

**TWENTY - FIFTH REPORT
COMMITTEE ON PETITIONS**

(SIXTEENTH LOK SABHA)

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Presented to Lok Sabha on 16 March, 2017)



**LOK SABHA SECRETARIAT
NEW DELHI**

March 2017/Phalguna, 1938 (*Saka*)

CPB. NO. 1 Vol. _____

Price: Rs.....

**(c) 2017 BY LOK SABHA SECRETARIAT
Published under Rule 382 of the Rules of Procedure and Conduct of Business
in Lok Sabha (Sixteenth Edition) and printed by the Manager, Government of
India Press, Minto Road, New Delhi- 110002**

CONTENTS

	PAGES
COMPOSITION OF THE COMMITTEE ON PETITIONS:	(iii)
INTRODUCTION.....	(v)
REPORT	
Representation received from Dr. Madhusudan Dixit regarding provision of quality education in the country and other important issues related therewith.	1
ANNEXURES	
(i) Representation of Dr. Madhusudan Dixit.	17
(ii) Minutes of the 32nd sitting of the Committee held on 14 March, 2017.	35

(i)

**COMPOSITION OF THE COMMITTEE ON PETITIONS
(2016-2017)**

Shri Bhagat Singh Koshyari - *Chairperson*

MEMBERS

2. Shri Suresh C. Angadi
3. Shri Om Birla
4. Shri Jitendra Chaudhury
5. Shri Ram Tahal Choudhary
6. Shri Chandra Prakash Joshi
7. Dr. K. Gopal
8. Shri Kodikunnil Suresh
9. Shri Chhedi Paswan
10. Shri Kamlesh Paswan
11. Shri Arjun Charan Sethi
12. Shri Dinesh Trivedi
13. Shri Rajan Vichare
14. Shri Dharmendra Yadav
15. Vacant

SECRETARIAT

- | | | |
|----------------------------|---|----------------------------|
| 1. Shri Shiv Kumar | - | Joint Secretary |
| 2. Shri Raju Srivastava | - | Additional Director |
| 3. Shri Harish Kumar Sethi | - | Senior Executive Assistant |

(iii)

TWENTY - FIFTH REPORT OF THE COMMITTEE ON PETITIONS
(SIXTEENTH LOK SABHA)

INTRODUCTION

I, the Chairperson, Committee on Petitions, having been authorised by the Committee to present the Report on their behalf, present this Twenty Fifth Report (Sixteenth Lok Sabha) of the Committee to the House on the Representation received from Dr. Madhusudan Dixit regarding provision of quality education in the country and other important issues related therewith.

2. The Committee considered and adopted the draft Twenty Fifth Report at their sitting held on 14 March, 2017.

3. The observations/recommendations of the Committee on the above matters have been included in the Report.

NEW DELHI;

14 March, 2017
23 Phalguna, 1938 (Saka)

BHAGAT SINGH KOSHYARI
Chairperson,
Committee on Petitions

(v)

REPORT

REPRESENTATION RECEIVED FROM DR. MADHUSUDAN DIKSHIT REGARDING PROVISION OF QUALITY EDUCATION IN THE COUNTRY AND THE OTHER IMPORTANT ISSUES RELATED THEREWITH.

Dr. Madhusudan Dikshit submitted a Representation to the Committee on Petitions regarding provision of quality education in the country and other important issues like replacing the Right of Children to Free and Compulsory Education Act, 2009 (RTE) with a new Right to Quality Education Act (Annexure-I).

2. The representationist, in his Representation, *inter alia* stated that a large number of private schools all over the country have been closed down for non-compliance of the norms laid down in the Right of Children to Free and Compulsory Education Act, which has ultimately resulted in the deprivation of a large number of children from their right to education.

3. In this connection, the representationist drew reference to the onerous and unrealistic norms and standards under the RTE Act as regards the provision of recognition of private schools for the purpose. Elaborating on the issue, the representationist submitted before the Committee that additional conditions have also been prescribed by the State Governments - while issuing the recognition to the private unaided schools due to which they have no other option but to close down their operations.

4. The representationist also stated that the RTE Act has placed the Government schools on a different footing vis-a-vis the private schools. For instance, the Government schools have been exempted from the requirement of obtaining a certificate of recognition from the Authorities concerned. The Government schools have also no obligation for fulfilling the basic infrastructural requirements and other norms/standards prescribed under the Act *ibid*.

5. The representationist further emphasised that 'No Detention' Clause under the RTE Act has not only lead to decline in the academic standards of schools but has also diluted the accountability of teachers towards giving quality education to the children. As such, he requested the Committee to ask the Government to replace the Right of Children to Free

and Compulsory Education Act, 2009 (RTE) with a new Right to Quality Education Act - so that quality education is provided to the school going children.

6. The Committee took up the Representation for examination under Direction 95 of the Directions by the Speaker, Lok Sabha. Accordingly, the Representation was forwarded to the Ministry of Human Resource Development for furnishing their comments on the issues raised in the Representation.

7. In response, the Ministry of Human Resource Development, vide their communication dated 23.10.2015 furnished the following comments:-

- (i) *The RTE Act, 2009 aims to provide free and compulsory elementary education to every child of the age six to fourteen years. As per Section 18 of RTE Act 2009, a school requires a “certificate of recognition” (other than Government Schools) for establishing or functioning from competent State Education Authority. Section 19 further provides that all schools (including the Government schools) should fulfill the norms and standards specified in the Schedule of the RTE Act for their establishment or recognition. Section 18, inter alia, provides that the competent authority may issue an order for withdrawing the recognition of a school for the contravention of the conditions of recognition and such order should contain a direction as to which of the neighbourhood school, the children studying in the derecognized school, should be admitted.*
- (ii) *For realization of goals of universalisation of elementary and secondary education, it is critical to ensure safety and well being of children in schools. Suggested preventive mechanisms and procedure should be put in place in the schooling system along with relief and redressal strategies in case of any incident.*
- (iii) *Section 18 stipulates that no private school should be established or can function without obtaining a Certificate of Recognition, and that such Certificate of Recognition would be issued to schools that fulfill the prescribed norms and standards. The Act does not have a provision for recognition of Government schools, since that would amount to Government giving recognition to its own schools, however, Section 19 clearly states that Government schools must meet the requirements of the schedule.*

- (iv) *Section 19 lays down the norms and standards for schools. Any school, whether Government or private that does not fulfill the prescribed norms and standards shall do so within a period of three years from the date of commencement of the proposed Act. There appears to be a misconception that Government schools do not require to meet the norms and standards prescribed under the Act on account of a wrong insertion of a comma in the RTE Bill when it was introduced in Parliament. This has since been corrected and the provision for meeting norms and standards is applicable to all schools, ensuring that these schools also meet the norms prescribed will be monitored by the NCPCR.*
- (v) *The 'No detention' Clause under the RTE Act has emerged out of the concern that failure in examinations often causes students to drop out of school. Apart from the sense of disgrace and trauma, it has a detrimental effect on children, as they drop out and are not interested to continue their education. Hence, this no detention clause helps to ensure that all the children from 6-14 years acquire at least a basic elementary education. The 'no detention' provision in the RTE Act does not imply abandoning procedures that assess children's learning. The RTE Act provides for putting in place a continuous and comprehensive evaluation procedure that will be non-threatening, releases the child from fear and trauma of failure and enables the teacher to pay individual attention to quality, rather than punishment, fear of failure and detention. As per Section 29 of the RTE Act, 2009, Continuous and Comprehensive Evaluation (CCE) emphasizes to regularly track child performance and help the child to improve, rather than pass or fail at the end of the year in a one-off examination. The RTE Act doesn't prohibit the examinations that are being held internally in schools.*

8. The Committee desired to know the various efforts made by the Government towards universalisation of education along with the modalities worked out, till date to achieve the said objective. The Ministry of Human Resource Development submitted:-

"The Right of Children to Free and Compulsory Education (RTE) Act, 2009 represents the consequential legislation to Article 21A inserted in the Constitution of India through the Constitution (86th Amendment) Act, 2002 with effect from 1st April, 2010. Article 21A states that "the State shall provide free and compulsory education to all children of the age of 6 to 14 years in such manner as the State may, by law, determine". The RTE Act mandates that every child of the age of six to fourteen years shall have the right to free and compulsory elementary education in a neighbourhood school till the completion of his or her elementary education.

The RTE Act, 2009 also provides for -

- (i) *making provisions for a non-admitted child to be admitted to an appropriate class.*
- (ii) *specifying the duties and responsibilities of appropriate Governments, local Authority and parents in providing free and compulsory education, and sharing of financial and other responsibilities between the Central and State Governments.*
- (iii) *laying down the norms and standards relating, inter alia to Pupil-Teacher Ratios (PTRs), buildings and infrastructure, school-working days, teacher-working hours.*
- (iv) *rational deployment of teachers by ensuring that the specified pupil-teacher ratio is maintained for each school, rather than just as an average for the State or District or Block, thus ensuring that there is no urban-rural imbalance in teacher postings. It also provides for prohibition of deployment of teachers for non-educational work, other than decennial census, elections to local authority, State Legislatures and Parliament, and disaster relief.*
- (v) *appointment of appropriately trained teachers, i.e., teachers with the requisite entry and academic qualifications.*
- (vi) *prohibiting (a) physical punishment and mental harassment/corporal punishment; (b) screening procedures for admission of children; (c) capitation fee; (d) private tuition by teachers; and (e) running of schools without recognition,*
- (vii) *development of curriculum in consonance with the values enshrined in the Constitution, and which would ensure the all-round development of the child, building on the child's knowledge, potentiality and talent and making the child free of fear, trauma and anxiety through a system of child friendly and child centered learning.*
- (viii) *at least 25% admission of children belonging to weaker sections and disadvantaged groups in class I or pre-primary as the case may be, under section 12 (1) (c) of the RTE Act. Central Government has approved provision for reimbursement of fees to States towards expenditure incurred by them for admission of EWS children in private unaided school under Section 12 (1) (c) with effect from the academic session 2014-15.*

9. Keeping in view the fact that Sarva Shiksha Abhiyaan (SSA) was started in 2000-01 and the main programme for ensuring universal elementary education was revised in September 2010 to conform to the RTE mandate, the Committee wanted to know the progress made towards universalization of elementary education. The Ministry of Human Resource Development, in a written note, submitted:-

"Under SSA, the Central Government provides financial support to States/UTs for various interventions which include, inter alia, opening of new schools, construction of schools and additional classrooms, constructing toilets and drinking water facilities, provisioning for teachers, in-service training for teachers and academic resource support, free textbooks and uniforms, support for improving learning achievement levels, research, evaluation and monitoring. The progress made towards universalization of elementary education is as under:-

- *The total enrolment in elementary schools has risen from 18.79 crore children in 2009-10 to 19.76 crore children in 2014-15.*
- *As per UDISE 2014-15, Gross Enrolment Ratio (GER) is 98.85% for boys and 101.43% for girls, which indicates universal enrolment at primary level. The GER at upper primary level is 87.71% for boys and 95.29% for girls.*
- *The Pupil-Teacher Ratio (PTR) has improved from 32 in 2009-10 to 25 in 2014-15. 62.65% of the Government schools in India have PTR as per the RTE norm (30:1 primary and 35:1 upper primary on an average).*
- *Number of Out of School children in 2005 was 134.6 lakh in 2005 which has come down to 81 lakh in 2009 and 61 lakh in 2013.*
- *Average Annual Dropout rate at primary level has come down from 6.76% in 2009-10 to 4.34% in 2014-15 and the dropout rate at upper primary level is 3.77% as per UDISE, 2014-15.*
- *The transition rate from primary to upper primary has gone up from 85.17% in 2009-10 to 89.74% in 2013-14 as per UDISE, 2014-15.*
- *The Gender Parity Index (GPI) in 2014-15 has reached 0.93 for primary level and 0.95 at upper primary level.*
- *Percentage of girls' enrolment has gone up from 48.12% in 2009-10 to 48.34 % in 2014-15 at elementary level.*

- Enrolment of SC children has gone up from 19.06 % in 2010-11 to 19.80% in 2014-15 at elementary level which is more than their share in population (16.6% as per census 2011).
- Enrolment of ST children has gone up to 10.47% in 2014-15 at elementary level which is more than their share of population (8.6% as per census 2011).
- Enrolment of Muslim children has grown up from 12.50% in 2010-11 to 13.77% in 2014-15 at elementary level (14.2% share of population as per census 2011).
- The number of children with special needs that have been brought into the fold of education (through enrolment in formal schools, school readiness programme and through home-based education) is 23.18 lakh in 2014-15."

10. On being enquired by the Committee about the details regarding the number of students who benefited from the reservation provided to the children belonging to weaker sections and disadvantageous groups in the private schools under the Right to Education (RTE), the Ministry of Human Resource Development submitted:-

"State-wise details regarding the number of students benefited from the reservation provided to the children belonging to weaker sections and disadvantageous groups in the private schools, under the Right to Education (RTE) are as follows:-

Sl. No.	States	No. of Children
1.	Bihar	58844
2.	Chattisgarh	100927
3.	Delhi	33201
4.	Gujarat	13033
5.	Jharkhand	8237
6.	Karnataka	217306
7.	Madhya Pradesh	637123
8.	Maharashtra	84423
9.	Odisha	10387
10.	Rajasthan	436070
11.	Tamil Nadu	131566
12.	Uttar Pradesh	108
13.	Uttarakhand	66851
Total		17,98,076

11. The Committee, thereafter, categorically wanted to know the details about uniform implementation of the various provisions of the RTE Act across the country. To this, the Ministry of Human Resource Development, in a written reply, submitted:-

"The RTE Act, 2009 is applicable throughout the country except in the State of Jammu & Kashmir. Sarva Shiksha Abhiyan (SSA) is the designated scheme running in partnership of all States and Union Territories including Jammu & Kashmir, to meet/implement the provisions under RTE Act, 2009.

Since the inception of SSA in 2001 till 31.12.2015, 3.64 lakh new elementary schools, construction of 3.11 lakh school buildings, and 18.61 lakh additional classrooms, 2.38 lakh drinking water facilities, 10.14 lakh school toilets and 19.48 lakh posts of teacher have been sanctioned to States and UTs. Out of this, 3.59 lakh elementary schools have been opened, 2.86 lakh school buildings and 17.28 lakh additional classrooms have been constructed, 2.26 lakh drinking water facilities have been provided, 9.51 lakh school toilets have been constructed and 15.58 lakh teachers have been recruited.

The releases to States and UTs under SSA have gone up from Rs. 19594.07 crore in 2010-11 to Rs. 24030.16 crore in 2014-15. State/UT-wise details of central share released under SSA during the last three years and the current year are at Annexure-III."

12. The Committee further desired to know about the initiatives taken for imparting quality education by the Government Schools. In this regard, the Ministry of Human Resource Development, in a written reply, submitted:-

"...The Department has been making concerted efforts to improve the quality of education in Government schools."

National Council for Teacher Education (NCTE) which is the academic authority notified under Section 23 (1) of the RTE Act, 2009 has laid down minimum qualifications for a person to be eligible for appointment as a teacher. Teacher Eligibility Test (TET) is one of the minimum qualifications laid down by the NCTE, aiming to appointment of quality teachers."

13. The Committee, then, desired to know as to whether the Government has incorporated workable parameters of providing minimum school infrastructure in the RTE Act, based on overall strength of students - with a view to strengthening the system of

schooling in geographically difficult and remote areas of the country. The Ministry of Human Resource Development, in a written reply, informed the Committee as under:-

"Section 19 lays down the norms and standards for schools. Any school, whether Government or private that does not fulfill the prescribed norms and standards shall do so within a period of three years from the date of commencement of the proposed Act."

14. On being asked by the Committee as to whether the provisions of the RTE Act is applicable to all the private schools irrespective of the fact that the school has not availed any grant/financial assistance/land from the Government, the Ministry of Human Resource Development, in a written reply, submitted:-

"A 'school' under the RTE Act, 2009 means any recognized school imparting elementary education and includes-

- (i) a school established, owned or controlled by the appropriate Government or a local authority;*
- (ii) an aided school receiving aid or grant to meet whole or part of its expenses from the appropriate Government or the local authority;*
- (iii) a school belonging to specified category; and*
- (iv) an unaided school not receiving any kind of aid or grants to meet its expenses from the appropriate Government or the local authority."*

15. Thereafter, the Committee desired to have the State/UT and year-wise details of the amount claimed by the Private Schools and the amount reimbursed to them by the Government for providing education to the children belonging to the Economically Weaker Sections under the Right to Education Act, 2009 during the last three years. In response thereto, the Ministry of Human Resource Development, in a written reply, submitted:-

"The outlay approved in Annual Work Plan and Budget 2015-16 for reimbursement to States towards 25% admissions in private unaided schools for the academic year 2014-15 is as under:-

(₹ in lakh)

Sl. No.	State	No. of Children	Amount approved
1	Chhattisgarh	81316	3064.690
2	Gujarat	13033	1303.300
3	Karnataka	155378	12355.156
4	Odisha	310	15.115
5	Rajasthan	189083	4171.210
6	Uttar Pradesh	108	5.262
7	Uttarakhand	65889	4150.838
	Total:	505117	25065.571

16. In this connection, however, the Ministry of Human Resource Development further submitted:-

"The Ministry of Human Resource Development has been working closely with the State Governments to enhance the quality of the elementary education through the implementation of RTE Act. A New Education Policy is being formulated in consultation with all the stakeholders of the country to bring in the necessary changes to improve the quality of education in a holistic way."

17. On the issue, the Committee also undertook a Study Visit to Dehradun from 15 to 16 February, 2016 to have a realistic assessment of the impact of the Right of Children to Free and Compulsory Education Act, 2009 (RTE), closure of private schools, feasibility of the RTE norms, standards and conditions for the low-fee private schools, effects of the RTE Act on the academic standards in the country, initiatives on enhancing quality of education by the Government, access for the poor to private schools, responsibility of the States under the RTE Act, applicability of RTE Act to Minority Educational Institutions, etc.

18. During the Study Visit, the Committee desired to know the impact of 'No detention' Clause under the RTE Act. The representatives from the Ministry of Heavy Human Resource Development submitted before the Committee that the relevant Clause under the RTE Act has emerged out of the concern that failure in examinations often causes students to drop out of school. Apart from the sense of disgrace and trauma, it has a detrimental effect on children, as they dropout and are not interested to continue their education. Hence, this 'No Detention' Clause helps to ensure that all the children from 6-14 years acquire at least a basic elementary education.

19. The Committee then specifically desired to know about the exemption of Government schools from the necessity of obtaining a certificate of recognition from the authorities, and also from the obligation of fulfilling of infrastructural, other norms and standards prescribed under the Act. The representative of the Ministry of Human Resource Development deposed before the Committee, as under:-

"Section 18 of the RTE Act stipulates that no private school should be established or can function without obtaining a Certificate of Recognition, and that such Certificate of Recognition would be issued to schools that fulfil the prescribed norms and standards. The Act does not have a provision for recognition of Government schools, since that would amount to Government giving recognition to its own schools. The representatives of the Ministry further informed that Section 19 of the Act clearly stipulates that the Government schools must meet the requirements of the Schedule."

In this context, the witness further submitted:-

"It is a misconception that Government schools do not require to meet the norms and standards prescribed under the Act on account of a wrong insertion of a 'comma' in the RTE Bill when it was introduced in Parliament. This has since been corrected and the provision for meeting norms and standards is now applicable to all schools."

20. The Committee, thereafter, wanted to know about the initiatives taken by the Government for enhancing quality of education in the country. The representative of the Ministry submitted:-

"Quality education and improvement in learning levels is one of the key objectives of RTE-SSA. Steps have also been taken at the national level to place policy and guidelines and provide frameworks and tools which would enable the States to design and implement specific initiatives. The representatives of the Ministry also informed that a major initiative of the Government of India is a nationwide sub-programme under the SSA called 'Padhe Bharat Badhe Bharat'. Its objectives are -

- (i) to improve language development by creating an enduring interest in reading and writing with comprehension; and*
- (ii) to create a natural and positive interest in mathematics related to their physical and social world.*

The two tracks of 'Padhe Bharat Badhe Bharat' are 'Early Reading and Writing with Comprehension' (ERWC) and 'Early Mathematics' (EM). An amount of Rs. 397 crore had been approved for 'Padhe Bharat Badhe Bharat' for the fiscal year 2015-16."

21. The Committee while referring to the point raised by the representationist in his Representation about the convergent framework named 'Rashtriya Avishkar Abhiyan' (RAA), desired to know about the objectives of the said programme in providing them quality education. The representative of the Ministry of Human Resource Development submitted:-

"The focus of this programme is to nurture a spirit of enquiry and creativity, love for science and mathematics, exude joy of learning for these subjects amongst children and encourage those who show an inclination and talent for these subjects to be encouraged and supported to the heights of academic excellence and research. The objectives of the programme inter alia include, to enable children to become motivated and engaged in Science, Mathematics and Technology (SMT) through observation, experimentation, inference drawing, model building, rational reasoning, testability, etc., to create curiosity, excitement and exploration among school children in Science, Mathematics and Technology, to create a culture of thinking, inventing, tinkering and doing in Schools. The target age group is from 6 to 18 years studying in Classes upto XII in State/ UT Government and local body Schools, Kendriya Vidyalayas, Navodaya Vidyalayas, Special Schools for disabled children, Open Schools system and Special Training Centres. The activities components of Rashtriya Avishkar Abhiyan would be funded under Sarva Shiksha Abhiyan (SSA) and Rashtriya Madhyamik Shiksha Abhiyan (RMSA)."

22. On the aspects of teacher training, school library, free uniform distribution, free textbooks, etc., the Committee had been informed that with a view to building capacities of teachers, SSA provides support for three kinds of training i.e., (i) annual in-service training for up to 20 days; (ii) induction training of 30 days for new recruits; and (iii) training for professionally untrained teachers. Besides, over 3.58 lakh Schools have been sanctioned libraries to promote reading. Out of this, 2.21 lakh (62%) school libraries have been established. Regarding free uniform distribution, the representatives of the Ministry informed that SSA supports free uniform distribution to over 8.13 crore children annually. In addition to this, SSA is supporting free text books to over 8.71 crore children, on annual basis.

Observations/ Recommendations

Streamlining the process of issuing the 'Certificate of Recognition'

23. The Committee note that the primary concern of the representationist is that a large number of private schools all over the country had been closed for non-compliance of the norms laid down in the Right of Children to Free and Compulsory Education Act, 2009 (RTE Act), which, in turn, has resulted in the deprivation of a large number of children of their right to education. The norms and standards of the RTE Act for providing recognition of private schools, and the additional conditions for recognition imposed by the State Governments' Rules were onerous and unrealistic - thereby leading to harassment and ultimately to the closure of private unaided schools by education officials.

24. The Committee were informed by the Ministry of Human Resource Development that Section 18 of the Act *ibid* stipulates that no private school should be established or can function without obtaining a Certificate of Recognition, and that such Certificate of Recognition would be issued to the schools that fulfill the prescribed norms and standards contained in the Act. The Act does not have a provision for recognition of Government schools, since that would amount to Government giving recognition to its own schools. Notwithstanding this, Section 19 of the Act *ibid* explicitly states that Government schools must meet the requirements of the Schedule appended to the Act.

25. Section 19 of the RTE Act lays down the norms and standards for schools. The relevant Section unambiguously stipulates that any school, whether Government or private, that does not fulfill the prescribed norms and standards shall do so within a period of three years from the date of commencement of the proposed Act. There appears to be a misconception that Government schools do not require to fulfill the

norms and standards as prescribed under the Act on account of a wrong insertion of a '*comma*' in the Right of Children to Free and Compulsory Education Bill when it was introduced in the Parliament. This, has since been corrected and the provisions for meeting norms and standards are invariably applicable to all the schools - Government and/or private.

26. The Committee therefore, recommend that the Government should streamline the process of 'Certificate of Recognition' and make it more transparent so as to ward off any ambiguity arising out of its interpretation and implementation. The Committee are also inclined to recommend that an Independent Body comprising of noted academicians be constituted to consider the granting of recognition to the Government schools. The modalities of the said Independent Body should be finalised in consultation with the respective State Government(s). The Committee would like the Union Government to take the necessary action on these lines and apprise the Committee accordingly within three months of presentation of this Report to the House and for this purpose, if necessary, the matter should be taken up at the highest level.

'No Detention' Clause under the RTE Act

27. The Committee note from the submissions made by the representationist that 'No Detention' of child leads to decline in the academic standards and dilutes the accountability of teachers. The Committee note that the 'No Detention' Clause under the RTE Act had emerged out of the concern that failure in examinations often causes students to drop out from the schools. Apart from the sense of disgrace and trauma, it has a detrimental effect on children, as they dropout and are not interested to continue their education. Hence, this 'No Detention' Clause helps to ensure that all the children from 6-14 years acquire at least a basic elementary education.

28. Further, the 'No Detention' Clause in the RTE Act does not imply abandoning the procedures for assessing the learning process in children. The RTE Act *per se* provides for putting in place a continuous and comprehensive evaluation procedure that will be non-threatening, releases the child from fear and trauma of failure and enables the teacher to pay individual attention to quality, rather than punishment, fear of failure and detention. In terms of Section 29 of the RTE Act, Continuous & Comprehensive Evaluation (CCE) emphasizes to regularly track performance of children and also to help them to improve - rather than pass or fail - at the end of the year in the examination. The Committee also note that the RTE Act doesn't prohibit the examinations that are being held internally in the schools.

29. The Committee desire that a pragmatic mechanism should be put in place to scientifically and comprehensively assess the performance of teachers as well so that the intention of introducing the 'No Detention' Clause in the RTE Act does not get diluted on the premise of dissemination of quality education in schools. The Committee also appreciate the recent endeavour of the Union Government to retain the 'No Detention' policy till Class V in schools. However, the Committee desire that a two pronged strategy for enhancing the quality of education in schools - Government and/or private - should be adopted, whereby, the evaluation of performance of teachers be made more rigorous and internal assessment of students in schools - by way of holding periodic examinations to be made mandatory. The Committee would like to be apprised of the outcome of renewed strategy worked out by the Ministry of Human Resource Development for the purpose.

Imparting Quality Education and determining Teachers Quality under the RTE Act

30. The Committee note from the submission made by the representationist that the Government schools could improve the quality of education being imparted to the students by way of spending on infrastructural development such as library,

laboratories, furniture, computers, etc. The Committee note that the Government has been making concerted efforts to improve the quality of education in schools. However, no clear cut Guidelines in this regard have been laid down. Further, to attract best possible human resource for the purpose of teaching, the Government has created the National Council for Teacher Education (NCTE) under the relevant Act. The Committee, therefore, desire that the Government should clearly spell out the Guidelines to improve upon the standard of education being imparted at the schools along with proper feedback mechanism to have the best possible human resource for the purpose of teaching.

31. The Committee also note that the representationist has referred to the Gujarat Government's Recognition Policy of the Private schools, which is dependent on the learning outcomes of their students. The Committee feel that both the aspects - learning and infrastructure of schools - are important complementary ingredients for imparting quality education in the schools and, therefore, cannot be seen in isolation. The Committee, therefore are of the firm view that the Government should focus on learning outcomes of the schools under the Act and simultaneously, provide a time frame to the schools to develop a specified infrastructure required under the RTE Act. The Committee would like to be apprised of the action taken by the Government in the matter.

Formulation of a new Education Policy

32. The Committee observe from the submissions made by the Ministry of Human Resource Development that they have been working closely with the State Governments to enhance the quality of the elementary education through the implementation of RTE Act. A New Education Policy is also being formulated in consultation with all the stakeholders to bring in the necessary changes to improve

the quality of education in a holistic way. The Committee, therefore, recommend the Ministry to expedite the formulation of a new Education Policy in coordination with various stakeholders of the country without further loss of precious time. The Committee would also like to be apprised of the action taken by the Government in the matter within three months of the presentation of the Report.
