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## Universalizing elementary education in India: Achievements and challenges

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# UNRISD

United Nations Research Institute for Social Development

Working Paper 2017–3

## **Universalizing Elementary Education in India** *Achievements and Challenges*

*John Harriss*

prepared for the UNRISD project  
New Directions in Social Policy:  
Alternatives for and from the Global South

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## Acronyms

ABL	Activity Based Learning
ASER	Annual Status of Education Report
BJP	Bharatiya Janata Party
CCE	Continuous Comprehensive Evaluation
DISE	District Information System for Education
DPEP	District Primary Education Programme
GDP	Gross Domestic Product
HP	Himachal Pradesh
IAS	Indian Administrative Service
MGML	Multi-Grade Multi-Level
NAFRE	National Alliance for the Fundamental Right to Education
NCF	National Curriculum Framework
NDP	No-Detention Policy
NREGA	National Rural Employment Guarantee Act 2005 [later renamed “Mahatma Gandhi National Rural Employment Guarantee Act” MGNREGA]
PISA	Programme for International Student Assessment
PTR	Pupil-Teacher Ratios
RTE	Right to Education
SC	Scheduled Castes
SDP	School Development Plan
SMC	School Management Committees
SSA	Sarva Shiksha Abhiyan
ST	Scheduled Tribes
TARL	Teaching at the Right Level
UEE	Universalization of Elementary Education
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations International Children’s Emergency Fund
UNRISD	United Nations Research Institute for Social Development
UPA	United Progressive Alliance

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## **Abstract**

Despite the promise in the Constitution of India (1950) to establish universal elementary education within a decade, for many years this goal received neither the attention of politicians nor the resources for its achievement. This began to change in the early 1990s with several innovative programmes—notably the Sarva Shiksha Abhiyan, introduced in 2001—and then with the passage of the Right to Education Act in 2009. Much has been achieved in this time. School infrastructure has been greatly improved, and enrolment is now virtually universal among girls and boys, and is nearly universal among members of historically marginalized groups in Indian society, the Scheduled Castes and Scheduled Tribes. Nevertheless, education in India is still under-resourced, and there remain problems of retention and of the quality of education, which has deteriorated since the Right to Education Act came into effect. In addition, the numbers of children being educated in private schools has increased to about a third of the total. Analysing reasons for the continuing problems of elementary education in India—in which the needs for focus on learning, for attention to the training and accountability of teachers and for deepening of parental involvement are all generally recognized—this paper develops the argument that there has to be extensive innovation in the ways in which schooling is managed. In a sector that involves both very large numbers of transactions and high levels of discretion on the parts of the service providers, most importantly teachers, an administration that only follows rules will not do.

*It will not be an exaggeration to say that our education system is in disarray.<sup>1</sup>*

*There is no guarantee that the Right to Education Act will lead to a major breakthrough in the quality and equity of education in India. However, it is at least an opportunity—a tool that can be used in various ways to bring about further change.<sup>2</sup>*

*The landscape of education delivery has changed ... Far from focusing on ensuring schools are built and students show up, the next generation of education delivery reforms will need to contend with learning, teacher accountability and deeper parent engagement. This requires an administration that does more than follow rules.<sup>3</sup>*

## Introduction

Successive governments of independent India have long failed to honour a commitment to the education of children that was made in Article 45 of the Constitution promulgated in 1950. The Article appears among the Directive Principles of Part IV of the Constitution, which are in effect statements of good intention and are not justiciable—unlike the Fundamental Rights specified in Part III. These are mainly civil and political rights, while possible social and economic rights—including a right to education—were relegated by the authors of the Constitution to the Directive Principles.<sup>4</sup> Article 45 mandated the state to endeavour to provide free and compulsory education to all children up to the age of 14 within a period of ten years (that is, by 1960), but successive governments failed to allocate sufficient resources, or attention, for the achievement of this goal. Over the last twenty five years, however, there has come about a significant shift in policy and practice in regard to elementary education, most strikingly with the establishment of the Right to Education in an act passed in 2009. This has made basic education a justiciable right, for the first time.

The Right to Education Act (RTE) followed on the formulation of the second National Policy on Education of 1986, revised in 1992, and then the establishment in 2001 of India's most ambitious educational programme, the Sarva Shiksha Abhiyan (SSA)—which drew in part on the experience of the District Primary Education Programme (DPEP), established in 1993-94, and aimed at universalizing primary education. DPEP brought international funding for education into India on a significant scale for the first time, most of it from the World Bank and the Department for International Development of the UK Government (then the Overseas Development Administration). At the same time, DPEP engaged Indian scholars and planners very substantially in its implementation, and had the effect of heightening the status of primary education as a policy domain within the state. It is described in the Report of the Committee for Evolution of the New Education Policy (also known, after the name of its chairperson, as the T. S. R. Subramanian Committee), in 2016, as having been “for many years, the flagship programme of the Government of India in elementary education.”<sup>5</sup>

The Subramanian Committee Report was submitted to the Ministry of Human Resource Development in May 2016, and entered the public domain a little later in the face of the reluctance of the Ministry either to release or to respond to it. The five-member committee was appointed late in 2015 to help “evolve a draft New Education Policy”,

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<sup>1</sup> Ministry of Human Resource Development, Government of India (2016): 3

<sup>2</sup> De et al. (2011): 113

<sup>3</sup> Aiyar and Bhattacharya (2016): 69

<sup>4</sup> Jayal (2013)

<sup>5</sup> Ministry of Human Resource Development, Government of India (2016): 23

more than 25 years after the formulation of the second National Policy on Education. Much of the content of the report is not particularly new, but it offers the candid assessment of the state of the education sector in general that is expressed in the first epigraph to this paper. Further reference is made, below, to the report.

The aim of the present paper is to review the changes that have been brought about in recent years, as a result of the introduction of DPEP, SSA and the RTE, and their success or failure in achieving their objectives. The paper first sets out the conceptual framework that informs the argument, then, in Part 1, offers a brief overview of the current state of elementary education in India, in the light both of historical trends and of international comparison. This highlights the progress that has been made in India, in improving infrastructure, pupil-teacher ratios and enrolment, but also the major problem of the quality of education, which—according to what is generally regarded as authoritative monitoring, for the Annual Status of Education Report (ASER), produced by the non-governmental organization (NGO) Pratham—has declined in recent years from already low levels. Part 1 also includes discussion of the argument, widely accepted among scholars and activists in India, and most recently reiterated by the Subramanian Committee, that elementary education, even now, is underfunded by the government, and considers evidence both on the politics of the historical neglect of these lower levels of the education system, and on the reasons for the apparent turnaround after about 1990, asking, what have been the drivers of the new directions in education policy? Part 2 then examines the content of the key policies and programmes, their achievements and their limitations. Part 3 reviews evidence and arguments about what are considered by some to be ways ahead and means of tackling current problems, but by others only as inadequate “quick fixes” for the persistent problems of the elementary education system: the employment of contract teachers; privatization, and increased reliance on community participation and management. Consideration is given as well to the arguments of the Subramanian Committee. Part 4 examines current debates over the controversial concepts of No-Detention and of Continuous and Comprehensive Evaluation that are introduced in the RTE, and over pedagogy. It concludes with the argument that what is required to bring about desirable changes in the education system of India is effort and experiment in teaching according to children’s specific needs. This “bottom-up” approach will require what has been described as an “innovative state-building project”, calling for extensive bureaucratic reform and the empowerment of parents as citizens in the management of schools. As the authors cited in the third epigraph have argued, what is needed is “an administration that does more than follow rules.”<sup>6</sup>

The paper refers generally to elementary education, since this is the terminology widely used in India. It refers to the levels of primary education (grades 1-5) and upper primary (grades 6-8), which together are expected to engage a child from the age of six to 14. These are the years over which the state is now obligated, under the RTE, to keep a child in school and to provide him/her with the requisite education. It should also be noted that education in India is on what is called the Concurrent List. This means that it is a responsibility shared between central government (henceforth the Centre) and the governments of the individual states in the Union of India. The Centre can provide policies and guidelines—as in legislation such as the Right to Education Act—and it can influence funding, but the states have the primary responsibility in regard to implementation. Over the last 25 years, about 80 percent of social sector spending, including elementary education has come from the state budgets.<sup>7</sup> The significance of

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<sup>6</sup> Aiyar and Bhattacharya (2016): 69

<sup>7</sup> Dongre and Kapur (2016)



the division of responsibility between the Centre and states is considered below, particularly in connection with the impact and implications of Sarva Shiksha Abhiyan.

## **Conceptual Framework: When bureaucracy is not the solution**

The conventional approach to public service delivery has been that such services are best supplied by a civil service operating according to the principles of modern bureaucracy. But as Lant Pritchett and Michael Woolcock have argued in a paper with the intriguing title “Solutions When the Solution Is the Problem”<sup>8</sup>, the conventional bureaucratic approach (the solution) does not always work well. This is not only because actually existing bureaucracies do not function according to Weber’s ideal type, but also because bureaucracies—even those that approximate the Weberian template quite closely—may not be very good at dealing with certain types of problems. Pritchett and Woolcock distinguish between the many types of services for which governments are commonly held responsible, in terms both of the degree of discretionary decision making that they involve, and of the numbers and frequency (the intensity) of transactions that they entail. Some functions of government involve a high level of discretionary decision making—setting the interest rate, for example—but very few transactions. In this case a small number of experts can operate very effectively. On the other hand, there are services that can be highly routinized and so require very little in the way of discretionary decision making, but that are “transactions-intensive”. Examples are those of a vaccination programme, or the provision of school lunches. Such services may be delivered very well by a centralized bureaucracy, supplying a top-down and uniform public service. The really difficult cases, however, are those of services—of which classroom teaching is a particularly important example—that involve both a lot of discretionary decision making and large numbers of transactions. The conventional bureaucratic approach very often fails in regard to services such as these—“the solution”, as Pritchett and Woolcock put it, may become part of the problem. This is what is argued in the present paper, in regard to the provision of elementary education in India.

Studies of the ways in which elementary education is delivered in India confirm the general findings with regard to education that are reported by Pritchett and Woolcock. They say that the bureaucratic approach has “led to schools with standardized curriculum, teachers with little training, low local commitment to the school ... excessive devotion of recurrent expenditure to wages, little real learning, and high dropout rates”<sup>9</sup>—a statement that fits the Indian experience very well. A whole range of solutions to these problems have been experimented with in different countries, including decentralization to localities, school autonomy, vouchers, community control, increased parental involvement and contracting out to NGOs. There is no one right answer—as I will argue in Part 3 of this paper. What is required is a willingness to experiment, to find appropriate ways of developing classroom practice. This requires in turn a broad project of political and bureaucratic change—an “innovative state-building project.”

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<sup>8</sup> Pritchett and Woolcock (2004): 191-212

<sup>9</sup> Pritchett and Woolcock (2004): 198

## Part 1: An Overview of the State of Elementary Education in India

Data on the gross enrolment ratio in elementary schools, shown in Appendix Table 1, reflect the remarkable progress that has been made in India since around 2000. In 2000-01, the gross enrolment ratio for all children was 81.6, and it had improved by only three percentage points from ten years before. Ten years later, in 2010-11, the ratio stood at 103.9.<sup>10</sup> What is also remarkable is that what was still, in 2000-01, a wide gap between the enrolment of boys and girls, has been closed. Indeed, in the most recent years the enrolment ratio of girls has been higher than that of boys. And these trends are also found among children from the Scheduled Castes (SC) and the Scheduled Tribes (ST), who, with Muslims, are the most vulnerable sections of the Indian population. Therefore, as participation has increased fairly dramatically, the stark social disparities in primary education—between SC, ST and Muslim children, and those from other social groups—are said to have “virtually disappeared”.<sup>11</sup> This is qualified, however, by some scholars<sup>12</sup>, and there remains strong ethnographic evidence that children from disadvantaged groups commonly feel marginalized by the behaviour of teachers.<sup>13</sup> The framework that was emerging in 2016 of a new national education policy was criticized by some scholars for its failure to address outstanding issues of inequality and social injustice.<sup>14</sup>

Participation in secondary schooling has also risen significantly, though India still lags behind comparator countries. UNICEF data for 2008-13 show net attendance ratios in secondary schooling of 59.4 percent for boys and 49.3 percent for girls. These compare with the same figures for China of 87.3 percent and 88.4 percent respectively.<sup>15</sup> Participation in tertiary education also lags in India. According to UNESCO data for gross enrolment in tertiary education, both sexes, in 2013, 24 percent of Indians were enrolled, compared with 30 percent of Chinese and 46 percent of Brazilians.<sup>16</sup> One scholar argues that India is “more than 30 years behind China in terms of the proportion of the population with completed secondary and post-secondary schooling.”<sup>17</sup> And while there has been the convergence between social groups—defined in terms of caste and religion—in India, in regard to literacy and primary education (as noted earlier), in access to higher education the groups are getting further apart.

This negative assessment of the overall state of education in India notwithstanding, the enrolment figures in elementary schooling reflect the considerable improvement in access and in the quality of government schools as a result of new policies and programmes that have been introduced, including especially the Sarva Shiksha Abhiyan, initiated in 2001. Recent work by Karthik Muralidharan and colleagues, presenting results from an all-India panel study of village schools in which they revisited the sample for a nationally representative school survey that they had conducted in 2003, has shown very significant improvements: for example, “Pupil-Teacher Ratios have

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<sup>10</sup> The enrolment ratio considers the number of students enrolled in school to the total number of children that qualifies for a given level of schooling. Enrolment rates can exceed 100 percent when students repeat years in school or are otherwise displaced from their age cohort.

<sup>11</sup> De et al. (2011) The statement refers to the findings of the PROBE surveys in the “low literacy” states of North India: Bihar, Jharkhand, UP, Uttarakhand, MP, Chhattisgarh and Rajasthan.

<sup>12</sup> Singh, R (2015) for example, reports on recent studies that highlight the fact that the problem of drop-outs and of exclusion from school ‘is considerably more prevalent among Muslims and among children from socially disadvantaged groups’. One study shows that such children (from Muslim, SC and ST communities) account for 67 per cent of out-of-school children, although they are only 40 per cent of the child population. See also Bhaty (2014): 101

<sup>13</sup> Vasavi (2015)

<sup>14</sup> Gupta (2016)

<sup>15</sup> UNICEF (2015)

<sup>16</sup> UNESCO Data accessed at [www.uis.unesco.org](http://www.uis.unesco.org)

<sup>17</sup> Gandhi Kingdon (2007): 170

fallen by nearly 20 percent (from 47.4 to 39.8); the fraction of schools with toilets and electricity has more than doubled (from 40 percent to 84 percent for toilets and 20 percent to 45 percent for electricity); the fraction of schools with functioning midday meal programs has nearly quadrupled (from 21 percent to 79 percent).”<sup>18</sup>

There is no doubt, therefore, about the impressive progress that has been made over the last decade or so, though there remains a large gap between enrolment and actual attendance in school. Enrolment may be close to one hundred percent, but the Ministry of Human Resource Development reports average attendance in primary schools in the country as a whole, in 2013-14, at only 76 percent<sup>19</sup>; and the Subramanian Committee Report draws attention to the large numbers of children leaving school before the completion of their elementary education.<sup>20</sup> Most significantly, the great improvements in school infrastructure and inputs have not resulted in comparable improvements in children’s learning levels. These are distressingly low, and deteriorating rather than getting better, as the data brought together in Appendix Tables 2-5 from ASER, clearly show. In 2014, less than 50 percent of children enrolled in the fifth standard were able to read a simple paragraph at second grade level, whereas in 2007, 58.9 percent had been able to do so; barely a quarter (25.4 percent) of those enrolled in grade three were able to complete a simple subtraction, when in 2007 42.4 percent had been able to do so; and there were similarly disappointing figures for those in grade five able to do division (26.1 percent in 2014 as compared with 42.5 percent in 2007). The ASER research shows that standards dipped downwards from already low levels after 2010 (Table 4).<sup>21</sup>

Other tests of learning across the country have produced comparable results as both Muralidharan and Mukerji and Walton report.<sup>22</sup> When states of India that are generally considered to be “educational advanced”, Tamil Nadu<sup>23</sup> and Himachal Pradesh, were included in the OECD’s PISA (Programme for International Student Assessment) for 2009, together with 72 other participants (mostly nation states), they were ranked at 72 and 73, higher only than Kyrgyzstan, exposing the extent of India’s “learning deficit”.<sup>24</sup>

Given the evidence on the quality of schooling, it is perhaps unsurprising that there should have been the very rapid increase in the numbers of children in India who are studying in private schools, also shown in Appendix Tables 2 and 3. Now, about one-third of children in the country as a whole are studying in private schools, though the proportions vary considerably from almost two-thirds in Kerala and about 50 percent in Punjab, Haryana and Uttar Pradesh, to less than ten percent in West Bengal and Odisha. Comparative evidence on the quality of private schooling in relation to government schools is shown in Appendix Table 5. Pupils in private schools have consistently achieved better results on the tests conducted for the ASER than those in government schools, and in tests of reading ability they do not show the same decline from 2010 as in the government schools. The significance of these observations is taken up in Part 3 of this paper.

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<sup>18</sup> Muralidharan (2013): 4

<sup>19</sup> Ministry of Human Resource Development, Department of School Education and Literacy, Government of India, (2014)

<sup>20</sup> Ministry of Human Resource Development, Government of India (2016): 25

<sup>21</sup> Ministry of Human Resource Development, Government of India (2016): 25-27

<sup>22</sup> Muralidharan (2013), Mukerji and Walton (2013)

<sup>23</sup> The ASER findings about the low levels of achievement in Tamil Nadu, shown in Appendix Tables 2 and 3, are fiercely contested by educationists in the state. And in the National Achievement Survey [NAS] (Cycle 3), for Class 3, conducted by the National Council of Educational Research and Training, Tamil Nadu does head the list in terms of quality, among the major states. It is important to note that the NAS and ASER are not at all comparable as tests of learning levels. See “ASER and NAS: A Comparison”, in *Annual Status of Education Report 2014*.

<sup>24</sup> Government of India (2014)

Appendix Tables 6 and 7 present data comparing India with other South Asian countries, countries in Latin America and Africa, with the other BRICs<sup>25</sup>, and with some rich countries. It will be seen that even now India is among those countries with the lowest number of years of expected schooling, and that only other South Asian countries (Bangladesh, Nepal and Pakistan) have lower mean years of schooling (these being the two criteria that are now included in the Human Development Index). Though, as noted earlier, Pupil-Teacher Ratios in India have been improving, they are still among the highest (that is, most adverse). Only Pakistan and Bangladesh, and Nigeria, among the countries compared, have higher Pupil-Teacher Ratios than India. Even Nepal has a more favourable pupil-teacher ratio than that of India.

The difference between India and others BRICs countries shown up in Table 6 also appears in the data on the funding of education, both as a share of gross domestic product (GDP) and as a proportion of all public expenditure, presented in Table 7 (these data are unfortunately patchy). As Panagariya and his co-authors have argued, in a recent study, a substantial proportion of the variation in education outcomes “may be attributed to the public support toward the education sector [and, they note] India spends 3.7 percent of its GDP on education [this was in 2007], which is lower than the world average as well as the average for middle income countries”<sup>26</sup>. Their Figure 11.2 shows that public expenditure in India as a proportion of GDP increased during the 1980s to about four percent, but then declined during the earlier 1990s while the country went through its own version of a structural adjustment programme (though the reduction in education and other social expenditure in this time went against the advice of the World Bank). There was thereafter a considerable increase to well over four percent, up to 2000-01, but mainly because of the increase in teachers’ salaries in response to the recommendations of the Fifth Pay Commission. The subsequent decline in public expenditure on education as a share of GDP was reversed after 2004-05, though at no time has the share ever approached the six percent that was agreed upon in 2004 as a target in the Common Minimum Programme, concluded with its coalition partners and other supporters by the new government elected in that year, headed by the Indian National Congress Party. This target was a reiteration of the exhortations of the National Policies on Education of 1968 and 1986/1992; and it is repeated again in the Subramanian Committee Report of 2016, which says that “6 percent of GDP is the minimal level of expenditure on education which must be attained almost immediately if there is to be any realistic hope of meeting the needs of the sector”<sup>27</sup>. High rates of economic growth in the more recent past have, however, greatly increased government revenues and expenditure, and between 1995-96 and 2005-06 total budgeted expenditure on education increased by nearly three times.<sup>28</sup> Latterly, however, over the period 2011-12 to 2014-15, according to the analysis by Dongre and Kapur, there was very little increase in overall expenditure on elementary education in real terms, and even a marginal decline in spending as a proportion of GDP.<sup>29</sup>

### ***A history of neglect? The politics of elementary education in India***

Though there have certainly been considerable increases in the absolute amounts of public funding devoted to elementary education over recent years, there is substantial

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<sup>25</sup> BRICS refers to Brazil, Russia, India, China and South Africa

<sup>26</sup> Panagariya et al. (2014): 259, Ministry of Human Resource Development argues in the same way, and notes that “The global weighted average of Government spending as percent of GDP for all the countries of the world is 4.9 per cent, substantially above that in India.” (2016): 59

<sup>27</sup> Ministry of Human Resource Development, Government of India (2016): 57

<sup>28</sup> De et al. (2011): 9

<sup>29</sup> Dongre and Kapur (2016)

evidence that historically—and, as the data presented above suggest, by comparison with other emerging economies—elementary education in India has been underfunded. Public expenditure on all levels of education stood at about one percent of GDP in the 1950s; and as Panagariya and his colleagues point out, the focus in the early years of independent India was on higher education. As they say, India’s higher education institutions “produced some of the best technocrats and other professionals, which was indeed the need of the hour.” This focus, however, “compromised the importance of elementary education ... [and]... The result was an uncomfortable coexistence of highly skilled and able professionals, on one hand, and illiteracy and ignorance, on the other.” India, they conclude, “continues to lag behind in gross educational attainment when compared to other developed or even developing nations.”<sup>30</sup>

The national commission appointed in 1964-66 to address deficiencies in the education system, the Kothari Commission, advocated a phased increase in public expenditure to six percent of GDP (including three percent for elementary education) by 1985—a target that, as noted above, has never remotely been achieved, and has been repeated fifty years later.

The report of the Kothari Commission was followed by the formulation of the first National Policy on Education in 1968. It laid out policy directives to realize the aim of universalizing education set out in Article 45 of the Constitution, but it failed to articulate the means of translating them into action: “The well-intended attempts to enhance educational opportunities were at best piecemeal ... [and] ... As a result, problems of access, quality, quantity and financial outlay accumulated over the years.” In practice the share of the tertiary sector in outlays for education increased until the Fifth Five-year Plan (1980-85).<sup>31</sup>

So, as Kiran Bhatta has put it, “How to bring education to those who for generations had been denied even basic access for reasons of social, economic or geographic exclusion appears not to have been in the forefront of policy-making for decades, after 1947, despite the strong principles of social justice and welfare included in the Constitution ...”<sup>32</sup> In discussing reasons for this, in a book first published in 1991, the political scientist Myron Weiner argued—on the basis of many interviews with them—that it reflected a lack of commitment on the parts of mainly higher caste politicians, who really did not believe that the masses either valued or had a need for education.<sup>33</sup> Though it may be hard to prove the validity of this explanation for the failures of elementary education in India, other scholars have reported more recently on interviews with policy makers showing such negative attitudes. Nita Rudra reports a high-ranking official of the Bharatiya Janata Party (BJP)-led National Democratic Alliance governments of 1998-2004 as having said “Politicians do not want the poor to be educated”<sup>34</sup>; and Srivastava and Noronha include similar quotes from interviews in a discussion of the contestations over the right to education.<sup>35</sup> The Subramanian Committee Report of 2016, too, notes that “On the totem pole of the state management hierarchy, education comes low in both status and recognition. This was part of the administrative ethos bestowed by colonial rulers who had no interest in imparting

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<sup>30</sup> Panagariya et al. (2014): 255-56

<sup>31</sup> Panagariya et al. (2014): 262. The points made by these authors are echoed by the Ministry of Human Resource Development, Government of India (2016): Chapter 4

<sup>32</sup> Bhatta (2014): 101

<sup>33</sup> Weiner (1991), Vasavi (2015). Such attitudes have regularly been reported as being held by school teachers in regard to children from lower castes, often described as being “ineducable”.

<sup>34</sup> Rudra (2008): 126

<sup>35</sup> Srivastava and Noronha (2014): 51-8, for quotations from interviews that betray similar sentiments to those reported by Rudra (2008)

education to the bulk of Indians”<sup>36</sup>, and that “the states’ political machinery in general attach less significance in terms of political attention to the education sector ... While no formal studies appear to be available, it can generally be postulated that the overall “quality” of education is a function of the (limited) political attention that the sector has received.”<sup>37</sup> Even the recent initiatives, the subject of this paper, which are at last delivering on the promise of Article 45, “were forged outside the realm of electoral politics ... (and) ... laws were enacted with little input from political leadership, and were eventually passed by the Indian Parliament with virtually no debate.”<sup>38</sup> There was a great deal of critical discussion and debate among activists outside parliament, and among bureaucrats, but not actually among elected politicians in the House.

Even now, when Indian governments both at the Centre and in the States are being held to account by electorates for their delivery of programmatic promises, in a way that was not true in the past<sup>39</sup>, elementary education has rarely, if ever, figured among these promises.<sup>40</sup> A drive to improve basic education in Madhya Pradesh, led by the Congress party politician Digvijay Singh, as Chief Minister of the state between 1993 and 2003, though it was successful in raising literacy levels, and may be responsible for the state’s relatively good showing in the ASER (see Appendix Tables 2 and 3), was finally not rewarded by the electorate. Singh was unseated in 2003 by a BJP electoral campaign that emphasized delivery of the physical infrastructure of roads, water and electricity, not education. Electoral surveys on voter priorities rarely show that elementary education figures highly among them.

In his study of the drivers of the recent innovations in policy toward elementary education in India, Akshay Mangla argues that they have come about thanks to initiatives “taken by a coalition of committed senior bureaucrats”, with little input at all from political leadership, after the opening up to external agencies following the 1991 economic reforms.<sup>41</sup> The findings of his research are that “the 1991 crisis [when India’s foreign exchange reserves shrunk disastrously, providing an opening for reformers to start to implement an agenda of economic liberalization, known generally as India’s “economic reforms”] and subsequent structural adjustment programs [funded by the World Bank] gave an opportunity for committed bureaucrats to advance an expansive primary education agenda.”<sup>42</sup> This seems counter-intuitive, given that economic liberalization and structural adjustment programmes are usually associated with public expenditure cuts, generally at the expense of social policy. Indeed, it is noted in this paper, above, that public expenditure on education, as a share of GDP, did decline in the earlier 1990s. It was also noted there, however, that the World Bank advised against reductions in public spending on education (and health) in this period. And this was the moment when the Bank, with the United Kingdom’s Overseas Development Administration, provided funding for the District Primary Education Programme—the first major externally-funded intervention in education in India, but one that (as was noted), involved Indian scholars and planners very extensively. The DPEP was foundational for the SSA, and then for the RTE.

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<sup>36</sup> Ministry of Human Resource Development, Government of India (2016): 5

<sup>37</sup> Ministry of Human Resource Development, Government of India (2016): 5 and 37

<sup>38</sup> Mangla (2014): 1

<sup>39</sup> Manor (2013): 243-253

<sup>40</sup> It has been reported, however, that education did emerge as a matter of concern for voters in Delhi, in consultations conducted by the Aam Aadmi Party. But in office the Party has focused on access to and the pricing of utilities. (Kiran Bhatta, Centre for Policy Research, personal communication, 5 November, 2015)

<sup>41</sup> Mangla (2014). There are parallels in the experience of Brazil. F. H. Cardoso initially used executive action to expand primary schooling during his presidency, according to Hunter and Sugiyama (2009)

<sup>42</sup> Mangla (2014): 8

Though Mangla’s findings concerning the role of “committed senior bureaucrats” are persuasive—and in line with observations of the roles of “policy entrepreneurs” from among the senior cadre of the Indian Administrative Service in others of the social policy innovations of recent years<sup>43</sup>—it is important to note, as well, contra the earlier findings of Myron Weiner about the attitudes of political elites, the significance of the roles of Narasimha Rao as prime minister in the early 1990s, and later of Atal Bihari Vajpayee, prime minister in the BJP-headed coalition government of 1998-2004, who championed the SSA. Mangla acknowledges this, and we should not underestimate the parts that these two political leaders, in particular, played in creating the space in which the bureaucrats were able to work.<sup>44</sup> Mangla’s account also perhaps underestimates the role of civil society organizations that came together in 1998 in the National Alliance for the Fundamental Right to Education, in raising the salience of elementary education in public fora, and the significance of their links with senior bureaucrats. This is what has been observed in regard to other innovations in social policy in India in the recent past. They have been driven by lobby groups in civil society and individual policy entrepreneurs, in combination with sympathetic bureaucrats, but they have all operated under the aegis of authority supplied by particular political leaders (in the period of the United Progressive Alliance [UPA] government between 2002 and 2014, by Sonia Gandhi, as President of the Congress Party, and Chair of the National Advisory Council).

The new significance of elementary education among the priorities of the Government of India, reflected in the establishment of the SSA by the government of the BJP-headed National Democratic Alliance, was further acknowledged after the Congress-headed United Progressive Alliance government came into office in 2004, when it introduced a cess for education of two percent, levied on all central taxes. This is the primary source of funds for the Sarva Shiksha Abhiyan (accounting, in 2015-16 for 81 percent of SSA finances).

There remains, however, a further—negative—aspect of the politics of education that is given particular emphasis in the Subramanian Committee Report of 2016:

“Heavy politicization at every level of operation of the school system, from the village/block level to state headquarters, as well as increasing corruption, reaching every aspect of school administration have been prominent developments in the past three decades or so ... contributing to the current extremely poor educational conditions at the ground level.”<sup>45</sup>

The report goes on to refer in some detail to the need for transparency in the processes of selection, promotion and transfer of teachers and principals, and in the granting of approval and recognition to institutions. The committee heard repeatedly, the report says, “of ‘political interference’ as the main reason for poor performance in the education field”, and it concludes that such interference is indeed “almost certainly the most important reason for poor outcomes.”<sup>46</sup> We will return to this argument.

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<sup>43</sup> Jenkins (2013)

<sup>44</sup> Mangla (2014)

<sup>45</sup> Ministry of Human Resource Development, Government of India (2016): 33

<sup>46</sup> Ministry of Human Resource Development, Government of India (2016): 37-40

## Part 2: New Directions in Elementary Education: Achievements and constraints

Legislative and policy innovations making for “reform” have been:

(i) The second *National Policy on Education of 1986 (revised in 1992)*, issued just as India took its first steps toward economic liberalization. This aimed to achieve universal enrolment and retention of children in school up to age 14 by 1995, increased physical access to schooling, set up schemes that improved amenities in village schools<sup>47</sup>, made special mention of “education for equality”, and advocated increasing participation of parents in the planning and management of education. The policy is said by one close observer, Kiran Bhatta, to have given a boost to the attention paid to elementary education, but to have remained “based on the presumption of a lack of demand among the poor and marginalized.” The result was that the increase in physical access that it made possible “was done at a huge cost to quality, (underlining) the elitist tendency in policy thinking.” Special interventions, for SC and ST children, for girls and other disadvantaged children, intended to realize the goal of “education for equality” largely failed; and a hierarchy developed in the school system both because of parents choosing to exit from public provision and to put their children into private schools, and as a result of the development of different classes of schooling (for children from different social groups) within the government system itself.<sup>48</sup>

(ii) *The Right to Education*. A judgement of the Supreme Court in 1993 depended upon the argument that respect for the right to life, laid down in Article 21 of the Constitution, implies a right also to basic education. This judgement encouraged mobilization in civil society over elementary education and underlay the 86<sup>th</sup> Amendment of the Constitution of India, passed in 2002, that introduced Article 21A, in Section III, on Fundamental Rights: “The State shall provide free and compulsory education to all children of the age of 6-14 years ....” The right to education in law was thereby established, and following from this the Right to Education Act (RTE) was eventually passed in 2009, after protracted debate and considerable controversy, largely outside parliament, among bureaucrats and activists, not politicians—who mostly remained disinterested—in which large numbers of civil society organizations, brought together in the National Alliance for the Fundamental Right to Education (NAFRE), were actively involved.<sup>49</sup> NAFRE remained especially critical of what it saw as the dilution of the fundamental right to education by the exclusion both of children under the age of six and those aged over 14. The RTE, as it was eventually passed into law, lays down parameters for what a regular school of minimum quality must be, whether in the public or the private sector; outlaws corporal punishment and discrimination in all its forms; introduces a “No-Detention Policy” (or in other words, automatic promotion from one grade to another, so that children should not face the trauma of examinations until Class 8)—the significance of which is discussed below; sets out special measures to increase diversity in the private schools; and further underlines the importance of local participation in the management of schools (both these points, too, are discussed further below).

(iii) Well before the passage of the Right to Education Act, and even before the 86<sup>th</sup> Amendment was passed into law, the universalization of basic education was to be realized through the *Sarva Shiksha Abhiyan* (SSA), India’s most ambitious education

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<sup>47</sup> Operation Blackboard’ was set up in 1987-8 to improve facilities in primary schools, with the aim of improving retention.

<sup>48</sup> Bhatta (2014): 102

<sup>49</sup> Srivastava and Noronha (2014)



programme, established in 2001. This was in a context when it was starting to be recognized among Indian policy makers that poor human development is a major constraint on their country's economic development, as well as of international commitments to "education for all". These were made initially at the UNESCO Conference held at Jomtien in 1990, reaffirmed at a subsequent UNESCO Conference in Dakar in 2000, and then given further prominence in the Millennium Development Goals agreed by the United Nations in the same year. SSA was described by the Ministry of Human Resource Development, on its website, as "... Government of India's flagship programme for achievement of Universalization of Elementary Education (UEE) in a time bound manner, as mandated by 86th Amendment to the Constitution of India."

SSA has its roots, as was discussed earlier, in the *District Primary Education Programme* (DPEP), initiated in 1993-94 in 42 districts in seven states, and later expanded to cover 272 districts in 18 states. DPEP—well before the passage of the 86<sup>th</sup> Amendment, and in line with the existing National Education Policy—was aimed at universalizing primary education and at strengthening "local administrative capacity through a decentralized structure for school planning and administration"<sup>50</sup>. These are objectives that have been continued in SSA, but are still far from being adequately realized.

### ***Sarva Shiksha Abhiyan and the Right to Education: Achievements and problems***

The Ministry of Human Resource Development of the Government of India proclaims that "India has moved forward to a rights-based framework that casts a legal obligation on the Central and State governments to implement (the) fundamental child right ... enshrined in Article 21A of the Constitution, in accordance with the provisions of the Right to Education Act."<sup>51</sup> It goes on to say that:

"Currently, *Sarva Shiksha Abhiyan* (SSA) is implemented as India's main programme for universalizing elementary education. Its overall goals include universal access and retention, bridging of gender and social category gaps in education and enhancement of learning levels of children. SSA provides for a variety of interventions, including *inter alia*, opening of new schools and alternate schooling facilities, construction of schools and additional classrooms, toilets and drinking water, provisioning for teachers, periodic teacher training and academic resource support, textbooks and support for learning achievement. These provisions need to be aligned with the legally mandated norms and standards and free entitlements mandated by the RTE Act."<sup>52</sup>

There is no doubt that, as a result of the implementation of SSA, for all its limitations, having to do with the top-down, inputs driven character that is clearly reflected in this statement, the educational status of children across the country has been improved (even if not nearly enough), as we have seen.

The SSA was designed as a centrally sponsored scheme, and with its enactment the central government exerted its authority over primary education. Yamini Aiyar, Director of the Accountability Initiative of the Centre for Policy Research in Delhi, reports that SSA "finances the bulk of non-wage related expenditure [in education]. In recent years

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<sup>50</sup> This is Akshay Mangla's brief description of DPEP, in Mangla (2014): 9

<sup>51</sup> Ministry of Human Resource Development, Department of School Education and Literacy (2011): 2

<sup>52</sup> Ministry of Human Resource Development, Department of School Education and Literacy (2011): 2-3

central government financing has increased by over nine-fold, making it an important player in shaping state-specific education policy. In poorer states ... SSA accounts for between 40-50 per cent of the total state budget.”<sup>53</sup> The Centre took on most of the capital cost of school expansion, provided finance for District Institutes of Education and Training, established what is intended to be a comprehensive database (the District Information System for Education [DISE]), and—following the model of the DPEP—decentralized planning down to the district level, while also encouraging local participation through the establishment of Village Education Committees. SSA has been, Mangla’s informants told him, “insulated from political demands”—such as demands for access to opportunities for patronage—and the autonomy that it has afforded senior bureaucrats has given them “the ability to carry out school expansion with remarkable speed.” But this has been achieved at the cost of setting up a parallel organization.<sup>54</sup>

SSA is implemented through the instrument of a legally registered “society”, in each of the states, with its own cadre of professionals and administrators. The consequence has been that there now exist two parallel mechanisms for the implementation of elementary education in all the states—the regular state Education Directorate which maintains the teaching force, conducts inspections, runs some teacher training, the midday meals scheme, data collection and disbursements for salaries, pensions and incentives, and the SSA, responsible for the implementation of the activities—those noted above—that are components of its programme. The activities of the two administrative structures are poorly coordinated, leading to confusion in terms of responsibilities and accountability. The “mission” mode of the SSA—the setting up of a new administrative structure to tackle a particular problem, and with an important symbolic function—has become a common tactic in Indian governance. There are, or there have been, such “missions” in relation to health, or the provision of rural infrastructure, and now sanitation—to cite a few examples—as well as in education. This is the alternative to thorough-going administrative reform. The idea is to set up a dedicated programme, with enhanced powers for senior administrators, rather than trying to reform the regular administration that is supposed to be tackling the tasks at hand.

Financial arrangements, too, have been problematic. With funds coming from the Centre with a matching grant from the states, their allocation is centralized and subject to strict and inflexible norms, really making nonsense of the principle, espoused in the rhetoric of the scheme, of local management of schools.<sup>55</sup> In a detailed analysis of how education resources are allocated, Yamini Aiyar and her colleagues have shown that there is a contradiction between the increasingly centralized set of procedures for the allocation of funds for education, and the SSA mandate that expenditure decisions be taken based on plans made at school level by Village Education Committees (or now, following the passage of the RTE, what are described as School Management Committees [SMCs]), in which parents are well represented.<sup>56</sup> But in practice SSA has done very little to empower these committees. Teachers are not accountable to them (but to the state administration); and they have powers over very little of the budget, about five per cent of SSA funds at most. Even these funds have to be spent according to set norms, so that the committees have very little discretion at all. As Aiyar says “Planning is thus a mechanical exercise and budget allocations often have little

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<sup>53</sup> Aiyar (2015)

<sup>54</sup> Mangla (2014): 13-14

<sup>55</sup> It clearly reflects suspicion of malfeasance in the state bureaucracies, so strongly attested in the *National Policy on Education 2016* report (Ministry of Human Resource Development) and the legalistic, rules-based mind-set that is discussed later in the paper.

<sup>56</sup> Aiyar et al. (2013) and Aiyar (2015), for further development of the arguments of the PAISA studies.

relevance to school needs. It should be no surprise then that precious resources allocated to elementary education are often spent whitewashing school walls rather than on improving teaching-learning processes.”<sup>57</sup>

Aiyar and her co-authors recognize that, thanks to SSA, school infrastructure has been built, and universal enrolment nearly achieved, but they emphasize that these achievements - as shown in Part 1 of this paper- have yet to translate into the majority of children acquiring basic abilities in reading and arithmetic. Aiyar and her team suggest that in order to tackle the problem of the quality of education, and to move—in line with the evolution of the international discourse on education—“from schooling to learning”, there is a need to create a bottom-up model of schooling “that builds on an understanding of the child’s learning needs”, in place of the inputs-focused, centralized, top-down model of the SSA. The evidence and arguments in support of this position are considered in Part 4 of this paper. The establishment of such a “bottom-up” model calls for significant changes in the financial system so that SMCs are enabled to determine school needs (rather than implementing instructions from the Centre)—and so also strengthening parents’ engagement with the school and encouraging the accountability of the school to them. Changes in the financial system are necessary in order to create the virtuous spiral that is anticipated to follow from local management (such as has been demonstrated in practice, observers believe, in the experience of Himachal Pradesh (HP)—discussed below).<sup>58</sup>

### ***The Right to Education: How far can the legal right guarantee quality education?***

The Right to Education Act builds on and goes beyond SSA in several respects, including the innovative features briefly referred to earlier: defining what a school of minimum quality must be, in both public and private sectors; setting out what the necessary infrastructure is (classrooms, toilets, drinking water facilities, kitchens, playgrounds, libraries, teaching and learning equipment); the numbers and qualifications of teachers; curriculum design; and classroom transactions (including the No-Detention Policy and Continuous and Comprehensive Evaluation); banning corporal punishment and discrimination in all forms; and aiming to increase diversity in the classrooms of private schools by calling for a 25 per cent reservation in class 1 for children from socially and economically marginalized communities. It also defines the duties of government at all levels; sets out rules regarding the Constitution of School Management Committees<sup>59</sup> and their responsibilities; and requires that children’s rights be protected by State Commissions for the Protection of Child Rights.

The RTE is an extremely important piece of legislation, yet it has been subject to considerable criticism from education activists, and others. It has been subject to criticism both from those activists who are supportive of the principle of establishing the right to education and who think that the RTE is inadequate in ways such as those listed below, but who still seek its implementation, and from others who propose simply to expand private schooling and the use of vouchers. Critics argue that retention and

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<sup>57</sup> Aiyar (2015)

<sup>58</sup> The allocation of government funding has recently been changed, as a result of the recommendation of the 14<sup>th</sup> Finance Commission that states should receive a larger share of the proceeds from taxation. The report on *National Policy on Education 2016* observes that it is as yet unclear how this will affect allocations for education, but expresses the fear that it will mean reductions (p. 58).

<sup>59</sup> According to the RTE (Article 21 (1)): “A school ... shall constitute a School Management Committee consisting of elected representatives of the local authority, parents or guardians of the children admitted in such school and teachers: Provided that at least three-fourths of the members of such Committee shall be parents or guardians: Provided that *proportionate representation* shall be given to the parents or guardians of children belonging to disadvantaged groups and weaker sections: Provided also that fifty per cent of the members of such Committee shall be women.” [emphasis added]

learning were never objectives under the Act; activists sought the establishment of the right to education so as to ensure judicial scrutiny. They hold—as is suggested in the second epigraph to this paper—that the right provides a tool. The Act is widely criticized for its neglect of children under the age of six<sup>60</sup>, and those over the age of 14; for ambiguities regarding its provisions on teacher qualifications and lack of clarity about what defines a “neighbourhood” school; omission of critical parameters for gauging the quality of education; and unclear statements on financial responsibility. In their review of progress toward the realization of the goals set out in the Act, Jha and Parvati record shortfalls in many areas, having to do in part with the inadequacies of funding that have even been admitted by government. Indeed, five years after the passage of the Act there was no district in the country (according to DISE data) that was fully compliant with RTE norms.<sup>61</sup> Jha and Parvati draw attention to the shift away from government schools to private unaided schools, noted in Part 1 of this paper. They hold the view that the requirement for the provision for disadvantaged children of 25 per cent of places in Grade 1 in such schools has the effect of sanctioning a discriminatory system in public education, and oppose it on principle.<sup>62</sup>

The greatest weakness of the RTE, however, is that in Bhatti’s words, it is a “beleaguered right”, because of the general lack of recognition of what the establishment of a fundamental right to elementary education should mean in practice. Where should parents take their grievances? Who/what is “the state” that is responsible for ensuring that the right to education is realized? Who is actually responsible for remedy in case of the infringement of the right to education? No rules have been framed for the redress of grievances.<sup>63</sup> The Act gives no guidance regarding penalties, or remedies. Clear lines of accountability in education departments have not been established. No effort has been made to raise awareness so as to inform people about their right. These clear failures reflect either the lack of political commitment to the RTE on the parts of elected legislators, or even the intention to limit the force of the law. As a fundamental right, the right to education is justiciable—in principle. But petitions on the RTE are only admissible in High Courts and the Supreme Court, and so they are clearly beyond the means of most people. How are citizens to approach the judiciary? Given judicial delays what can the legally enforceable right to education possibly mean for most people? A child is likely long since to have passed the age at which she should be receiving her education by the time legal proceedings have taken their course.<sup>64</sup> There is comparative evidence, too, which suggests that legalization of demands for economic and social rights may not be serving the interests of the poor: there are more cases in Delhi and in South India than in the poorer states of North India; and more cases addressing university education, largely of concern to the middle classes, than elementary education.<sup>65</sup>

The RTE exhibits in particularly acute form general problems to which India’s new rights-based approach in social policy gives rise. As Aiyar and Walton have pointed out, the judicial approach has an intrinsic bias toward a rule-based framework.<sup>66</sup> Such an approach is clearly reflected in the RTE, which specifies a detailed set of rules, or “norms and standards” (in the Schedule attached to the Act)—even if it falls down in

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<sup>60</sup> This lack is given considerable attention, and is sought to be rectified, in the *National Policy on Education 2016*. Ministry of Human Resource Development, Government of India (2016): 85-90

<sup>61</sup> Bhatti (2015a): 44-46

<sup>62</sup> Jha and Parvati (2014): 44-51

<sup>63</sup> Amongst the recent rights-based legislation in India, only the Right To Information has rules for the redress of grievances. This helps to explain the impetus in civil society behind the Right of Citizens for Time Bound Delivery of Goods and Services and Redress of Their Grievances Bill, 2011. But this has still not been passed into law.

<sup>64</sup> Kiran Bhatti (Centre for Policy Research), personal communication November 5 2015; Bhatti (2014) and Bhatti (2015a)

<sup>65</sup> Gauri and Brinks (eds.) (2008)

<sup>66</sup> Aiyar and Walton (2014)

regard to establishing a structure of accountability. Rules can perhaps work very well in regard to the provision of inputs, which is what the RTE emphasizes—as they probably can, too, in the management of NREGA in order to guarantee the right to work. But it has been recognized by government, in the Twelfth Five-Year Plan, which makes outcomes an explicit goal for elementary education, as well as by scholars and activists, that while the infrastructure of the education system, and the inputs that it requires, of course matter a great deal, there is no automatic connection between these inputs and the acquisition of abilities in reading and arithmetic by children. As both Mukerji and Walton, and Muralidharan report, empirical studies show that infrastructure, Pupil-Teacher Ratios (PTR), and teachers' qualifications are typically not related to learning outcomes.<sup>67</sup>

The RTE offers a guarantee that every child in India should gain skills and knowledge appropriate to her age, but this cannot in practice be ensured even if every school matches up to the norms prescribed in the Act. Teaching is an activity that involves both intensive interaction and considerable discretion and judgement on the part of the teacher, as Pritchett and Woolcock point out in their thoughtful essay about the different requirements of different sorts of service provision.<sup>68</sup> Teaching, in common—ideally, at least—with policing, or the provision of health care, has a kind of artisanal quality. No amount of book learning, or rules of practice, can quite substitute for experience and “street knowledge”. While some rules—especially of course about the teacher's qualifications and presence in the classroom, and about the numbers s/he should be expected to teach in a class—may help to ensure that teaching takes place in an effective manner, the effectiveness of the activity cannot finally be guaranteed by such rules alone. The effectiveness of teaching is more likely to be ensured if there is active participation of parents in the education of their children and in the management of the schools in which they study. This is the intention of the establishment of SMCs, though the realization of these intentions is constrained—as explained earlier—by the way in which education financing is so highly centralized under SSA.

As Aiyar and Walton put it, a focus on learning outcomes requires “thick” accountability, going beyond compliance with a set of rules. In the case of the right to education, probably even more than in regard to the satisfaction of the right to work or the right food, the rights-based approach has therefore to be “embedded within a broader project of political and bureaucratic change”<sup>69</sup>, if its objectives are not be subverted by legalism (adherence to rules for their own sake). Sanjay Ruparelia is more sanguine than are Aiyar and Walton about the extent to which judicial activism can stimulate such a project, arguing that “The enactment of new civic prerogatives and socioeconomic entitlements as formal statutory rights suggests an innovative state-building project ...”<sup>70</sup>

### *Embedding the Right to Education: What might an ‘innovative state-building project’ involve?*

Analysis of how the provision of education works in practice clearly shows up the need for embedding the right to education in a “state-building project”, requiring some fundamental changes in the ways in which the bureaucracy functions. Elements of this include: the need for rethinking the way in which elementary education is financed, and

<sup>67</sup> Mukerji and Walton (2013), Muralidharan (2013)

<sup>68</sup> Pritchett and Woolcock (2004)

<sup>69</sup> Aiyar and Walton (2014) 61. The general failure to implement any serious changes in the way the bureaucracy works in India is exemplified by that of the Second Administrative Reform Commission. Brazil perhaps provides a good case for how constitutional rights guarantees can work, under the PT and wider left movement, whereas South Africa is worse off than India (Sanjay Ruparelia, personal communication, December 2015)

<sup>70</sup> Ruparelia (2013): 586

the relations of financial rules with planning; the empowerment of frontline (“street-level”, in some of the literature) education administrators and teachers; and the realization of the stated intentions of the RTE in regard to the participation of parents and citizens in the management of education.

These points are demonstrated in the detailed analysis by the Accountability Initiative team of the financing of elementary education, discussed above. Its conclusion was that in order to build a system of local accountability for educational quality there is an acute need for rethinking the way in which funds are allocated.

More recently members of the same research team have analysed how frontline education administrators (Block Education Officers, Cluster Resource Centre Coordinators, and headmasters) operate, based on primary fieldwork in Bihar and Andhra Pradesh, together with some surveys conducted in Rajasthan, Maharashtra and Himachal Pradesh.<sup>71</sup> These functionaries of the state are at the bottom end of a top-down, rule-based hierarchy, and they think of themselves, it seems, as “post offices” or “reporting machines” with very little authority to take decisions. They see themselves as being powerless. This is a classic case, the researchers argue, of a legalistic bureaucratic culture, in which staff is encouraged to adhere strictly to rules, rather than to address the needs of the schools they are supposed to be serving. Thus the Cluster Resource Centre Coordinators, whose role was created to provide support for teachers, and who are supposed to be “understanding classroom practices, identifying student learning levels and engaging with teachers”, in practice spend little time in classrooms and rather than mentoring teachers manoeuvre to establish their own superior position in the hierarchy. And the way that they are expected to report, in practice, to their own superiors, does nothing to change their behaviour: “In this world, focusing on school needs and mentoring teachers is simply not something that education administrators do—and this is one critical reason why a focus on learning remains marginal to India’s public education system.”<sup>72</sup> When an attempt was made, in this context, to scale up what had been a successful project, aimed at improving the quality of learning, after it had been implemented successfully in two districts in the state, it quickly fell apart in the absence of the committed leadership that had been provided by the two District Magistrates, supported by the education NGO *Pratham*, in the pilot districts. Without this backing and leadership the Cluster Resource Centre Coordinators were unable to shift away from their “post office”/cogs-in-a-machine mentality to see them and to act as problem-solving “agents of change”.

The researchers suggest that one of the problems with administrative reform in India is that thinking has generally focused on the elite Indian Administrative Service (IAS) officials who, however, “remain sceptical of the ability of the frontline to function as change agents without greater disciplining from the top.” Their attitudes further entrench the “post office” mind-set among the frontline administrators “and build leadership that privileges hierarchy rather than mentoring and problem-solving.”<sup>73</sup> These suggestions about the attitudes and behaviour of senior bureaucrats are in line with an analysis of the failings of the bureaucracy by N. C. Saxena, formerly a senior IAS officer. Saxena writes, for example, “Efficiency in the civil services was always very narrowly defined. It meant contempt for politics and rigid adherence to rules, and never increased public satisfaction.”<sup>74</sup>

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<sup>71</sup> Aiyar and Bhattacharya (2016)

<sup>72</sup> Aiyar et al. (2015a)

<sup>73</sup> Aiyar et al. (2015b)

<sup>74</sup> Saxena (2016): 134

Some clues as to what may be required of the administration in order to realize the right of the child (in the words of the RTE Act) to “gain skills and knowledge appropriate to her age”, comes from the experience of Himachal Pradesh. This small state in the Himalayas, which according to the National Family Health Survey of 2005-06, had the highest rates of school attendance in the country,<sup>75</sup> has the advantage of being relatively wealthy (ranking fourth among the more populous states in the country in terms of per capita incomes), and, it is suggested, of having a relatively egalitarian village society.<sup>76</sup> On the other hand it has had to contend with the disadvantages of hilly terrain, dispersed settlement and poor roads—and in this context it is remarkable that 90 per cent of Himachali parents in the PROBE team’s study in 2006 said that their children’s school was less than 30 minutes away. This is a reflection, in part at least, of official commitment to education, shown in the fact that from the mid-1980s Himachal has spent about seven per cent of net state domestic product on education, compared with the national average of less than four per cent. By 2005-06 per capita expenditure on education was nearly double the national average, and Pupil-Teacher Ratios in both primary and upper primary schools were well within the norms prescribed in the RTE. Other factors in the Himachal story are reckoned to be parental demand for education (in a state in which there is a relatively high availability of government and army jobs); civic cooperation, reflected in active local level education committees (Village Education Committees, Parent-Teacher Associations, and Mother-Teacher Associations, which have taken primary responsibility for the running of the midday meal scheme in the state); and a virtuous cycle of state initiative and public response.

Himachal appears exceptional in many ways, as regards inputs into education, and the establishment of local institutions. But the PROBE team is also clear that there remain major problems in the state. Though, as the data in Appendix Tables 2 and 3 show, children in Himachali schools do better than their peers in most of the rest of the country, it is not an island of absolute excellence. There was no teaching activity going on in one-third of the schools, on the occasion that the PROBE team visited them; there are still large numbers of single-teacher schools; and learning outcomes leave a lot to be desired even if they are among the best in the country. The test, for example, of “Children in Std V who can do division” shows that in 2014 only 46.9 per cent of Himachali children met this standard (admittedly compared with the all-India figure of 26.1 per cent). And in HP as in India as a whole, the proportion of children capable of passing this test appears to have declined since 2007. A part of the problem may be that teachers are not empowered in HP any more than they are elsewhere.

A recent study by Akshay Mangla, compares the two Himalayan states of Himachal and Uttarakhand<sup>77</sup>, which are geographically, socially and politically comparable, with the same formal systems in place. State expenditure per child in Uttarakhand was, at the time of his research, the highest in the country, even higher than in Himachal. The performance of Uttarakhand schools, however, in regard to elementary education, falls far below that of Himachal. What might explain the striking difference between them? Mangla concludes from careful field studies in both states that what may be crucial in the Himachal story are the particular bureaucratic norms that have developed in the state (where by “norms” he means “unwritten rules of conduct that instruct agents how to act under a given set of conditions”). Bureaucratic norms are, he says, “deliberative” in

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<sup>75</sup> Amongst rural boys aged 6-17, 91 per cent were found to be attending school (compared with 89 per cent in Kerala). Amongst girls in this age range 88 per cent were attending (compared with 91 per cent in Kerala, and the all-India average of 63 per cent). Himachal (together with Kerala) had a particularly low gender gap in schooling, at a time when across the country as a whole the gap was wide. De et al. (2011): 94.

<sup>76</sup> In a recent study of caste in the state, however, the sociologist Surinder S. Jodhka has concluded that “In (a) society with strong caste prejudice, entitlements are often defined through prevailing prisms of hierarchy.” Jodhka (2015): 68

<sup>77</sup> Mangla (2015): 884

Himachal, promoting discussion and collective problem-solving across different departments of government as well as between officials and citizens. Officials work together to solve problems collectively, involving citizens and civic associations in implementation, so drawing on local knowledge and inputs, and creating a positive dynamic of participation (encouraging precisely the sort of local accountability that the SMCs legislated for in the RTE are supposed to establish). The bureaucracy has actually promoted civic engagement through the Himachal Gyan Vigyan Samiti, a bureaucratically fostered civil society organization, which evolved out of a state literacy programme. The state has gone some way to inculcating civic participation.<sup>78</sup> Local associations help to carry out tasks such as identifying children who are out of school, and motivating parents to participate in Village Education Committee meetings. There is a long history in the Himalayan region of informal village associations, and especially of women's groups. They are very actively drawn upon in Himachal—while their participation is as actively discouraged in Uttarakhand. Why should this be?

Mangla's answer is that bureaucratic norms in Uttarakhand, like those described by the Accountability Initiative team in research on block level education bureaucrats in several other states<sup>79</sup>, are legalistic rather than deliberative. They encourage strict adherence to official rules and procedures, and deference to formal hierarchy. They discourage initiative and risk-taking, such as might be involved in engagement with citizens and civic associations. Bureaucrats expressed suspicion of non-state actors, because they don't always follow the rules. The comparison with Himachal exemplifies very well the point that Pritchett and Woolcock make<sup>80</sup>—that there are some necessary service functions, such as those that have to be performed by teachers or frontline health workers, for which “*the solution*”, a conventional, hierarchical, rule-bound bureaucracy, even if it is absolutely uncorrupted, may not be the best answer at all in the search for effectiveness, when it is really desirable that agents should exercise discretion and judgement.

Mangla's comparison of the two Himalayan states makes the point, therefore, about the need to embed the RTE in a broader project of bureaucratic and political change. It seems that the development of deliberative norms in the Himachali bureaucracy is the result of the ideas and practices of the early political leaders of the state, but Mangla is unable to offer much documentation or analysis of this. Political leadership is a phenomenon with which social scientists are often uncomfortable. Yet it is clear from detailed studies such, notably, as that of Judith Tendler of the remarkable changes in government performance in Cear  in north-eastern Brazil in the later twentieth century that they cannot be explained except by taking account of the actions of particular political leaders.<sup>81</sup> And as we have seen, generally the cause of elementary education has lacked state-level political champions in India—and, as was noted, the great exception, Digvijay Singh of Madhya Pradesh, failed to win re-election in spite of the relative success of the “literacy mission” that he undertook in the state.

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<sup>78</sup> The story is comparable with that of state-fostered civic agencies that contributed to “good government” in the state of Ceara in north-eastern Brazil, according to Judith Tendler's seminal analysis in her *Good Government in the Tropics* (1997)

<sup>79</sup> Aiyar and Bhattacharya (2016)

<sup>80</sup> Pritchett and Woolcock (2004)

<sup>81</sup> Tendler (1997) See also Priyam's (2015) comparison of the politics of education reform in Bihar and Andhra Pradesh, Priyam concluded that the reform process worked better in Andhra Pradesh because of the policy innovation and entrepreneurship shown by policy makers and the support they received from political leaders. The comparative success of Andhra “points to the role of leadership as a determinant of the variations in outcome.” (p. 251). The work of Melo, Ng'ethe and Manor is a pioneering study of political leadership. Melo et al. (2012)



### Part 3: Ways Ahead, or “Quick Fixes”?<sup>82</sup>

There is general agreement among scholars and activists who are concerned with elementary education in India, as in other countries, such as Brazil, that enrolment, which is now more or less one hundred per cent—the great achievement of the initiatives that have been taken since the turn of the present century—does not automatically mean attendance in school. The Ministry of Human Resource Development reports, as noted earlier, average attendance in primary schools in the country as a whole, in 2013-14, at only 76 per cent, with the figures for individual states ranging between (an improbable) 99 per cent in both Haryana and Karnataka and 54 per cent in West Bengal, 47 per cent in Jharkhand and 44 per cent in Bihar.<sup>83</sup> Nor does attendance imply learning, given the dismal findings of the ASER on learning outcomes. In very many schools ‘mindless rote learning still dominates’. As the PROBE team reported (though it should be emphasized again, from studies in the seven North Indian states where elementary education is about the poorest in the country, according to ASER studies), “We came across children chanting mathematical tables for several hours. Children ‘read’ paragraphs from their book after having memorized them. When asked even a simple question, they tend to falter.”<sup>84</sup> Rote learning certainly is not a problem that is confined to the North Indian states they studied<sup>85</sup>. Is there a “quick fix” to improve classroom activity across the country, the PROBE team asks, so as to achieve much better learning outcomes in line with the guarantee offered in Right to Education? Several “fixes” have been tried in recent years including, notably, (i) the employment of contract teachers; (ii) reliance on community participation; and (iii) privatization—which, as noted earlier, has advanced very significantly over the last ten years. We consider each of these. Are they just “fixes” or are they ways ahead? There are opposing arguments, on the basis of the available evidence.

#### *Teachers and contract teachers*

Teachers are, undoubtedly, an important part of the problems of elementary education in India, as well as being essential to finding a solution to these problems. Like the frontline administrators studied by the Accountability Initiative team, “Government Elementary School teachers are predominantly without voice and presence in decision-making processes, and are seen and marked as low-ranked ‘civil servants’ and employees, who, at best, must be trained periodically.”<sup>86</sup> The training to which they are subjected is a cause of disgruntlement among many, who are alienated by being required to learn methods that they don’t understand, and who feel that their own abilities and experience are not valued. Teachers are part of a culture that privileges hierarchy, and that requires obedience to (or otherwise manipulation) of bureaucratic rules. “(H)ierarchical relationships that reproduce caste and gendered deference and submission norms are played out in Kafkaesque transactions that mark the visits of the education department’s officials to the school.” Ability and effort are not recognized; accountability is extremely weak. “Why should we work when the negligent ones are not taken to task?” is a refrain commonly heard.<sup>87</sup>

Teachers are commonly criticized for absenteeism, which is widely believed to be the most crucial issue of all, in accounting for the very poor learning outcomes in India’s schools. Indeed, as noted earlier, the PROBE team’s survey in 2006, even in Himachal Pradesh, found no teaching activity going on in one-third of the schools they visited. A

<sup>82</sup> This title has been inspired by the Conclusion of the study by De et al. (2011)

<sup>83</sup> Ministry of Human Resource Development, Department of School Education and Literacy, Government of India (2014)

<sup>84</sup> De et al. (2011): 110

<sup>85</sup> Vasavi (2015)

<sup>86</sup> Vasavi (2015): 42

<sup>87</sup> Vasavi (2015): 42-43

well-known study, based on a nationally representative survey conducted in 2003, found teacher absenteeism rates as high as 25 per cent. When the villages surveyed in this study were revisited, ten years later, it was found that there had been a reduction in teacher absence rates only from 26.3 to 23.7 per cent. And in the first study it was found that “Almost a quarter of the teachers surveyed, and almost half of those present in schools, were found to be not teaching.”<sup>88</sup> It is pointed out, however, that the study did not distinguish between authorized absence and unauthorized leave of teachers—and in research in Karnataka and Uttar Pradesh it was found that the latter accounted for only about 3-4 per cent of total teacher absenteeism.<sup>89</sup> Much of the time that teachers are absent from their classrooms is explained by their being required to perform other official duties—as polling agents, for example. So, as Priyam argues, “policy needs to address specifically why teachers have to be outside schools during working hours on authorized official chores.”<sup>90</sup>

Government teachers are a particularly numerous body of public sector employees, and they are considered to be relatively well paid—better than many others with comparable levels of qualifications. A significant question concerns the role of teachers’ unions, and their political links, and “the use of political discretion in bending rules and cultivating patronage relationships in teacher transfers” as obstacles in the way both of bringing about higher levels of accountability among teachers, and of education reforms. This was the view of the Subramanian Committee, too, as reported above. Just how significant teachers’ political links and their unions are in explaining poor performance is a matter of some debate, however. Beteille sees the links between teachers and politicians as a “deeply embedded structural problem” that goes quite some way to explaining the problems of the education system. Kingdon and Muzammil, in a study of teachers’ unions in Uttar Pradesh, concluded that teachers’ political participation and lobbying by their unions were responsible for the emergence of teachers as a rent-seeking class, and created a barrier to reform. In her comparative study of Bihar and Andhra Pradesh, however, Priyam did not find that the collective action of unions was the main impediment to change. Reforming political leaders found ways of manoeuvring teacher interests toward support of new policies.<sup>91</sup>

Just how significant teachers’ unions and their politics are will continue to be a subject for research. But the perception that they constitute an obstacle to reform was one factor that encouraged the appointment of para-teachers, or contract teachers, by local authorities and school committees rather than by state governments. The second critical factor, especially in the more populous North Indian states, was the need to appoint more teachers, but in the context of severely constrained resources. Contract teachers could be paid much less than regular teachers, and their appointment was expected to weaken the strength of unions. It was supposed, too, that because of being accountable to local bodies, they would attend school more regularly, and be more highly motivated than their regular colleagues. Contract teachers, or volunteers, have also been employed in remedial instruction, and in some cases to provide an additional teacher in regular classrooms. The employment of contract teachers has become a controversial aspect of education policy, with on the one hand a camp that advocates their employment as a cost-effective way of increasing access and improving quality, and on the other critics who fear the consequences of employing under-qualified and untrained teachers.

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<sup>88</sup> Priyam (2015): 34, referring to Kremer et al. (2005) The later study is by Muralidharan (2013)

<sup>89</sup> Priyam (2015): 34-5, referring to a study by Sipahimalani-Rao, and similar findings by Tara Beteille

<sup>90</sup> Priyam (2015): 35. Bhatti confirms this argument, pointing out that “teachers have to undertake a long list of non-teaching tasks as part of their jobs as government servants ... (including tasks) ... with implications for political patronage and misuse of power.” But, she goes on “There is no solution in sight and no will in government to alter this situation.” Bhatti (2015b)

<sup>91</sup> Beteille (2009), Gandhi Kingdon and Muzammil (2003), Priyam (2015): 29-39

The PROBE team found, indeed, that the limited qualifications and training of contract teachers, and their poor salaries, had negative effects, and that though in some schools they were more active than permanent teachers, there were others where they were not. There is evidence from different parts of the country of rent-seeking behaviour in the recruitment of para-teachers by local bodies; and the PROBE team's 2006 Survey "found that a majority of contract teachers were from more privileged social groups. The recruits are unlikely to be accountable to parents and children from disadvantaged families. The presumption that the gram panchayat (or village council, the lowest tier of administration) will hold them accountable on behalf of the parents is often misplaced, as panchayat leaders themselves often identify more with the contract teachers than with underprivileged children."<sup>92</sup> In short "Permanent teachers often fail to fulfil their mandate, but to replace them with contractual staff is no guarantee of better results."<sup>93</sup> A study of the practice of hiring contract teachers in nine states, by Tara Beteille and Vimala Ramachandran, found that "no state with contract teachers has had it smooth sailing, and the cost had been borne by the system in terms of low teacher moral, student learning and administrative time."<sup>94</sup> The Subramanian Committee Report is emphatic, arguing that "Appointment of unqualified and low paid contractual teachers militates against quality of teaching and learning."<sup>95</sup>

The other side, however, in the debate over the employment of contract teachers, refers to empirical evidence that runs counter to that presented by the PROBE team, and to the argument of the Subramanian Committee Report. The "other side" draws on rigorous research into the outcomes of remedial instruction programmes employing locally recruited volunteer or contract teachers, and into the impact of adding extra, contract teachers in classrooms. Karthik Muralidharan sums up the findings of four empirical studies, by different groups of researchers—including his own research—as follows. The studies found, he reports:

"Large positive effects on student learning outcomes of remedial instruction programmes, used volunteer/informal/contract teachers with minimal formal training who were paid stipends that were at most one-fifth of the salary of regular teachers. These results suggest that the superior work incentives of contract teachers may more than make up for their lack of formal teacher training. They also suggest that the binding constraint in translating increased education spending into improved learning outcomes may not be teacher training and qualifications (as is commonly believed) but teacher effort, which is (relatively weaker for civil service teachers with lifetime employment security ..."<sup>96</sup>

There are empirical grounds, then, for thinking that the employment of contract teachers can be a cost-effective way of improving primary education outcomes in India; and Muralidharan and others argue that such teachers need not be treated as a precariously employed second-class cadre (comparable with the regiments of academics who work long-term as sessional instructors in North American universities), but could be made part of a performance-linked tenure track, in which continuous training and professional development are important components. Beteille and Ramachandran argue quite similarly, in concluding their study of contract teachers: "The challenge for

<sup>92</sup> De et al. (2011): 110

<sup>93</sup> De et al. (2011): 110. See also Priyam's comparable conclusions, from her survey of the literature (2015). 42-5. She does point out, however, that "there is widespread agreement that the hiring of para-teachers has enabled the expansion of the school system in India at relatively low cost."

<sup>94</sup> Beteille and Ramachandran (2016): 46

<sup>95</sup> Ministry of Human Resource Development, Government of India (2016): 171

<sup>96</sup> Muralidharan (2013): 22

policymakers is to find career progression opportunities for new teachers that encourage the more motivated and effective ones to remain in the job, improve their skills and feel accountable for improving student learning.”<sup>97</sup>

On these terms Muralidharan’s argument might be compatible with the Subramanian Committee Report’s central focus, which is on the critical role of teachers. The largest section of the report, and by far the largest number of its recommendations, concern the recruitment, training, deployment and professional development of teachers.<sup>98</sup> A performance-linked tenure track for contract teachers, with continuous training and professional development, would be consistent with the Subramanian Committee’s recommendations.

### *Community participation*

There is a strong presumption, reflected in the Accountability Initiative’s arguments about creating a bottom-up model of education “that builds on an understanding of the child’s learning needs”<sup>99</sup>, discussed above, that decentralization and local participation in the management of schools can have very positive effects in making them accountable for children’s learning. This is the intention, of course, of Section 21 of the RTE, which mandates the formation of School Management Committees (SMC) in all elementary government-aided schools in the country.<sup>100</sup> The SMC is seen as being the basic unit of a decentralized model of governance, with active involvement of parents in the school’s functioning. Its functions include the responsibility of preparing and recommending an annual and three-year School Development Plan (SDP).

A *Policy Brief* of the Accountability Initiative of the Centre for Policy Research reports that according to 2012-13 DISE statistics, 88 per cent of government and government-aided schools had formed SMCs. The same paper, however, reports many problems in the formation and functioning of SMCs, and argues that “A great effort is required to encourage headmasters to share information with parents”—who are described as being especially ill-informed about their roles and responsibilities. It also says that “SDPs are infrequently made in school (and) even where plans are made, they are not created in a participative manner, and do not address the school’s most pressing needs”—largely because of the lack of training for members of SMCs, and their very limited financial powers.<sup>101</sup> A later *Policy Brief* of the Centre for Policy Research is blunter: “SMCs have not been formed in accordance with the rules; where they have been formed they have not been adequately trained; their meetings and other functions are not carried out as mandated.”—and the paper proceeds to advocate a different mechanism for “strengthening people’s engagement with education”, the *Shiksha Samvad* (or “Education Dialogue”). The idea is to establish a deliberative dialogue between the local education bureaucracy and the people.<sup>102</sup>

The potential in community participation in school committees may sometimes be realized. Surveys by World Bank researchers in Karnataka, Madhya Pradesh and Uttar Pradesh, found higher levels of community awareness and participation in the first of these states, and better student and teachers’ outcomes.<sup>103</sup> The potential has perhaps

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<sup>97</sup> Beteille and Ramachandran (2016): 47

<sup>98</sup> Ministry of Human Resource Development, Government of India (2016): Chapter 5.1, and Chapter 6.1-6.3

<sup>99</sup> Aiyar et al. (2013): 1

<sup>100</sup> Right to Education Act (RTE) (Article 21 (1) (2009)

<sup>101</sup> Accountability Initiative (2014); and on finance see Aiyar et al. (2013)

<sup>102</sup> Bhatta et al. (2015a)

<sup>103</sup> Pandey, Goyal and Sundararaman (2008)

been realized in parts, at least, of Himachal Pradesh. But as noted above, in regard to the appointment of para-teachers by local bodies, inequalities in local power relations interfere with the channels of accountability that are looked for. As A. R. Vasavi puts it “in the untidy world of a largely hierarchical social structure, an inegalitarian culture, and competitive politics”<sup>104</sup> the functioning of local bodies in general, including those that are expected to have responsibility for elementary education, is very problematic. As she goes on to say “Rare is the forum or opportunity for parents to voice their complaints and rarer still the integration of their inputs or the recognition of parents as repositories of knowledge.”<sup>105</sup> Priyam, too, in her studies in Andhra Pradesh and Bihar, concluded that in neither state did “decentralization and community participation have the beneficial demand side outcomes that might have been expected.”<sup>106</sup>

In any event, thus far, according to the PROBE team’s studies in the North Indian states, according to Priyam’s research in Andhra and Bihar, and according to local experts in Tamil Nadu, local community participation has largely been token. In Tamil Nadu the effective functioning of School Management Committees is said to be very patchy and to depend substantially upon the commitment of head teachers. The PROBE team found that almost all schools—96 per cent—in the states they studied, had committees in place in 2006, but it also found many instances “where committee members did not even know that their name had been included in the committee”; and that while parents were better represented in PTAs “a majority of parents of students in government schools belong to disadvantaged social groups and so find it difficult to play a leadership or monitoring role.”<sup>107</sup>

Community participation in the management of local schools, and the active involvement of parents, certainly have a vitally important role to play in the improvement of elementary education—as the Subramanian Committee Report also strongly argues<sup>108</sup>—but it is far from being a “quick fix”.

### *Privatization*

The rapid increase in the numbers of private elementary schools in the course of the last decade is shown up clearly in Appendix Tables 2 and 3. By 2014 about a third of all children were enrolled in schools under private management, but with considerable variation between states. States with high levels of private schooling are Kerala (62.2), Haryana (54.2 per cent), Uttar Pradesh (51.7 per cent, up from 29.1 per cent in 2007), and Punjab (49.5 per cent); states with little private schooling are Bihar (12.0 per cent), West Bengal (8.8 per cent), and Odisha (8.5 per cent)<sup>109</sup>—though these latter are also the states in which the incidence of private tuition is highest.<sup>110</sup> The states with more extensive private schooling are not necessarily the leaders in elementary education outcomes (performance scores in the ASER tests are better than the all-India average in Kerala, Haryana and Punjab, but not in UP); and neither are the states that have little private education necessarily poorer performers (given that, according to the ASER data for 2014, West Bengal has better scores than the all-India average, and both Bihar and Odisha have better scores than all-India on all but one test each). Still, overall, as the

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<sup>104</sup> Vasavi (2015): 40-41

<sup>105</sup> Vasavi (2015): 40-41

<sup>106</sup> Priyam (2015): 22

<sup>107</sup> De et al. (2011): 111

<sup>108</sup> Ministry of Human Resource Development, Government of India (2016): 71-73

<sup>109</sup> Dongre, Kapur and Tewary (2014) Table 3, for different estimates of the percentage of children enrolled in private schools (including private aided schools) ranging between 79.28 per cent in Kerala and 11.89 per cent in West Bengal

<sup>110</sup> Wadhwa (2014) 19-21

ASER data of Table 5 show, pupils in private schools do perform better than those in state schools. It is widely assumed that the evidence of increasing privatization reflects the fact that private schools perform better because they are accountable to parents for their children's learning—and that they wouldn't survive and prosper if they were not. And as one scholar, Karthik Muralidharan has put it, in regard to government schools, "What does it say about the quality of your product if you can't even give it away for free?" (quoted by Singh).<sup>111</sup>

But are the somewhat better results in the private schools because of the quality of the schools, or because of the type of household the children come from? As Wilima Wadhwa, Director the ASER Centre argues, "Comparing learning outcomes of children in government schools with those in private schools is not comparing apples with apples."<sup>112</sup> Research suggests that "a *substantial portion* of [the difference in outcomes between private and government schools] is accounted for ... by the type of households the children come from and their greater socioeconomic advantage" (emphasis added)<sup>113</sup>; and Wadhwa's analysis shows that though the learning gap between government and private schools has widened over time, so has the proportion of the gap accounted for by background factors, rather than school type, increased.<sup>114</sup> But there are also studies that have shown that similar children in private schools score better than their peers in government schools. Recent research by Abhijit Singh has aimed to address the question of the comparative quality of private and of government schools directly, drawing on data from a panel study of two cohorts of children in Andhra Pradesh and Telengana. His findings were that in Telugu and math, private school students were not learning significantly more than children in government schools—but they were learning a lot more English.<sup>115</sup> Ability in English is widely recognized by parents as being a significant advantage in winning entry into more prestigious jobs, and this is an important reason for their choice of private schooling (though many may be duped by promises of "English medium" schooling in private schools of low quality).

A privatized schooling system is, of course, fundamentally inequitable, because access depends on ability to pay. It also, according to the results of the PROBE team's surveys in the North Indian states in 2006, puts girls at a disadvantage, since the team found that boys made up 74 per cent of all children enrolled in private schools, compared with 51 per cent of all children in government schools.<sup>116</sup> Parents' decisions about private education show a strong preference toward boys. Yet there are education activists in India who strongly advocate the virtues of privatization, highlighting in particular the potentials of low budget private schools.<sup>117</sup> One important argument is that the costs to the state of paying teachers' salaries are now so high that "exclusive reliance on the government school system with permanent regular teachers could make an education budget [even] of 6 per cent of GDP [in other words, a much bigger education budget than at present] inadequate to ensure universal school education."<sup>118</sup> How fortunate, then, that "many studies have brought out that private/non-government schools can supply a reasonable quality of school education at almost 25 to 35 per cent of the cost of government. This happens because the salary of a school teacher in the private sector is

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<sup>111</sup> Singh, A. (2015)

<sup>112</sup> Wadhwa (2014): 19

<sup>113</sup> Singh, A.(2015). Recent research by Desai and Vanneman provides supportive evidence on the significance of the socio-economic status of the households children come from. They show that "children from more privileged backgrounds are much more likely to overcome early disadvantages in learning, as compared to those from poorer backgrounds." (2015)

<sup>114</sup> Wadhwa (2014)

<sup>115</sup> Singh, A. (2015)

<sup>116</sup> De et al. (2011): 112

<sup>117</sup> One influential organization that takes this view is the Centre for Civil Society (<http://ccs.in>)

<sup>118</sup> Jain and Dholakia (2009): 38-43

almost 25 to 35 per cent of the government salary.”<sup>119</sup> Geeta Gandhi Kingdon points out that the vast majority of private unaided schools in India are low-fee establishments, and that National Sample Survey data show that in 2014 the median fee in rural India was Rs 300 per month, and in urban India 416 per month (for all the high- and low-fee unaided primary schools together). These fees compare with per pupil expenditure on teacher salary alone of Rs 1300 in government schools—yet, she argues, “the achievement levels of children in budget private schools are no worse (and maybe somewhat better) than those in government schools are adjusting for family background.”<sup>120</sup>

One of the studies, however, that has commonly been referred to as providing backing for these arguments,<sup>121</sup> has been strongly criticized for its methodological inadequacy; while other research suggests that “children in budget private schools are not likely to perform better at any but the most routinized, rote-memory based tests.”<sup>122</sup> As Sarangapani concludes, “certainly there are a number of issues with government provided education, but ... it is far from obvious that ... private-budget schools constitute a solution.”<sup>123</sup>

The jury is still out, therefore, on the potentials of low budget private schools, as it is over the employment of contract teachers. It is probably fair to conclude, however, with the PROBE team, that each of the “quick fixes” —contract teaching, community participation, and privatization—is problematic (and hardly ‘quick’), and that they all run up against “the rock of social inequality.”<sup>124</sup> They actually contribute to making the problem of inequality in access to quality schooling more severe. Social disadvantage is likely to be exacerbated by the ways in which the institutions of local government and local school management function, including over the local recruitment of contract teachers, in the context of a society characterised by sharp inequalities and a culture of hierarchy; it is more obviously made worse by the increasing privatization of education that may well leave the government elementary schools as “poor schools for poor people.”

In this context the provisions of Section 12 (1) (c) of the Right to Education Act have attracted considerable attention, imposing legal obligations as they do “upon private unaided schools to reserve 25 per cent of seats in the entry level class for children from Economically Weaker Section and disadvantaged categories.” It has been said that this is “a purposeful endeavour to make our school system more equitable and inclusive. It is arguably the world’s most ambitious programme for public funding and private provision in elementary school education ... As we envision a country where the choice for good quality education is not restricted on the basis of ability to pay, this section of the RTE is a definite step in the right direction.”<sup>125</sup> Not all agree. Others see these provisions as serving to legitimate the privatization of elementary education, and as justifying the inadequate attention that is paid to government schools.<sup>126</sup> The provisions

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<sup>119</sup> Jain and Dholakia (2009): 41, The Centre for Civil Society has a “Meta-Study on BPS [Budget Private Schools] Literature”, which concludes that ‘studies over the past decade has shown {sic} that learning outcomes in these schools are equal to or better than those of more resourceful government schools’ (<http://ccs.in> accessed 18 December 2015)

<sup>120</sup> Gandhi Kingdon (2016)

<sup>121</sup> Tooley, Dixon and Gomathi (2007): 539-60

<sup>122</sup> Sarangapani (2009): 67-69

<sup>123</sup> Sarangapani (2009): 69. Sarangapani also refers to the possibility of the use of school vouchers, so that parents might have the option of sending their children to private schools. This has been advocated in India for some time, but vouchers have not yet been introduced.

<sup>124</sup> De et al (2011): 112

<sup>125</sup> This is a quote from the Foreword by Ashish Dhawan, Founder and CEO of the Central Square Foundation, to the report *State of the Nation: RTE Section 12 (1) (c)*, produced by the Indian Institute of Management—Ahmedabad, Central Square Foundation, Accountability Initiative (Centre for Policy Research) and Vidhi Centre for Legal Policy, March 2015

<sup>126</sup> Jha and Parvati (2014)

have been resisted by private schools in the courts. As the *State of the Nation* report on the implementation of 12 (1) (c) says, though some private schools “have been proactive in embracing both the spirit and the letter of the mandate (unfortunately) that is not true for most schools [and it continues ‘a number of private schools were unwilling to speak to us’].” The report shows considerable variation between states in the extent to which the seats that are in principle available have been filled, and considerable patchiness in the establishment of rules and structures for the implementation of the clause. There is a long way to go to the realization of the objectives of 12 (1) (c)—even if it is a “step in the right direction.”<sup>127</sup> This is the position taken also by the Subramanian Committee, which upholds the clause as “furthering a significant social objective”, while seeking the clarification of “operational problems and administrative issues.”<sup>128</sup>

Except in regard to Clause 12 (1)(c) the Subramanian Committee Report is remarkably silent on the issue of privatization, noting only that “there is no clearly laid out policy in respect of private participation in the education system, both at the school and higher education levels.”<sup>129</sup> Kiran Bhatta comments that the report includes no “full-fledged analysis” of the role of the private sector, and wonders if this “surprising omission” might be read as a “demotion of its importance.”<sup>130</sup>

There is, clearly, no one big answer to the problems of elementary education in India. Private schools do deliver better outcomes, but “even they are not producing learning outcomes that are anywhere near grade level competency.”<sup>131</sup> Both community participation and the employment of contract teachers have parts to play, but each of these measures involves difficult problems and calls for a great deal of sustained political and administrative effort that is not yet being made. So the important steps that governments have made to realize the right to education have not so far served to improve the quality of education, and the imperative of moving from “schooling to learning” remains a challenge. How was this challenge addressed by the Subramanian Committee that was set up to make recommendations toward the “evolution” of a New Education Policy?

### *The T. S. R. Subramanian Committee Report on National Policy on Education 2016*

The Subramanian Committee Report covers the Indian education system as a whole, and it includes many detailed recommendations about higher education and the reform of national level educational institutions, and about pre-school education, vocational education and training, and adult education and literacy, as well as recommendations regarding the school system. It also includes substantial discussion and recommendations for the use of ICT for the improvement of the quality of education. But as regards the school system, the committee’s principal focus is on the governance of the system and—closely connected with this—the problems of teacher management (as mentioned earlier, in the context of discussion of the role of contract teachers).

The committee was persuaded (as was noted above, in Part 1 of this paper) that political interference at all levels is at the root of the problems of the school system—problems which mean that in spite of the recent gains in enrolment and access, the quality of school education has declined. Not only has school education generally not been a

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<sup>127</sup> Sarin et al. (2015): 9, 148, Dongre and Sarin (2016) These authors report that, so far, Rajasthan and Madhya Pradesh account for half the number of children admitted under the provision.

<sup>128</sup> Ministry of Human Resource Development, Government of India (2016): 76

<sup>129</sup> Ministry of Human Resource Development, Government of India (2016): 35

<sup>130</sup> Ministry of Human Resource Development, Government of India (2016): 35; and Bhatta (2016)

<sup>131</sup> Wadhwa (2014): 21



political or an administrative priority, but it is also “sadly undeniable that there is large-scale corruption in appointments, transfers, approval to affiliate and grant recognition of institutions, even going to the extent of manipulation of examination results.”<sup>132</sup> The report continues: “at the school level (postings and transfers of principals and teachers) at the block level, at the district level, the common refrain of all officials involved in education would relate to ‘politics’ as the mainspring for non-performance.”<sup>133</sup> Selection of teachers has little, if anything, to do with merit; there has been no credible or reliable system of measurement of a teacher’s output or performance, nor correlation of them with decisions about promotion and increments, “the management of educational manpower being largely non-transparent and arbitrary.”<sup>134</sup> Hence the committee’s statement, cited in the first epigraph to this paper, claims that “the education system is in disarray.”<sup>135</sup>

Given this analysis the committee’s principal recommendations regarding the school system, spelled out in considerable detail, have to do with establishing an independent mechanism for teacher recruitment, the renewal of teacher education, effective monitoring of teacher performance, establishing transparent systems for transfers, and the exercise of greater care in selection of principals and the vesting of them “with appropriate freedom for action.” Little is said, however, about moving from schooling to learning, beyond the recommendation that “learning outcomes for each class should be formulated, and monitored through internal and external evaluations”, with teachers and headmasters being held accountable. A later document from the Ministry of Human Resource Development reduces this to the statement that “norms for learning outcomes will be developed and applied uniformly to both private and government schools.”<sup>136</sup> The thrust of the committee’s recommendations, therefore, remain very much top-down.

Well-reasoned though the committee’s detailed recommendations about the management of the recruitment, training, appointment and promotion of teachers are, and laudable though its call for greater financial allocations and investment in teachers most certainly are—as against the idea that there is a quick fix through the appointment of low paid contract teachers—it seems to make teachers alone responsible for learning levels, and to pay too little attention to the “institutional arrangements that govern their functioning in the classrooms they are placed in.”<sup>137</sup> We return, therefore, to the idea that tackling the challenge of moving from schooling to learning requires that the right to education be “embedded within a broader project of political and bureaucratic change.”<sup>138</sup> T. S. R. Subramanian himself is clearly of the same mind, having written that “there is insufficient recognition in our governance mechanism that subjects such as ‘education’ need to be treated on a different footing than the other responsibilities handled by government departments ... The nature of the field machinery in the education department is quite the reverse of other regulatory and management agencies.” Exactly as Pritchett and Woolcock argued in their seminal article, questioning the appropriateness of bureaucratic solutions in regard to government functions—such as teaching—that are intensive in terms of transactions, and that involve considerable discretion on the part of the service provider, and in line, too, with Aiyar and Bhattacharya’s analysis of the failings of the “frontline” of the education

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<sup>132</sup> Ministry of Human Resource Development, Government of India (2016): 39

<sup>133</sup> Ministry of Human Resource Development, Government of India (2016): 39

<sup>134</sup> Ministry of Human Resource Development, Government of India (2016): Section 5.1, 37-41

<sup>135</sup> Ministry of Human Resource Development, Government of India (2016): 3

<sup>136</sup> Ministry of Human Resource Development, Government of India (2016): Sections 5.1 and 6.3. The later document is: *Some Inputs for Draft Education Policy 2016* (ibidem 2016): 19

<sup>137</sup> Bhatta (2015b)

<sup>138</sup> Aiyar and Walton (2014)

administration, Subramanian argues that “The education department needs to shed its attitude of being a regulator, and transform itself to becoming a facilitator.”<sup>139</sup>

## **Part 4: Conclusion: Working from the bottom-up in the education system as part of a broader project of political and bureaucratic change**

In addition to the many administrative and infrastructural innovations that are involved in SSA and the RTE, and that have been discussed in this paper, the latter has also introduced major changes in the whole approach to elementary education. These are entailed in the progressive concepts of No-Detention Policy (NDP), age-appropriate learning, and of Continuous Comprehensive Evaluation (CCE), which are intended to be mutually supportive. The NDP states that until Grade 8 no child can be held back or expelled from school; CCE envisages continuous evaluation of the student through the academic year, thereby allowing for comprehensive assessment. The idea of CCE is that children progress through the education system at their own pace, and it is designed to facilitate learning at individual speeds. It is, in other words, assessment for learning rather than for defining “pass” or “fail”. NDP follows, in a sense, from the idea that children cannot pass/fail in classes, and it is in line with research evidence “that detention of students by a year or more does not improve learning,” while it does have “adverse academic and social effects on the child.” The NDP reflects strong equity considerations, given that failure for children from low-income families, and for girls, often means that they drop out. It is also consistent with the legal implications of RTE—that the state is obligated to keep a child in school for at least eight years and to ensure that s/he is provided appropriate learning. But NDP and CCE are controversial. Together they have been blamed for the decline in learning outcomes, and there are many voices in India—the contrary weight of academic evidence from around the world notwithstanding—urging formal return to the age-graded learning around which teaching has been organized historically in India, with standardized assessment.<sup>140</sup>

Arguments both in favour of the No-Detention Policy, and against it, are reviewed at length in the Subramanian Committee Report. The committee concludes: “After careful and intensive consideration of the pros and cons ... that the No-Detention Policy should be continued, but only till the primary stage of elementary education, up to class 5, when the child will be 11 years old. There is merit in the view that the child should not be saddled with the burden of failure and detention up to this age.”<sup>141</sup> For the upper primary stage, from class 5 to 8 the committee advocates the reinstatement of detention for children who are below the requisite standard. And it recommends a system of remedial teaching.<sup>142</sup> These recommendations have been found “reasonable” by at least one critical writer on education policy.<sup>143</sup>

CCE and NDP are in line with the notable efforts made in India to reform pedagogy. The National Curriculum Framework of 2005 went well beyond the design of textbooks to elaborate ideas about pedagogy; and Tamil Nadu, among the major states, has sought to up-end rote learning, and to replace it with the altogether different approach, of Activity Based Learning, and this is now recommended by the Ministry of Human Resource Development for adoption across the country.

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<sup>139</sup> Subramanian (2016): 32-33, Pritchett and Woolcock (2004); Aiyar and Bhattacharya (2016)

<sup>140</sup> Bhatta et al. (2015b); and Azim Premji Foundation (2015)

<sup>141</sup> Ministry of Human Resource Development, Government of India (2016) 79

<sup>142</sup> Ministry of Human Resource Development, Government of India (2016) 77-80

<sup>143</sup> Bhatta (2016)

## **Pedagogy**

The content of the curriculum for elementary education remains a matter of fierce political debate in India, with accusations of bias both ways between Hindu nationalist right, and the self-declared “secular” Congress that has for so long held the centre ground in Indian politics. But the National Curriculum Framework (NCF) of 2005 was an attempt to move beyond these disputes and beyond the design of textbooks to ideas about teaching and learning processes. Among a range of objectives, the NCF aimed to shift learning away from the rote method, and in general to make learning “a joyful experience” for children.

One of the ways of trying to do this has been through the introduction of Activity Based Learning (ABL), first in Tamil Nadu, using teaching methods developed at the Rishi Valley Education Centre, at Madanapalle in Andhra Pradesh.<sup>144</sup> This is described as a child-centred learning methodology, using self-learning materials, in which each child is aware of his or her own progress through a “learning ladder”, which also guides her to the self-learning cards that s/he needs to use. It is a way of dealing with Multi-Grade Multi-Level (MGML) classes, in which children proceed at their own pace through carefully structured, self-assessed programmes of work, with support from their teachers. In this system teachers are expected to facilitate and support the child’s learning, rather than expecting him/her to learn from a formal “lesson”.<sup>145</sup>

ABL is one innovation in teaching practice that is in line with Mukerji and Walton’s conclusion, from their review of the available empirical evidence, that changing the education system as a whole in India will ‘almost certainly involve providing the incentive, curriculum and information base to teach to children’s specific needs’<sup>146</sup>. This is what ABL attempts. But it is only one possible approach. Another, with comparable objectives, discussed by Banerji and Duflo, is the “Teaching at the Right Level” (TARL) initiative of the NGO *Pratham*, which involves the ‘establishment of level-wise groups, explicit learning goals for each group, tailored teaching techniques and periodic tracking of progress. This contrasts to the existing practice of teaching a prescribed curriculum to students of a given age, irrespective of their ability to cope with or comprehend it.’ TARL has been introduced expressly to tackle the problems of children enrolled in grades 3 to 5, who are already one to two years behind in their reading and arithmetic skills—which constitutes a vast problem in India at the moment. It is, as Banerji and Duflo argue, a “crisis in learning”. TARL has been implemented in somewhat different ways in different contexts. It has been “successful when implemented by government teachers within school hours or during summer holidays, as well as when implemented by volunteers in classes outside of schools or in short bursts of ‘learning camps’ during school hours.” Recent random control trials of the model in Haryana and UP have come up with encouraging findings, and *Pratham* advocates the scaling up of the intervention<sup>147</sup>.

Mukerji and Walton, and Banerji and Duflo, call for experiment, and then for the adoption of evidence-based models such as TARL. The RTE encourages this much less

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<sup>144</sup> It is important to note that the introduction of ABL in Tamil Nadu owes a great deal to the then Secretary for Education, Government of Tamil Nadu, M. P. Vijayakumar IAS. Again we see the role of reforming bureaucrats in pressing for reforms in education.

<sup>145</sup> I saw ABL being practised in village schools (in Grades 1-4) in Tamil Nadu in 2008, and this was for me the first time that I had seen children in a government school in India pursuing different activities in a classroom, some of them in teams, rather than sitting in serried rows, and reciting or chanting their lessons. Since that time, described as a golden age’ by one observer - Dr Milind Brahme of the Indian Institute of Technology Madras, in conversation, October 2015 - ABL has been subjected to criticism as being “too hard”, and a Simplified ABL has been introduced.

<sup>146</sup> Mukerji and Walton (2013)

<sup>147</sup> Banerji and Duflo (2015)

than it might do, however, given its standardized, input-oriented approach, and the specification that the syllabus should be completed in a given time period. It assumes, as Mukerji and Walton say, linear progression from year to year, with children being expected to have mastered the curriculum set for the year, before their now automatic promotion to the next age grade. The reality is very different, and a big and increasing gap opens up between the curriculum and children's learning early in their school careers—the “crisis in learning”. The learning gap by Grade 5 in schools even in Tamil Nadu (which prides itself on the quality of education in the state) is said to be very wide.<sup>148</sup>

Mukerji and Walton emphasize that studies show significant positive effects on the learning levels of children when they are taught by ability rather than by grade (the principles on which both ABL and TARD are based): “merely reducing class size by hiring extra teachers does not have an impact, whereas splitting a class by students' initial achievement on test, and assigning extra teachers to work with the children has been found to be effective in improving learning outcomes measured through test scores.”<sup>149</sup> The danger here may be that those who start behind, perhaps because of their family backgrounds, stay behind, so that initial inequalities, such as between Scheduled Caste children and others, are reproduced. But if their learning outcomes are improved then the initially disadvantaged children may well catch up. Mukerji and Walton argue that: “reorganization of children by ability and aligning the pedagogy to teaching by ability level rather than grade level can lead to substantial gains, especially when the teaching/learning activities focus on developing basic skills rather than delivering content from textbooks.”<sup>150</sup> This is what Activity Based Learning methods aim to do, but the experiment in Tamil Nadu has been vitiated by the pressure on teachers to complete the syllabus. There is a problem, too, in the introduction of ABL into government schools, because the pupil-teacher ratio in the Rishi Valley schools is about 1: 10, which can rarely if ever be achieved in government schools; and there is, crucially, a contradiction between ABL, and other methods of teaching by ability, and the age grade system imposed on schools under the RTE and the matching state-level legislation.<sup>151</sup> Activity Based Learning has perhaps been made dysfunctional in Tamil Nadu, after its brave beginnings. The state's own School Learning Assessment Survey now suggests deterioration in learning standards—though this may well be a reflection of the disconnection between competences that are tested in standardized assessments and those that are developed under ABL.<sup>152</sup>

## **Conclusions**

After a long history of neglect by the state, in spite of the promises made in the Constitution, the cause of elementary education in India underwent a major change in the 1990s, in the context of India's economic reforms, first with the externally-funded District Primary Education Programme, then with the Sarva Shiksha Abhiyan, and finally with the passage of the Right to Education Act. The drivers of these important innovations have been progressive bureaucrats, who have taken on the role of policy entrepreneurs, responding to some extent to lobbying and advocacy on the part of civil society organizations. These policy initiatives have been mainly driven from the Centre; they have involved increases in funding in real terms, thanks to the increased

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<sup>148</sup> Ms Merlia Shaukath (education activist in Chennai), personal communication, 3 November 2015

<sup>149</sup> Mukerji and Walton (2013) : 15

<sup>150</sup> Mukerji and Walton (2013) : 21

<sup>151</sup> Mukerji and Walton (2013). Information on ABL in Tamil Nadu from Dr Suresh Babu and Dr Milind Brahme, Indian Institute of Technology-Madras, 30 October 2015; and from Ms Merlia Shaukath, 3 November 2015

<sup>152</sup> Activity based learning in Tamil Nadu has also fallen foul of disputes over education between the two Dravidian parties which have alternated in office over the last twenty years. When it succeeds to office after a gap of five years the new governing party is constrained to undo at least some of what the other party has put into place while in government.

government revenues, but without significant increases in public spending on elementary education as a share of GDP; they have emphasized the provision of inputs from the top-down, and with the RTE, an elaborate set of rules about the infrastructure of schools and their organization, the numbers and qualifications of teachers, and classroom practices. There has, as yet, been little official recognition of the operational implications of the establishment of the justiciable right to elementary education, and in this way, as in regard to compliance with the provisions in the Act concerning the opening up of places at the entry level in private schools for children from disadvantaged social groups, and in regard to the local management of schools, the Right to Education Act is very much a “work in progress”. The epigraph to this paper argues that there is ‘no guarantee that the Right to Education Act will lead to a major breakthrough in the quality and equity of education in India’. And indeed all the evidence referred to in this paper has shown just how far India has to go in order to realize the promise of the Act that every child should gain skills and knowledge appropriate to her age. Thanks to the policy initiatives of the last twenty years India has at last pretty much achieved the one hundred per cent enrolment that was promised in the Constitution. But there remains a sizeable gap between enrolment and attendance, and attendance does not at all guarantee learning. The learning outcomes from schooling are depressingly poor, and far from improving, have remained stuck or declining more or less since the passage of the RTE.

The epigraph to the paper goes on to say that for all its limitations the RTE is a tool that can be used to bring about positive changes. This is the hope of the policy makers, activists and scholars who have sought the establishment of a right to education—that the existence of the *right* provides for many points of leverage for improving the education system. But as I have argued, following Aiyar and Walton, the judicial approach is biased toward a rule-based framework, and even the most detailed rule-book cannot conjure into existence a system of education which will satisfy the aspirations, for example, of the NCF of 2005, that schools should provide for a joyful learning experience for children. The rights-based approach has therefore to be “embedded within a broader project of political and bureaucratic change”<sup>153</sup>—of a kind that will radically transform the educational culture of the country.

Short of the wide-ranging changes that are required to transform the education system—and which seem to be partially in effect in the recent experience of Himachal Pradesh—and more adequate public funding, there have been a number of particular innovations, including the recruitment of contract teachers, the intention, at least, of increased community participation in the management of education, and privatization. I have argued that while the evidence on each of these is mixed, there is little doubt but that they all tend to exacerbate the problems of inequality in elementary education—and that these are not being significantly attenuated by the requirement in the RTE for the opening of 25 per cent of entry level places in private schools for disadvantaged children. This seems to be a sop toward educational equality, perhaps serving to justify the neglect of government schools and their relegation to being ‘poor schools for poor children’.

The paper concludes with the suggestion that what is also required to bring about desirable changes in the education system of India is a lot of experiment in teaching according to children’s specific needs. Pratham’s experiments with ‘Teaching at the Right Level’, and the Tamil Nadu experience with Activity Based Learning are cases in point, and they show up the need for rethinking of the age grade based structuring of the

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<sup>153</sup> Aiyar and Walton (2014): 61

present system, and for improved training for teachers so that CCE is effectively implemented. Let this paper conclude with Banerji's and Duflo's words: "The right to education should not just be the right to sit in a proper classroom with a qualified teacher muddling through a baffling and ambitious curriculum."<sup>154</sup>

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<sup>154</sup> Banerji and Duflo (2015)

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## Appendix: School performance data

**Table 1: Gross Enrolment – All Categories of Students**

Level/Year	Primary (I-V)			Upper Primary (VI-VIII)			Elementary (I-VIII)		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
1950-1	60.6	24.8	42.6	20.6	4.6	12.7	46.4	17.7	32.1
1960-1	82.6	41.4	62.4	33.2	11.3	22.5	65.2	30.9	48.7
1970-1	95.5	60.5	78.6	46.5	20.8	33.4	75.5	44.4	61.9
1980-1	95.8	64.1	80.5	54.3	28.6	41.9	82.2	52.1	67.5
1990-1	94.8	71.9	83.8	80.1	51.9	66.7	90.3	65.9	78.6
2000-1	104.9	85.9	95.7	66.7	49.9	58.6	90.3	72.4	81.6
2010-11	114.9	116.3	115.5	87.5	82.9	85.2	104.5	103.3	103.9

Source: Ministry of Human Resource Development, Government of India (2014a)

**Table 2: Educational Performance in Major States 2007**

State	Children 6-14 not enrolled (%)	Children 6-14 enrolled in private schools	Std 3 reading	Std 5 reading	Std 3 arithmetic	Std 5 arithmetic
Andhra Pradesh	4.3	29.3	58.8	71.5	47.1	46.8
Assam	6.9	11.4	49.3	52.7	42.0	28.4
Bihar	6.5	7.4	54.1	68.1	55.5	63.2
Chhattisgarh	4.6	8.5	31.0	58.0	21.8	32.7
Gujarat	3.7	5.8	40.0	48.2	33.4	34.4
Haryana	3.6	36.1	54.2	70.5	52.8	61.3
Himachal Pradesh	1.0	22.6	72.8	82.3	65.2	66.9
J & Kashmir	3.6	29.7	38.1	33.1	50.1	31.3
Jharkhand	5.0	10.3	42.5	58.3	38.7	41.7
Karnataka	3.5	11.6	37.7	44.1	26.6	19.7
Kerala	0.4	55.2	69.7	77.0	57.6	44.3
Madhya Pradesh	2.2	13.2	68.5	78.1	61.3	66.0
Maharashtra	1.8	25.8	74.9	74.2	52.3	44.5
Odisha	8.0	3.3	44.7	49.8	34.8	32.0
Punjab	2.9	31.8	53.6	64.7	51.9	54.1
Rajasthan	6.5	26.7	35.8	50.9	30.7	37.1
Tamil Nadu	1.2	15.5	28.4	34.8	23.1	17.5
Uttarakhand	2.2	25.0	52.9	70.4	45.1	53.5
Uttar Pradesh	3.9	29.1	32.3	46.9	25.0	29.7
West Bengal	4.8	4.3	65.2	67.2	64.1	60.7
<b>ALL-INDIA</b>	<b>4.2</b>	<b>19.3</b>	<b>49.2</b>	<b>58.9</b>	<b>42.4</b>	<b>42.5</b>

Source: ASER (2015)

Key (for Tables 2 to 5):

Standard 3 reading = percentage of children in Standard III able to read at Standard I level

Standard 5 reading = percentage of children in Standard V able to read at Standard II level

Standard 3 arithmetic = percentage of children in Standard III able to do a simple Subtraction

Standard 5 arithmetic = percentage of children in Standard V able to do division

**Table 3: Educational Performance in Major States 2014**

State	Children 6-14 not enrolled (%)	Children 6-14 enrolled in private schools	Std 3 reading	Std 5 reading	Std 3 arithmetic	Std 5 arithmetic
Andhra Pradesh	2.4	37.7	46.2	56.3	37.9	36.2
Assam	3.2	17.3	33.6	33.4	20.3	11.8
Bihar	4.1	12.0	31.9	48.2	24.2	34.9
Chhattisgarh	2.0	17.8	38.7	52.4	14.2	18.0
Gujarat	3.2	13.3	38.6	46.6	14.9	16.1
Haryana	1.6	54.2	64.1	68.2	54.1	51.9
Himachal Pradesh	0.3	35.2	70.4	75.3	52.4	46.9
J & Kashmir	2.2	48.1	44.4	38.7	41.1	25.0
Jharkhand	4.3	18.0	29.8	34.4	19.5	21.4
Karnataka	1.7	25.5	42.9	47.3	26.4	20.2
Kerala	0.1	62.2	65.1	66.6	46.1	39.3
Madhya Pradesh	3.4	21.4	24.7	34.1	10.8	13.9
Maharashtra	1.5	36.9	54.1	53.5	18.7	18.9
Odisha	2.9	8.5	46.8	51.9	28.1	22.2
Punjab	1.5	49.5	53.5	66.6	47.7	44.4
Rajasthan	5.4	42.1	37.6	46.6	21.5	23.6
Tamil Nadu	0.7	31.9	37.9	46.9	24.3	25.8
Uttarakhand	1.5	37.5	53.3	60.3	29.3	30.3
Uttar Pradesh	4.9	51.7	35.1	44.6	23.3	25.8
West Bengal	3.2	8.8	56.2	53.1	36.2	32.5
<b>ALL-INDIA</b>	<b>3.3</b>	<b>30.8</b>	<b>40.3</b>	<b>48.1</b>	<b>25.4</b>	<b>26.1</b>

Source: ASER (2015)

**Table 4: Trends in Rural Elementary School Performance All-India 2006-14**

Year	Children 6-14 not enrolled (%)	Children 6-14 enrolled in private schools	Std 3 reading	Std 5 reading	Std 3 arithmetic	Std 5 arithmetic
2006	6.6	18.7	48.1	53.1		
2007	4.2	19.3	49.2	58.9	42.4	42.5
2008	4.3	22.6	50.6	56.3	38.9	37.1
2009	4.0	21.8	46.6	52.9	39.1	38.1
2010	3.4	23.7	45.7	53.7	36.3	36.2
2011	3.3	25.6	40.4	48.3	30.0	27.6
2012	3.5	28.3	38.8	46.9	26.4	24.9
2013	3.3	29.0	40.2	47.0	26.1	25.6
2014	3.3	30.8	40.3	48.1	25.4	26.1

Source: ASER (2015)

**Table 5: Performance Trends, Government and Private Schools Compared**

Year	Std 3 reading govt schools	Std 3 reading private schools	Std 5 reading govt schools	Std 5 reading Private schools	Std 3 arith govt	Std 3 arith private	Std 5 arith govt	Std 5 arith private
2006	45.8	58.4	51.4	60.8				
2007	46.7	61.7	56.7	69.0	40.2	53.9	41.0	49.4
2008	46.9	63.9	53.1	67.9	35.4	51.8	34.4	47.1
2009	43.8	58.2	50.3	63.1	36.5	49.7	36.1	46.2
2010	42.5	57.6	50.7	64.2	33.2	47.8	33.9	44.2
2011	35.2	56.3	43.8	62.7	25.2	44.6	24.5	37.7
2012	32.4	55.3	41.7	61.2	19.8	43.4	20.3	37.8
2013	32.6	59.6	41.1	63.3	18.9	44.6	20.8	38.9
2014	31.8	59.0	42.2	62.5	17.3	43.4	20.7	39.3

Source: ASER (2015)

**Table 6: International Comparison of Selected Education Outcome Indicators**

Country	Expected years of schooling (2014)	Mean years of schooling (2014)	Primary enrolment ratio (2008-14)	Pupil-teacher ratio in primary schools (2008-14)
Argentina	17.9	9.8	124	16
Bangladesh	10.0	5.1	114	40
Brazil	15.2	7.7	136	21
Chile	15.2	9.8	101	21
France	16.0	11.1	107	18
Germany	16.5	13.1	100	12
Ghana	11.5	7.0	117	30
<b>INDIA</b>	<b>11.7</b>	<b>5.4</b>	<b>113</b>	<b>35</b>
Indonesia	13.0	7.6	109	19
Iran	15.1	8.2	119	26
Japan	15.3	11.5	102	17
Malaysia	12.7	10.0	101	12
Nepal	12.4	3.3	133	24
Nigeria	9.0	5.9	111	46
Pakistan	7.8	4.7	92	43
Russian Federation	14.7	12.0	101	20
South Africa	13.6	9.9	101	29
Sri Lanka	13.7	10.8	98	24
United States	16.5	12.9	98	14

Source: UNDP (2015)

**Table 7: International Comparisons of Education Indicators – Inputs**

Country	Public expenditure on education (percent of GDP) 2007	Public expenditure on education (percent of GDP) 2012	Public expenditure on education (percent of govt exp) 2007	Public expenditure on education (percent of govt exp) 2012	Expenditure in primary as percent of total
Argentina		5.1		15.1	
Bangladesh	2.6	2.0	15.8	14.7	46.3
Brazil		5.9		15.6	
Chile		4.6		19.3	
France	5.6	5.5	10.7	9.7	21.0
Germany		4.9		11.2	
Ghana		7.9		37.7	
<b>INDIA</b>	<b>3.7</b>	<b>3.8</b>	<b>13.3</b>	<b>14.1</b>	<b>35.4</b>
Indonesia		3.4		18.1	
Iran		3.3		17.0	
Japan	3.5	3.8	9.4	9.5	35.5
Malaysia		5.9 <sup>155</sup>		21.0	
Nepal		4.1		21.4	
Pakistan		2.1		11.0	
Russian Federation		4.1		11.1	
South Africa	5.3	6.4	17.4	20.6	41.5
Sri Lanka		1.7		8.8	
United States	5.5	5.2	14.1	13.1	33.2

Source: World Bank Data; Panagariya et al. (2014)

<sup>155</sup> Figures for Malaysia are for 2011