

**Right to Education vs Right to Educate**

**By Sonjuhi Singh**

The Right to Education Act provides for universal elementary education but ironically limits private education providers who can make this possible. Section 19 states that schools established before the commencement of the Act need to meet norms and standards specified in the RTE schedule within three years or will otherwise shut down. As per the Act while the schools already recognised only have to meet the norms in the RTE schedule, the unrecognised schools additionally have to meet State norms too.

Most of the unrecognised schools are located in unplanned colonies and teach till primary level. These schools are a cheap alternative for parents who cannot afford recognised schools and do not want to send their children to a government school. A conservative estimate of unrecognised schools in Delhi is about 2000 with 200 children each. According to the present Delhi state norms, the schools need to have 800 square yards of space and pay teachers' salary at par with the government salary which is Rs 23,000 at the entry level post the Sixth Pay Commission. Additionally, the RTE Act specifies that every school should have a playground. These space and teacher salary requirements are hard for unrecognized schools to meet.

Five recognised schools and nine unrecognised schools were visited in Shahadara to check these criteria. Out of the five recognised schools none met the present land criteria and could not afford to pay the stipulated teacher salary. The manager of one recognised school got recognition as his school met the earlier land norm of 200 square yards but still had to pay a bribe of Rs 80,000 at that time. While he charges a fee of Rs 250 per month per child, it is accounted for as Rs 500, so that he can account for teacher's salary to be much more than what he actually pays them. The manager says "The people in this area are very poor and cannot afford to pay more, then how can I pay teachers the salary that the government wants me to?" According to an MCD official, most schools in Delhi are unable to pay the required teacher's salary. Also, none of the recognised schools have a playground and said it was impossible to have one.

The nine unrecognised schools visited varied in sizes ranging from 25 square yards to 300 square yards while the average was about 100 square yards. Since these schools lack horizontal space, they have been built vertically, sometimes extending to four floors. None of the unrecognised schools are able to meet the land criteria. There is a need for relaxing land norms at least in unplanned colonies. One option could be to give recognition if the school has adequate number of rooms with ventilation and some open space. But then again MCD requires the rooms to be 150 square feet calculated keeping in mind a maximum of 40 students per class as specified by previous state norms. Many of the unrecognised schools have 15-20 students per class and it would make more sense to calculate the room size according to the space needed per child. Also, even if the government does not want teachers' salary to be completely market driven, it should be decided on the basis of the fee the schools rather than unrealistic government salaries. Thirdly instead of asking schools to have a playground, the government should make sure that there is a park near every school and make it mandatory for

the schools to provide physical education to their students. At the same time, there needs to be some monitoring mechanism so that those schools that qualify for recognition are able to get it without paying a heavy bribe. If only these concessions are given would the smaller budget private schools be able to work with the government in attaining universal elementary education.