

## CHAPTER - I INTRODUCTION

### 1.1 Introduction

The Right of Children to Free and Compulsory Education (RTE) Act, 2009 (hereinafter called the Act) became operative w.e.f. 1 April 2010. The Act provides that all children in the age group of six to fourteen years have the right to free and compulsory education in a neighbourhood school till the completion of his or her elementary education. Sarva Shiksha Abhiyan (SSA)<sup>1</sup> is the main vehicle for implementing the provisions of the Act. Accordingly, the framework and norms of SSA were revised in March 2011 to correspond to RTE Act and State RTE Rules<sup>2</sup>.

*Free education* means that no child, shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary education. *Compulsory education* casts an obligation on the appropriate government and local authorities to provide and ensure admission, attendance and completion of elementary education to every child in the age group of six to fourteen years.

The Act assigns oversight roles to the National and State Commissions for Protection of Child Rights<sup>3</sup>. The National Advisory Council (NAC) and State Advisory Councils (SAC) advise on the implementation of the Act. The Salient features of the Act, 2009 are as under:

- The right of children to free and compulsory education till completion of elementary education in a neighbourhood school (Section 3).
- Ensure compulsory admission, attendance and completion of elementary education to every child in the age group of six to fourteen years (Section 3).
- Child to be admitted to an age appropriate class (Section 4).
- Sharing of financial and other responsibilities between the Central and State Governments (Section 7).

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<sup>1</sup> A Government of India programme for universal elementary education, operational since 2000-01.

<sup>2</sup> The Act has been implemented in all States and Union Territories except Jammu & Kashmir. In Jammu & Kashmir, though RTE Act is not applicable, SSA is applicable.

<sup>3</sup> Created under the Commissions for Protection of Child Rights Act, 2005.

- Prescribing the norms and standards relating *inter-alia*, to Pupil Teacher Ratios (PTR), buildings and infrastructure, school-working days, and teacher-working hours (Section 19 & 25).
- Prohibition of deployment of teachers for non-educational work, other than decennial census, elections to local authority/ state legislatures/ Parliament, and disaster relief, and appointment of appropriately trained teachers (Section 27).
- Prohibition of (i) physical punishment and mental harassment, (ii) screening procedures for admission of children, (iii) capitation fee, (iv) private tuition by teachers, and (v) running of schools without recognition (Section 13, 17 & 18).
- Protection and monitoring of the child's rights and redressal of grievances by the National and State Commissions for Protection of Child Rights (Section 31).

The key objective of the Act is universalisation of elementary education, which encompasses three major aspects, viz., access, enrolment and retention of children in the age group of 6-14 years.

## **1.2 Organisational set up**

The Act is implemented by the Department of School Education and Literacy (DSEL) under the Ministry of Human Resource Development (MHRD). The overall responsibility for the implementation of the Act vests with the state governments, who have created State Implementation Societies (SIS) for this purpose.

## **1.3 Financial assistance**

Expenditure under the Act is shared between Government of India (GoI) and State Governments/ Union Territories<sup>4</sup> (UTs) in the ratio of 65:35 (90:10 for the 8 states in the North Eastern Region (NER)) till 2014-15 and 60:40 (90:10 for the 8 NER states and the two Himalayan states of Himachal Pradesh and Uttarakhand) with effect from 2015-16. GoI is fully contributing for the expenditure in UTs with effect from 2015-16.

During 2010-16, there was expenditure of ₹ 2,04,507.30 crore under SSA out of the funds released by MHRD and the State Governments/ UTs.

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<sup>4</sup> UTs include Delhi and Puducherry.

#### 1.4 Data capture

MHRD in 1994, as a part of the District Primary Education Programme (DPEP), decided to design and develop a school based computerized information system, the main responsibility for which was entrusted to National University of Educational Planning and Administration (NUEPA), New Delhi. The Department of Educational Management Information System (EMIS) in NUEPA is engaged in developing and strengthening the Educational Management Information System in India.

The first version (dbase) of the software, named as 'District Information System for Education' (DISE) was released by NUEPA during the middle of 1995. The system covers eight years of schooling in all primary, upper primary and primary/upper primary sections of the Secondary and Higher Secondary schools. The concept and definitions of educational variables involved therein have been standardized at the national level and are uniformly followed by all districts and states. It provides time-series data at school, village, cluster, block and district levels.

Since 2012-13, for the first time, one Data Capture Format was used across the country for the entire school education consisting standard I to XII. Since then, DISE is known as Unified-DISE (UDISE). UDISE provides information on vital parameters relating to students, teachers and infrastructure at elementary stage. UDISE has acquired the status of 'Official Statistics' and contains two sets of data -

- i. [www.dise.in](http://www.dise.in) contains consolidated compiled data at National, State and District level; and
- ii. [www.schoolreportcards.in](http://www.schoolreportcards.in) contains one page "School Report Card" (with more than 400 variables for each school) for all schools covered under UDISE.

#### 1.5 Audit objectives

The audit was carried out to verify the extent to which the Government of India and the State Governments complied with the provisions in the Act and the funds allocated were being utilized in an economic and efficient manner.

## 1.6 Scope of audit

The audit covered the period of 2010-11 to 2015-16 (six years). Audit covered implementation of the Act at the following levels:

**Chart 1: Implementation of Act at different levels**

Central Level	Ministry of Human Resource Development
State Level	State Implementing Societies
District/Block Level	District Nodal Department
Local Level	Primary/Upper Primary school

## 1.7 Audit sampling

The audit was conducted at MHRD and in all the states (except Jammu & Kashmir (J&K) and the following sampling methodology was adopted.

**1<sup>st</sup> stage: Selection of Districts** – 15 per cent of the districts within a state, subject to a minimum of 2 (two) (in case of UTs with one district, one was selected) and maximum of 10 were selected using Probability Proportional to Size without Replacement (PPSWOR) method with size as number of schools in the district. A total of 112 districts were selected (*Appendix-I*).

**2<sup>nd</sup> stage: Selection of Blocks/Talukas/Sub Districts/Areas** - 4 Blocks (3 Rural and 1 Urban) were selected in a district on Simple Random Sampling without replacement (SRSWOR).

**3<sup>rd</sup> Stage: Selection of Schools** - 30 schools were selected via SRSWOR method in each district. A total of 3,370<sup>5</sup> schools were selected.

The data captured under UDISE for the period 2012-13 to 2015-16 was analysed. Secondary Education is not covered under RTE Act, but the statistics have been adopted in the observations made, to facilitate comparison.

## 1.8 Audit approach and methodology

The audit commenced with an entry conference with MHRD on 26 April 2016 wherein the audit methodology, scope, objectives and criteria were discussed. The audit process consisted of examination of records relating to the implementation of Act at schools, Blocks, Districts, States and MHRD levels.

After conclusion of audit and consolidation of audit findings, an exit conference was held on 30 January 2017 with MHRD and the report has been finalised after incorporating the views of the MHRD. Further, the State

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<sup>5</sup> 70 schools selected by Puducherry.

Accountant Generals also had entry and exit conferences with the respective State Governments at the beginning and end of the audit process. Replies received from MHRD and respective State Governments/ State Implementing Societies, wherever received, have been suitably incorporated in the Report.

### **1.9 Audit criteria**

Audit Criteria were derived from:

- Right to Free and Compulsory Education Act 2009 and related Rules;
- Scheme guidelines based on the Act 2009;
- Norms framed by respective states for expenditure under the Act;
- Various orders, notifications, circulars, instructions issued by MHRD/State Governments/UTs Administration;
- Annual Work Plan and Budget prepared by MHRD;
- Manual of Financial Management and Procurement – SSA, 2010;
- General Financial Rules and Outcome Budget; and
- District Information System for Education.

### **1.10 Structure of Audit Report**

The layout of the Report is as under: -

- Chapter 2- Financial Management;
- Chapter 3 - Compliance of RTE Act, 2009; and
- Chapter 4 - Monitoring and Evaluation.

### **1.11 Acknowledgement**

We acknowledge the cooperation extended by Ministry of Human Resource Development and the State Governments.