



REVIEW ARTICLE

THE FUNDAMENTAL RIGHT TO EDUCATION AND CHILD NEGLECT: A CASE STUDY OF A PARTICULAR VILLAGE IN MAHARASHTRA

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ABSTRACT

Education is necessary for each and every society. Education brings into focus the social aspect of human beings. Education signifies human's supreme position in society. By considering the importance of education, the government of India has implemented the Right to Education Act in the year 2009. The main motive behind this implementation was to provide free and compulsory education to each and every children residing in the country. After the implementation of this Act also, the tribal children in the country are not able to get access to education. The main objective of this paper is to explore the factors due to which the tribal children are lagging behind in terms of education. The tribal communities in India have been historically exploited and deprived of their basic rights which include the right to education as well. Literatures show that the tribal children are often discriminated and have been subjected to overt discrimination by the non-tribal upper caste/upper class groups. This paper mainly focuses on educational neglect of a tribal child in a rural village named Aghai in the Thane district of Maharashtra which is about 100kms away from the city of Mumbai. Aghai village is located in Shahpur Tehsil which consists of 36 tribal hamlets. The inhabitants of these hamlets belong to Konkani, Varli and Katkari tribes. These hamlets are mainly situated within the Tansa Wildlife Sanctuary. The remote geographical location, lack of water, limited road connectivity, inadequate electric supply, and unavailability of transport facilities from the nearest railway station to Aghai poses various challenges in the process of development of these tribal hamlets where people live in rampant poverty. This paper explores the situation of educational opportunities available to children in Aghai village. It further discusses the role of the state, educational policy and its implementation, linkages among educational, economic and social policies, cultural belief systems that are relevant to education, teacher's characteristics and physical conditions of schools. It goes on to examine how superficial lines are drawn between the child and his/her family or community, thereby alienating them from their families and at the same time pushing them towards a mainstream which does not recognize their specificities of socio-cultural location.

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INTRODUCTION

Education is a sign of superiority and also a sign of freedom. Aristotle wrote, "Educated men are as much superior to uneducated as the living are to the dead. Education is the fundamental right of all the citizens and is essential for everyone. It has an acculturating role. It refines sensitiveness and perceptions that contribute to national cohesion, a scientific temper and independence of mind and spirit – thus furthering the goals of socialism, secularism and democracy enshrined in our Constitution (*National Policy on Education, 1986*). Education is a powerful tool for bringing social change. Nelson Mandela has truly said "Education is the most powerful weapon which you can use to change the world". The role education is to impart knowledge, develop skills and convey right types of attitudes, values and interests. Education is not

only a tool for acquisition of knowledge but it is an instrument or it is a process which influences the social consciousness of the individuals. Mahatma Gandhi said, "True Education is that which draws out and stimulates the spirituals, intellectual and physical facilities of the individual. The emphasis here is on the personality encompassing mind, body and spirit and not just training in the subjects. Good education is one, which creates a sense of self-respect and dignity and inculcates moral, spiritual and social values." Although education has a significant influence on life, the average education is not the same in all the areas. As a result, strategies are being made to resolve the problems. Without education, life would be disastrous and detrimental and that's why the Right to Education Act was passed in the year 2009 with a motive to make education accessible to each and every citizen especially the poor and weaker section of the society. Education is also an instrument to increase the socio-economic status of tribal population of the society. Since independence, the Government

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of India and the State Governments have taken different steps to universalize education and to increase the enrolment of tribal children in schools. There are still some places where the inhabitants are almost completely uneducated, causing a serious lack of knowledge. As per the data published by the 2011 census India has achieved an effective literacy rate of 74.04 per cent in 2011. Male literacy rate is 82.14% and female literacy rate is 65.46% according to 2011 Census. Literacy rate in Maharashtra is 82.91 percent as per 2011 population census. Of that, male literacy stands at 89.82 percent while female literacy is at 75.48 percent.

### **Challenges in Implementing the Right to Education Act in Maharashtra with special reference to Aghai village**

The Right of Children to Free and Compulsory Education Act (RTE), 2009 came into force on 1 April 2010. It laid down a number of deadlines for implementation that come to an end on 31st March 2013. While it is undeniable that efforts have been made over the last three years, the reality on the ground is that a radical transformation of the ground reality has not happened and India's schools remain far from attaining even the minimum norms laid down by the Act (A Draft Report of RTE Forum, 2013). Article 21A of the constitution guarantees every child a fundamental right to free and compulsory education up to the age of 14 years. The Sarva Siksha Abhiyan (SSA) and Mid Day Meal Schemes are also framed to protect the right of the children to education & promote the universalization of education. But in real sense the universalization of education is still a distant dream to achieve. Still deprived and marginalized tribal students are excluded at various levels. Tribal students are often discouraged by teachers and upper caste groups. Though in India education became a fundamental right of every child and though the government of Maharashtra has adopted different measures to reduce the educational neglect of tribal children in the rural areas of the state, still the enrolment rate of tribal children in schools especially among girls is very low.

### **Study Area**

This study is conducted in a village of Thane district named Aghai which is about 100kms away from the city of Mumbai and is based on more than one and half years of fieldwork experiences and secondary data sources. Aghai is located in Shahapur Tehsil, comprising of 36 tribal hamlets and the inhabitants of these hamlets belong to Konkani, Varli and Katkari tribes. These hamlets are mainly situated within the Tansa Wildlife Sanctuary. The tribal communities of these hamlets have been given land under the Forest Right Act which is used for as a main source of livelihood that is agriculture. The remote geographical location, lack of water and other basic services, inadequate electric supply, limited road connectivity and unavailability of transport facilities to Aghai poses various challenges in the process of development of these tribal hamlets.

### **Research Methodology**

The method of analysis that has been adopted for this particular study is Qualitative in nature. The approach of the paper is

Exploratory and the units of analysis are the tribal hamlets of the Aghai village.

The primary data has been collected through personal home visits, direct observations, in-depth interviews with the parents, Anganwadi teachers, young mothers, Ashramshala Headmaster, focus group discussions with the VEC (Village Education Committee) members, Panchayat members, etc. while, the secondary data was collected through journal articles, available literatures, texts and internet sources.

### **Research Findings**

Children of these hamlets are educated in Ashramshala School, which is a residential school specifically for tribal children and Taharpur Secondary School which is a private school. Though there is one Ashramshala school, the dropout rate among the tribal children is very high in these hamlets of Aghai village. There are various factors which affect the education of tribal children in these hamlets. Some of the important factors are illiteracy of parents, sibling care, early marriages, lack of awareness, poverty, agricultural labour, child labour, domestic work, tribal traditions, disinterested teachers, punishment by teachers, unattractive classrooms, poor quality of teachings, lack of incentives for better performance, lack of enrollment campaigns, lack of community control, non- involvement of NGOs etc. These are the few factors which result in the educational neglect of a tribal child in Aghai village. The researchers observed that most of the tribal people in these villages are illiterate and are living below poverty line. The people of the few hamlets of Aghai village are still not aware of the importance of education. There are certain hamlets where literacy rate is zero or nil as per a survey conducted by the researchers. The parents of the tribal children of these hamlets are not interested in sending their children to school and they thought their income will decrease if they send their children to school. Because when the both parents goes for work, their elder girl child used to look after their younger siblings and do other domestic works like cooking, fetching water etc. Moreover the long distance between schools and different hamlets is also responsible for the problems of school dropouts in Aghai. The experiences of tribal children in Aghai reflects that the students have to face a number of obstacles in pursuing education which includes traveling long distances to schools, discrimination from teachers and classmates who belong to non-tribal backgrounds, lack of proper food etc. The other obstacles that the tribal children and communities encounter in the path of pursuing education are:

**1) Limited Seats:** One of the important factors which contributed to the problem of school dropout in the different hamlets or padas of Aghai is the limited seats in Ashramshala School mainly in boy's hostel. Many parents complained about this problem in Ashramshala School and also complained that school authorities do not enrolled many children because of unavailability of seats in this School. As Zilaparishad schools are situated in a far distance and no travelling facilities are provided, children do not want to attend schools. Few students dropped schools due to the lack of travelling facilities.

**2) Lack of educational infrastructure:** Educational infrastructures which are required for effective teaching and learning such as proper classrooms, furniture, water and sanitation are all lacking in the schools of Aghai. In

Ashramshala School, the researcher observed that the water is supplied only for one hour daily, that also the force of water is very low. In such condition, all the students could not access water for bathing, washing clothes etc. and therefore out of compulsion they have to go to a nearby well for washing clothes and sometimes they have to carry water for the toilet purpose. Not only about water and sanitation, the condition of classrooms are also pathetic. There is no sufficient furniture (desk and bench) for the students. They have to adjust in the limited number of desks. As for example, four students sit in a desk which is for only two students.

**3) No School Management Committee:** According to the Right of Children to Free and Compulsory Education (RTE) Act of 2009, all the government and aided schools across the country should constitute a School Management Committee that would plan, monitor and implement Sarva Shiksha Abhiyan (SSA) scheme. This School Management Committee should constitute of 12 members including parents and community representatives. In Aghai, there is not a single school management committee due to which SSA scheme is not implemented properly. This results in the increase in out of school or dropout children in the different hamlets of Aghai.

**4) No extracurricular activities:** All the schools in Aghai are deficient in terms of extracurricular activities like sports, debates, drawing competition, flower arrangement, art and crafts, quiz, essay competition etc. Students are of the opinion that since these activities are absent from the schools including Ashramshala, the students were bored and lost their interest in continuing education. If the children discontinue their schooling, the parents also never forced them to continue again due to their limited knowledge regarding the importance of education.

**5) No accessibility to differently-abled children:** From the information collected from schools, it was found that, there is no specific provision for differently-abled children in any of the schools in Aghai. There are approximately two differently-abled children in each of the hamlets in Aghai and these children have no access to any educational opportunities. The greatest lacuna in the schools of Aghai is the limited numbers of classrooms basically in primary Zilaparishad schools. For accommodating the five classes, there should be five classrooms. The teachers said that they have to teach students of two- three classes together. The playground, which is one of the most attractions for the children in school, is almost in a state of non existence in most of the schools other than Ashramshala. This study also found that there is no deficiency in teacher's qualification and pre-service training. However, in many schools teachers do not have subject specific trainings which affected mainly in a subject like Mathematics. The study found that most of the students do not have required knowledge in Mathematics. It is also found that the whole syllabus is not covered in most of the schools and it happens every year and one of the causes for this problem is the 'teacher absenteeism'.

Moreover, the existing cultural systems among the people also become an obstacle in the path of proper implementation of RTE Act in Aghai village. Indigenous peoples have rich and

diverse cultures based on a profound spiritual relationship with their land and natural resources. The indigenous people of Aghai have also distinct norms, beliefs and attitudes but the prevalence of certain norms among these indigenous people leads to the educational neglect of children. For example the prevalence of early marriage of girls and son preference leads to the educational neglect of a girl child. Furthermore, a pattern that has been observed in these hamlets is that in most of the households if the eldest child is a girl child then she doesn't go to school or stop going to school after a certain period. This is mainly because she becomes a helping hand for the mother in the household and at the same time she looks after her younger siblings. On one hand, it is the traditional cultural practices and norms which legitimizes marriage of young girl before she arrives at her legitimate age of 18 years and on the other hand it is this dual burden of taking care of the households and looking after the younger siblings which ultimately reduces the access to education for the eldest girl child. Thus the researchers have arrived at an equation which would be like-

*Higher the number of children in the households=  
Lower the accessibility to education for the eldest girl child.*

The average age of marriage of the girls in Aghai is 15-17 and that of boys is 18-20. By the age of 17, nine out of ten women are married. The people still considered girl as other's property and beliefs that the main role of women are to take care of children, to cook food and in sometime helps adult male members in the field like in carrying meals for them to fields, harvesting of vegetables etc. From the information gathered from the several parents of children it is found that most of the parents are not satisfied with the concept of Ashramshala schools. Though the government has adopted this measure i.e. established the Ashramshala schools for the upliftment of the tribal children, they found that these Ashramshala schools has separated their children from their own families and communities. The parents want that this type of school should be constructed within the periphery of the tribal community. It should not be established far away from their hamlets, so that they should not be separated from their own cultural realities. Most of the parents complain that the Ashramshala school is unable to enroll all the tribal children and provide basic amenities like safe drinking water and toilet facilities in the hostels. Besides, the rights of the children are directly associated with the rights of their own communities. Child rights cannot be fulfilled unless the social position of their own communities is not improved. It is in this context the paper argues that, the rights of tribal children will be realized only, if the rights of their own (tribal) communities are recognized and fulfilled. Therefore, there's a need to uplift the situation of the tribal communities which can be implemented by restoring land rights and livelihood options, through women empowerment, providing access to basic services like safe drinking water, sanitation which will ultimately be a pre-conditional stage for the successful transition towards realizing the rights of tribal children. Issues such as Displacement, Land Alienation hinder the overall holistic development of a tribal child thereby making it extremely difficult for him/her to get enrolled and sustain himself/herself in the mainstream system of education.

## Conclusion

Throughout this paper the analysis of the situation of the access to education demonstrated how people from the marginalised quarters are still excluded from receiving what they are entitled to as a human right; a life in dignity, freedom and equality. Education is one of those rights that enable the full realization of a person's potential and inclusion in society by enabling citizenship and growth. Negative gaps on its realization, however, are perceptible around the world. In India, the situation is not different as many children especially the marginalised are excluded from having the substance of their right translated into reality. The major contestation of the paper has been that the educational space made available to tribal children is highly dominated by prominent culture of India, where certain communities feel alienated in the process of education. Despite the Nehruvian rhetoric of educational development in the Indian context in general and tribals in specific, the Indian Education System has remained inherently biased towards serving the interest of those who work with their minds rather than encompassing the marginalised other who work with their hands. The issue of linguistic and cultural difference between the non-tribal teachers and the tribal children as students has resulted in an invisible alienation of these children from the current education system. Moreover, the internal environment of the school system in Aghai has failed to ensure a safe learning atmosphere with respect to dignity where they continue to be discriminated and alienated by the non-tribal others. Unless the government undertakes immediate steps to address these issues, its claims on child rights with reference to the Right to Education Act will remain rhetoric and its actions would continue to exclude those who are already on the margins.

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