the market forces began to erode India's sovereignty and the democratic process of the Parliament. It introduced several new formulations in the policy discourse in India **to convert education at all levels into a marketable commodity**. Once this is accepted in principle, **a paradigm shift follows by implication**. Although the Ambani-Birla Report was never approved by the Parliament, most of its recommendations are now being implemented in rapid succession.

It is time that the paradigm shift in the framework that determines the character of knowledge is recognised. The epistemic (i.e. knowledge-related) implications that flow out of this paradigm shift dominate the policy discourse and decision-making at all levels – legislature, executive and the judiciary. The global market forces, supported by the India Inc., have discovered new avenues, spaces and ways and means in this market-oriented anti-people framework to powerfully intervene and to further dilute and distort policies. The Indian academia and activists, by and large, stand co-opted in this process.

The goals of the market-oriented education policy are in direct conflict with the social vision of the Constitution. The assault by the market forces on the character of knowledge is rapidly marginalizing the educational goal of preparing citizenry for a democratic, egalitarian, secular and enlightened society. The Eleventh Plan's Approach Paper on secondary education, in the context of extending it to the under-privileged sections of society, states that the focus of secondary education shall be to prepare skilled workforce for the global market. In contrast, the privileged will be given access to the highest forms of knowledge on a priority basis through a handful of elite institutions and thus enabled to shift to the advanced countries and serve the global "Knowledge Economy". The twist given by the government to the recent reservation debate resulted in shifting the resources from elementary education to the elite professional institutions in order to increase the total availability of seats in favour of the privileged upper castes. This is yet another evidence of the dominance of the ruling class and market agenda working in collusion against the masses. Thus the market assault is not merely in terms of denying education of equitable quality but also in terms of the social and pedagogical character of knowledge itself. This is to be viewed as an epistemological assault on the generation, distribution and transaction of knowledge. The challenge is now being increasingly deciphered by the people's movements. Education is certain to be accepted as the fourth critical resource, apart from *jal-jangal-jameen*, for the survival of the struggling masses. Herein lies the emerging agenda for the people's movement to retrieve India's sovereignty!

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### (Footnotes)

1) It is this category of *children below six years of age* that was excluded from Fundamental Right when Article 21A was introduced in December 2002 through 86th Constitutional Amendment.

2) ASSOCHAM, for instance, is lobbying with MHRD for major changes in the school system so that corporations and other private bodies can turn education into a commodity and use it for profit. Powerful market lobbies have worked through Indian NGOs during the recent past to successfully introduce the alarming idea of Voucher System in the Eleventh Plan's Approach Paper.

3) The reference to Voucher System in the Draft Approach Paper made in May 2006 amounted to essentially a green signal for the idea. However, there was a widespread criticism from various quarters. As a result, the reference in the final paper (December 2006) has been carefully made ambiguous but it is there to be promoted at the right moment.



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