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Right to education or right to educational infrastructure?

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 “Children need quality education, and that justifies recognition norms”, observed Chief Justice. “How do you define quality education - that is the question... mere infrastructure is quality education or learning outcome is quality education?” advocate Prashant Narang on behalf of Punjab Private School

Organisation (PPSO) replied, “whether it is Right to education or is it right to educational infrastructure?” He also cited research studies showing poor correlation between infrastructure and learning outcomes.

PPSO challenged the constitutionality of s.18 and s.19 of Right to Education Act before Chief Justice and Justice Arun Palli on Friday. PPSO argued that these sections should either be applicable to government schools as well or otherwise be held not mandatory for private schools as well. The Chief Justice declined to admit the petition.

Recognition norms such as minimum plot area and toilet facility are enforced against private schools only. Around 1100 schools were shut down for not complying with RTE norms and standards in August last year whereas more than 6000 government schools continue to run despite non-compliance.

“If Central Government has not banned homeschooling and open schooling, then why dictate harsh norms for private schools? Huge increase in private school enrolment indicates poor parents preferring fee-charging private schools over free of cost government schools. This means they see value for money in private education” Prashant Narang, a public interest lawyer from Delhi vehemently argued. “Not only will these norms escalate the fee but will also result in license-inspector raj”.

The Court refused to entertain the petition saying that RTE Act has been already upheld by the Hon'ble Supreme Court and the petitioner could send representation to the state government.

(For details on the proceedings or further information, you can contact Prashant Narang, Advocate – iJustice, public interest law initiative of the Centre of Civil Society at 09811322297 or mail at prashant@ijustice.in)

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