



**A STATUS
REPORT ON
EDUCATION IN
INDIA WITH
SPECIAL FOCUS
ON BIHAR,
JHARKHAND,
ORISSA AND
CHHATTISGARH**

2021

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Implementation of RTE Act 2009 and initiation of New Education Policy (NEP 2020)

National perspective on the implementation of RTE Act 2009

It has been more than a decade ago when India passed the Right of children to free and compulsory Education act (RTE Act), making education a fundamental right to ensure free and compulsory education for children of age 6 to 14 years. The provisions under the act also mandated to ensure age appropriate enrollment of children, infrastructure norms for school, inclusive education and promotion of community engagement in school functioning.

India is now in the 10th year of implementation of RTE Act and yet the compliance to RTE norms and standards has been very poor. As per the report of UNICEF, there are close to six million out of school children in India. Out of 100 students, 29 per cent of girls and boys drop out of school before completing the full cycle of elementary education, and often they are the most marginalized children. Inadequate resources and lack of priority of the state and central governments have been a major challenge in its complete enactment at ground level. The education departments suffer from lack of basic infrastructure, high vacancies of teaching staffs, shortage of trained teachers and in-service training. Poor quality of textbooks and untimely distribution is another challenge that impacts the education quality in government schools. The act has already been amended thrice before the completion of a cycle of eight years of elementary education.

A new scheme, the Samagra Shiksha Abhiyan (SSA) which summed up three centrally sponsored schemes including SSA (Sarva Shiksha Abhiyan) has portrayed an unclear picture of implementation of RTE Act which gives every child from 6-14 years a fundamental right to education. The recently approved New Education Policy has, instead of strengthening the RTE Act 2009, suggested restricting its norms in its quest of learning outcomes. Private schools and philanthropy have been encouraged making an already multilayered education system more disruptive and challenging the basic premise of universalization of school education through free and compulsory education.

Although the RTE Act has achieved success in overall enrollment rates but has faced condemnation for administrative and structural lapses. Several provisions under the act that were intended to improve the quality of learning have fallen short of the desired impacts. While some provisions have failed due to poor implementation, others struggle due to lack of coordination and scarcity of funds or delay in allocation.

India continues to fail to spend what is necessary to realize the minimum norms laid down under the RTE Act. Bihar spends only 30 percent of what is required to implement the act in totality i.e. getting all children into school, hiring the minimum numbers of teachers require, putting infrastructure in place and placing a textbook in the hands of each learner. A functional school is

an essential condition for any sustainable improvement in India's education system. While spending on education has to be equitable, the government itself often discriminates financially.

Barely 12.7 percent of schools in India comply with the basic norms laid down under the RTE Act. There are huge differences between the states; it ranges from 39 percent in Gujrat to 1 percent in Nagaland, Meghalaya, Tripura and Lakshadweep. While almost all teachers in Gujrat, Delhi and Puducherry have the requisite academic qualification, 70% of the teachers in Meghalaya continue to lack the requisite academic qualifications.

If we look into the impacts of RTE Act over the last 10 years of implementation, it has successfully managed to increase the enrollment in the upper primary level (Class 6-8). During the period 2009 to 2016, the number of students in the upper primary level increased by 19.4 percent. In rural India, only 3.3 percent of children in the age group 6-14 years were out of school in 2016. However, these figures cover up massive state wise discrepancies. For example, in the age group 6 to 10 years, the enrollment was more than 97 percent in Odisha but less than 80 percent in Andhra Pradesh. While the states of Bihar, Uttar Pradesh and Rajasthan has shown a steady increase in their enrollment numbers in the upper primary section, Madhya Pradesh, Assam and West Bengal registered a significant decrease during the same time.

Qualitative norms laid under section 19 of the RTE Act include a teacher-student ratio of 1:30, ramps for students with disabilities, office space for the head teacher, provision of drinking water, availability of play ground etc. According to the District Information System of Education (DISE), only 12.7 percent of all schools in India have achieved full compliance with these RTE norms. The reasons include not only inexpert management and lack of funds but also the failure to make the best use of available resources.

Under section 12(1)(C) of the RTE Act, all schools- private, aided, unaided or special category- must reserve at least 25 percent of their seats at the entry level for students from economically weaker sections (EWS) and disadvantaged group. The state government is expected to reimburse schools for books, fees and uniforms. Nearly 80 percent of private schools meant to comply with the provisions do not participate in the admission process nationally and only 22 percent of these designated seats are filled. The payment to private schools for these RTE admissions has been pending for several years creating huge financial issues for the schools. Every year, the issue of non-reimbursement of RTE funds to private schools- assured under the RTE Act- resurfaces during admissions. Private schools have been demanding the pending RTE reimbursement from the state government and have been denying RTE admissions claiming lack of funds.

Since India does not have a common schooling system, even without external hurdles, the 25 percent quota system is susceptible to inequalities at different levels. Some include discriminatory behavior towards parents and difficulties experienced by students to blend in with a different socio-cultural environment.

A January 2019 amendment to the RTE Act modified the erstwhile policy of "not detaining" students from classes one to eight that intended to prevent them from having to bear the social stigma of failing. Students in classes' five to eight must now appear for regular annual examinations. In case of failure, a student must be provided additional training and a re-examination is to be conducted within two months. If the student fails for a second time, they can be detained. This amendment came after several states argued that children cannot be assessed without exams and learning levels were frequently found to be wanting after class eight.

Nationally only 58.46 percent of secondary schools have implemented the Continuous and Comprehensive Evaluation (CCE). Therefore, in the last decade, both exams and assessment were eliminated which is contrary to the intentions of the RTE Act. The CCE is a pedagogical tool to ensure learning, with measurable outcomes. It requires a year-long evaluation of students on various parameters without the burden of exams. However, due to various economic and social conditions, India's primary section students are not always admitted to an age appropriate class. Often, children follow a non-linear path of schooling at least in their initial years, which adversely affects their learning outcomes. It is acceptable to have students in lower classes relative to their age, as long as their learning levels are appropriate to that class. The RTE Act must guard against the stigma of failing children, while also ensuring their learning at appropriate levels and effectively measuring the same.

Financing of School Education- In the Union Budget 2021-22, the allocation for the education ministry has been cut to Rs 93,223 crores from the previous budgetary allocation of Rs 99,311 crores. This is inadequate to achieve the universalization of education. The state implementing societies were consistently unable to utilize funds and the amount of unspent funds varied from 21 percent to 41 percent between 2010-11 and 2016-16. This has become an excuse for lower investment in education instead of strengthening the capacities of states. In 2019, the central government released only 57 percent of the approved fund for Samagra Shiksha Abhiyan (SSA) by December. There is also a marked difference between budgets proposed by states and those approved by the Ministry of Human Resource Development (MHRD) project approval board (PAB).

Closure of schools through the policy of rationalization/consolidation of schools- Under the disguise of rationalization, closure of small, low enrollment government schools is adversely affecting education of young children, especially of girls and children from disadvantaged and tribal communities besides others living in remote areas. Media reports suggest almost 150,000 schools may have been ordered closed and the processes are still underway in several states. In 2018, NITI Aayog announced SATH-E project for system improvements in three states- Jharkhand, Odisha and Madhya Pradesh which would be implemented jointly by the education department, Boston Consulting Group and the Piramal Foundation. Ministry of Human Resource Development (MHRD) ministry has stated that recommendations under the SATH-E project have led to merger of over 40,000 schools across Jharkhand, Odisha and Madhya Pradesh.

Privatization of Schools- NITI Aayog, in its three year action plan has recommended handing over 'non-performing' public schools to private players. Certain evidences from India as well as from other countries point towards the risks of doing so. A welfare association in Punjab responsible for managing 3 Adarsh schools was found guilty of fund misappropriation. In addition, the regular government funded teachers in these schools were paid only 50-60 percent of their salaries, despite being reimbursed the full amount from the government. Ignoring these lessons, the Indian government passed a massive three billion dollar project- Strengthening Teaching Learning and Results or STARS for states- designed in collaboration with the World Bank to improve the countries education system, in six states. While 85 percent of the project's costs would be borne by the Indian government, the rest would come through a World Bank loan. The loan has been passed despite a huge civil society protest for further negotiation and discussion.

In addition to the above challenges, considerable obstruction to RTE and universalisation of education, which have emerged because of the situation emerging from the COVID-19 pandemic,

requires immediate attention. Otherwise a whole generation of young learners will be pushed out of the school system. This will have serious impact on the protection, health and overall life of children in the coming years.

Status of Education and RTE implementation in Odisha

Even after ten years of enactment of Right to Education Act (RTE), Odisha failed to register a significant success in implementation of the law as the elementary education is found to be in mess. The government has failed to comply with the student-teacher ratio in the primary schools, as laid down in the norms of RTE Act. Apart from shortage of teachers, lack of infrastructures, class rooms and toilets in primary schools are other reasons behind decline of student enrolment. Almost 3,000 schools have only one teacher. As much as 57 per cent of schools have no functional toilets and 76 per cent have no hand-wash facilities.

Sources in the School & Mass Education (S&ME) said that the infrastructure including class rooms, separate toilets for boy and girl students, drinking water facility and kitchen are yet to be completed. There is no playground in more than 40,000 schools, no separate toilets and the construction work of kitchen for cooking meal under Mid-Day Meal (MDM) program is still in progress. Around 70% primary schools do not have boundary. The state education figure confirms the poor implementation of RTE in the state.

As per the report of National RTE forum, only 6.6 per cent of the state-run schools in Odisha is compliant with RTE prescribed norms, even after 10 years of implementation of Right to Education Act 2009. There are 306 schools where with no school building and 9228 school kitchens are being operated without a shed. Across the state, there are 3,481 classrooms short in schools. The state government has also closed down 1160 schools where the student strength is less than 10 in the previous academic session which is a gross violation of the RTE Act. NITI Aayog's School Education Quality Index (SEQI) report that nearly 25 per cent elementary schools in the State failed to meet the teacher norms mandated under the Right to Education (RTE) Act.

Status of Education and RTE implementation in Bihar

The Right to Education (RTE) Act 2009 guarantees every child between 6 and 14 the right to free and compulsory schooling. However, the Act is not widely implemented across Bihar with only 1.2% schools comply with 10 RTE norms and standards. There is acute shortage of professionally trained teachers. Government reports suggest there is a shortage of 34% and 36% of teachers at elementary and secondary level. Data shows that only 52% of teachers are professionally trained and qualified. These issues in Bihar's education system are impacted by underinvestment by the state government. While Bihar has made some significant efforts to improve investment in education - Bihar's 2018-19 budget for education represented a 25% increase from the 2017-18 revised figures and overall has allocated 18% on education in 2018-19, which is higher than the average expenditure allocated to education (15.9%) by other states in 2018-19 - it is still not enough to address the education challenges it faces. Bihar's per child spending on education is Rs 8526 (2015-16) as compared to Rs 14,615 on average across India.

In Bihar, government has decided to shut down around 3,000 schools. A survey report (ASER 2018), showed that 77.8 per cent government schools do not have their own play ground and 40.9 per cent of schools do not have a library. There are around 73,000 elementary schools (I-VIII), 2.53 lakh teacher's post are sanctioned, but around 1 lakh posts are vacant. The last teacher's appointments, on contract basis were made in 2013. Since then no appointment of any teacher was done, and the majority of the teachers appointed are on the recommendations of village mukhiyas, ward councilors or others. They have not undergone any type of proper educational training nor do they have educational qualifications. Bihar's schools do not have basic infrastructure like bench, table etc.

Status of Education and RTE implementation in Jharkhand

Jharkhand adopted the Right of Children to Free and Compulsory Education (RTE) Act in 2011 by specifying its own rules and regulations extracted from the original version of the act passed by the parliament. Although the RTE is on the verge of celebrating ten years of completion, its performance and implementation has been poor. As per the DISE data, only 3.4 percent schools in the state comply with 10 RTE norms and standards.

Many studies and reports have confirmed the poor performance of the Act at all levels of schooling. Children belonging to disadvantaged groups—Scheduled Castes (SCs), Scheduled Tribes (STs), and those below poverty line (BPL)—face problems and do not get admission in private unaided schools, despite 25 per cent of seats being reserved for them.

As per the DISE statistics (2016-17), while most schools now have drinking water facility (96.1 per cent) only a few schools in Jharkhand have boundary walls (30.5 per cent), play grounds (30 per cent), ramp (59.02 per cent) and computers (5.21 per cent). Schools with toilet facilities for girls account for 97.9 per cent of the total schools in the state, while those with boy's toilet facilities amount to 98.4 per cent. Jharkhand is also among the states which has the least number of schools (32.19 per cent as per DISE 2016-17) with electricity connection.

The DISE data clearly indicates non-compliance of RTE norms in the state. In Jharkhand, 59.7 percent of the schools are without requisite number of teachers, where as 17 percent schools are operating with single teachers only. Although, the student teacher ratio has improved from 36 in 2015-16 to 32, but it is still not complying with RTE norms.

Status of Education and RTE implementation in Chhattisgarh

The performance of the State with respect to school education has been poor. In terms of access to primary education, Chhattisgarh was ranked at the 14th position among all the States and Union Territories (UTs) of India. With respect to access to school, infrastructural facilities, quality of teachers and learning outcome, it stood at the rank number 21 among all the States and UTs (EDI, DISE, 2013-14).

The low level of educational development in the State is, further, characterized by social and regional variations, which may be explained across Scheduled Caste (SC) and Scheduled Tribe (ST) population and Left Wing Extremism (LWE)-affected and non-affected Districts. Among the social groups, the ST population and among the regions, the LWE Districts are the most deprived ones.

There has been an improvement in the quality of the school infrastructure and basic facilities in the State over the last decade. The improvement is significant in the case of drinking water, toilets and midday-meal (MDM) facilities. However, the progress in providing some other facilities like computers, boundary walls, and playgrounds has been quite slow. For example, computer facilities are available in only 15 per cent of the schools in the State. Similarly, the availability of facilities like ramps for providing access to disabled children, electricity, boundary walls, and playgrounds remains quite low.

A very large proportion of the total schools lacking basic facilities are located in the LWE districts. Out of 832 schools without buildings, 93.9 per cent are located in the LWE districts. Further, 68.6 per cent of the schools with dilapidated buildings and 87.7 per cent of the school buildings with no classrooms are located in the LWE Districts. In addition, 44.5 per cent of the total elementary schools in the LWE districts do not have electricity, as compared to 24.5 per cent in the non-LWE districts and 33.8 per cent in the State as a whole.

The student–teacher ratio of elementary schools, as a whole, in the State is 21: 1 (including 19:1 in the LWE districts and 23: 1 in the non-LWE districts). In some of the districts, the ratio is greater than the State average. Interestingly, the student–teacher ratio is quite good in some of the LWE districts. The availability of teachers with professional qualifications is lower in the LWE districts as compared to their non-LWE counterparts. About 15 per cent of the schools in the LWE districts are without a single teacher with professional qualifications.

The medium of instruction, if it is other than the mother tongue of the children, is an important barrier, especially in the primary sections. While Hindi is the medium of instruction in government schools in the State, the tribal children are not conversant with the language as they speak in their own mother tongues. They thus face a great deal of difficulty in understanding the lessons taught in the schools and, subsequently, also lose interest in the study.

As per the U-DISE Elementary data 2016-17; 12.7 percent schools in the state comply with the 10 RTE parameters.

New Education Policy (NEP) 2020

The Union cabinet approved a New Education Policy on July 29, 2020 after a 34-year gap. The New Education Policy is meant to provide an overarching vision and comprehensive framework for both school and higher education across the country. The new NEP, approved by the Cabinet, has not been presented in Parliament. It is the first to be formulated by a Bharatiya Janata Party government and the first in the 21st century. It is only a policy, not a law; implementation of its proposals depends on further regulations by both States and the Centre as education is a concurrent subject.

Key Proposals under the New Education Policy

The NEP proposes to change the school curricular structure from the current 10+2 (Class 1-10 of general education followed by two years of higher secondary school with specialised subjects) with a 5+3+3+4 structure, bringing children from ages 3 to 5 years within the formal education system for the first time, and ensuring curricular continuity in the last four years. A mission for

foundational literacy and numeracy, free breakfasts being added to free lunches in government schools, vocational education along with internships from Class 6, and proposed redesign of the board examinations are some other major initiatives for school education.

For higher education, a new umbrella regulator has been proposed with separate verticals for regulation, standard setting, accreditation and funding. It will absorb arts and science, technical and teacher education into its fold, replacing several existing regulatory bodies, and also ensure a level playing field for public and private players. Top foreign universities will be allowed to set up campuses in India. For students, the biggest change may be the introduction of four-year undergraduate degrees, with options for entry and exit at various stages, a credit transfer system, and the abolition of the M Phil program.

Challenges in achieving the goals

Some of the proposals which were provided under the New Education Policy require legal changes. The proposal for a Board of Governors for universities may also require amendments of the Central and State Universities Acts. A Cabinet note has already been moved to set up the National Research Foundation as a trust under the government, but in order to make it a fully autonomous body, an Act may be required.

Others require funding. Free breakfasts can only be considered in the next academic year if a budget allocation is made to cover it. The process of converting affiliated colleges into degree granting autonomous institutions and then further into fully fledged universities is estimated to take at least 15 years, as the Centre will have to provide financial assistance for this purpose.

The Ministry feels that an increase in government funding of education to 6% of GDP will be sufficient to cover the financial implications of the NEP. However, such an increase in funding has been proposed but not achieved for the last half-century, point out experts. The proposal to make the mother tongue the medium of instruction till Class 5, which has stirred up the fiercest debates, is dependent on State governments, according to the Education Minister, who would not even confirm that the policy will be implemented by centrally-run schools

Extent of Implementation of SDG-4 in alignment with the RTE/NEP

Most of the goals of MDGs which were conceptualized in 2000 as a set of eight global goals on diverse dimensions of development like poverty alleviation, health, education, gender equality, environment sustainability etc. aimed at building a global partnership for development are inherent in the Sustainable Development Goals (SDGs) adopted in 2015. Significant progress has been made in universalizing primary education, but much remains to be done. At the UN Sustainable Development Summit held in September 2015, more than 150 world leaders adopted the new 2030 Agenda for Sustainable Development Goals which are an inter-governmentally agreed set of seventeen goals and 169 targets relating to sustainable development issues.

Goal 4: Quality Education- Sustainable Development Goal 4 (SDG 4) aims at ensuring inclusive and equitable quality education and promotes lifelong learning opportunities for all. This goal ensures that all girls and boys complete free primary and secondary schooling by 2030. It also

aims to provide equal access to affordable vocational training, to eliminate gender and wealth disparities and achieve universal access to a quality higher education. SDG 4 is composed of 7 outcome targets and 3 means of implementation.

Significant progress has been made in the universalization of primary education in India, with higher enrolment and graduation rates for girls in primary and middle schools. The net enrolment ratio for boys and girls in primary education was 100%, while the youth literacy rate was 94% for males and 92% for females at the national level. The new National Policy on Education and Sustainable Development Goal 4 addresses the priorities of quality universal education and lifelong learning. Sarva Shiksha Abhiyan, the government's main initiative, aims to achieve universal education of high quality for all Indians, with the introduction of a focused nutritional support system, higher learning and teacher training.

To achieve all of the aim 4 objectives; India's overall budgetary requirement is in the amount of 142 lakh crores. Even though there is no monetary disparity found due to legislation and funding allocation under the Right to Education Act in primary and secondary schooling, there are substantial disparities of early childhood education and tertiary and higher education.

Though India has achieved considerable progress in accessing schooling, in 2014-15 about 61 lakh children were still out of the school. However, the gross enrolment rate (GER) in primary school education decreased by 118.62 per cent in 2010-11 to 111.89 in 2014-15 where GER increased from 81.15 per cent to 101.04 during the same time as upper primary education. Dropout rates went down from 6.5% in 2010-11 to 4.17% in 2014-15. As indicated by the 2011 evaluation, the general literacy rate expanded to 69.3 percent in 2011 from 61percent in 2001. Male literacy rates have risen by 5.4 percentage points, from 73.4 percent in 2001 to 78.8 percent in 2011, when contrasted with an increment of 11.5 per cent points for female education rates which increased from 47.8 per cent in 2001 to 59.3 per cent in 2011. In addition, the gender gap in literacy has been steadily decreasing since 1991 (24.84 percentage point). However, the problem of quality, accessibility, equity and inclusion in education remains crucial as the number of children off school (OoSC) is 61 lakh. The policymakers are worried about more substantial gaps in rural and urban literacy rates between males and females. During the 2010-2015 period, the number of primary schools expanded from 748547 to 847118, whereas the proportion of middle schools was reduced from 447600 to 425094. Nationally, nearly 98 per cent of rural dwellings have a primary school within 1 km.

Ministry of Human Resource Development (MHRD) initiated a nationally-funded Rashtriya Madhyamik Shiksha Abhiyan (RMSA) to expand coverage to and enhance the performance of secondary education; in 2013-14, the GER in secondary education was 76% and 52%. To deal with the problem of teachers being absent, the fingerprint attendance of all primary school teachers documenting arrival and departures with less influence over their work across work time has been examined and added in the public domain for control by local people and parents. It was also decided that the problem can be covered by teaching supports and recorded lectures etc. in order to step in for teachers who are absent. A biometric participation pilot project is being followed by an assessment of student learning of a single region of each state for a half year to be increased in three years to all regions. State Council of Educational Research and Training (SCERT) is in the

process of delivering teacher training during the summer holidays to help enhance skills and strengthen learning outcomes in children.

To bring change to our education system, we need to strengthen a school's basic unit as an entity that involves human resources and material equipment that could ultimately enhance the learning, training of students, and culture of the school. The primary objective of implementing SDG4 is to create a school environment that would boost learning and help students become responsible individuals by promoting sustainability in the interests of natural resource conservation and promoting equality, sustainable consumption, lifestyle and practices to protect our environment and make our planet a place of sustainable biodiversity.

State-wise target reflection of the most marginalized communities

Sub-Section 6.3.1 – Jharkhand: Primitive tribes, tribes, transgender

Among all States and UTs, Jharkhand holds the 6th rank in terms of Scheduled Tribe (ST) population. It has around thirty two Tribal Groups, major among them being Santhal, Munda, Oraon and Ho. Eight out of the thirty-two tribes of Jharkhand fall under Particularly Vulnerable Tribal Group (PVTG). They are Asur, Birhor, Birajia, Korwa, Savar, Pahariya (Baiga), Mal Pahariya and Souriya Pahariya. PVTGs remain the most isolated and disadvantaged indigenous tribal groups with noticeable reduction in their population. Malnutrition, Malaria and dysentery are rampant in PVTGs villages and the access of these communities to the social welfare programs remains limited.

In Jharkhand, education statistics depicts a very poor situation, particularly in terms of providing elementary education to tribals. Literacy rate in Jharkhand has seen upward trend and is 66.41 percent as per 2011 population census. Of that, male literacy stands at 76.84 percent while female literacy is at 55.42 percent. Tribals account for about 26 percent of total population of the state and the literacy rate among the tribal population is only 57.13 %.

Among the social groups, the dropout rate of SC in elementary stage (21.85) is higher than the General, ST and OBC. The SC dropout rate is also higher in secondary stage which is 45.38. It also needs to be mentioned that the percentage enrollment of SC at elementary stage is 14.23 against 46.81 OBC, 28.74 ST and 10.22 General. The OBC with highest enrollment percentage also has the lowest dropout rate at elementary stage which is 14.83.

One of the major problems is that of language. Most of the tribal languages and dialects are in the most rudimentary stage and there is hardly any written literature. Education to both PVTGs and SC/STs and non-tribal children too is through either Hindi or English, which makes the education uninteresting and also hurts tribal sentiments.

Books are not supplied to the schools at the session beginning. It creates problems for teachers and students as well.

Most of the tribal villages are scattered. This entails long travels to attend schools. The enthusiasm of tribal people in the education of their children also depends considerably on the timing of school

hours in different seasons. However, such sentiments do not guide the present education system of the state. The textbooks lack local specific contents, contexts and narration due to which the children fail to relate learning to their real-life situation. The school timing is often not as per availability of children and pattern of life.

Activities for skill up-gradation often do not exist, and even if it is imparted at some places, it does not include aspects of tribal games and sports like archery, identification of plants of medicinal value, crafts art and culture, folk dance and folk songs, folk paintings etc.

Transgender- Jharkhand witnessed a huge spike in the number of transgenders registering as voters. Three years ago, the number of registered transgender voters in the state was merely 29, which shot up to 307 in January 2019 when the latest electoral roll was published. Unlike Bihar and Chhattisgarh, that have a welfare board constituted for transgender community, Jharkhand is yet to have one.

Bihar: Transgender, Pasi and Mushar (Dalit)

Pasi and Mushar (Dalit)- The Musahar community is a Hindu scheduled caste which now falls under the term 'Mahadalit community' or the most marginalised of the lot. They are traditionally rat catchers and are mainly landless- working in the agricultural field of landlords and performing other menial work. In the rural areas, Musahar are primarily bonded agricultural labourers, but often go without work for as much as eight months in a year. Children work alongside their parents in the fields or as rag pickers. Literacy among the community is abysmally low, averaging around 10%. Literacy among women of the community is around 1-2%. Almost 85% of the population suffers from malnutrition with limited access to health care facilities.

Bihar has nearly 2.2 million 'Musahars', according to the state Mahadalit Commission's interim report. Community activists however claim the population of Musahars is not less than 3 million in the state. About 96.3% of them are landless and 92.5% work as farm labor. Literacy rates among this community, which upper caste Hindus still consider untouchable, is only 9.8%, the lowest among Dalits in the country.

Transgender – As per Census 2011, the population of Transgender in the state is 40827. In a landmark move, the Bihar government on 9 September 2014 recognized eunuch and transgender as third gender. The cabinet accepted to declare eunuch and transgender as backward class annexure II category which will provide them quota benefit for availing or getting government jobs. Eunuchs and transgender from upper castes will be treated as OBC annexure II and get reservation benefits whereas transgender from scheduled castes and scheduled tribes will remain in the same castes.

The Supreme Court delivered the judgment in April 2014 recognizing transgender as third gender and asked the Union Government to treat transgender as socially and economically backward. The court in its judgment said that the transgender should be allowed admission to educational institutions and given employment on the basis that they belonged to the third gender category. They should be considered as OBCs.

Odisha: Primitive tribal groups, transgender

Odisha is distinctive not only in terms of very high concentration of tribal population (22%). It hosts the largest number of tribal communities; (62 Scheduled Tribe communities including 13 Particularly Vulnerable Tribal Groups (PVTGs)) with each one different from each other. According to 2011 Census, the tribal population of the State was 9,590,756 constituting 22.85% of the total population of the State and 9.66% of the total tribal population of the country. Odisha has the third largest concentration of tribal population in the country. The Human Development Index (HDI) of the tribals show that their condition continues to be much lower compared to the rest in terms of visible parameters like education, health, income, etc. The Scheduled Tribe population registered poverty rates significantly higher than the rest of the population.

Despite government efforts to promote education among the Scheduled Tribes (STs), their literacy rates as compared to the national average have remained low. The literacy rate of the state as per Census 2011 is 73% but for STs, it is 59% only. The literacy situation among all the PVTGs is discouraging and below the state average in case of both males and females. The case of Kharia (37.87%), Soura (34.37%) is relatively better than the other PVTGs. These two PVTGs have better literacy rate during all the censuses. So far female literacy is concerned the literacy rate among females is below the state ST average (19.30%) among almost all PVTGs except Kharia (28.98%) and Soura (21.59%). The female literacy is lowest in case of Mankirdia (2.6%) and highest among the Birhors (16.2%). The percentage of matriculates among Birhors, Bondo Poraja, Didayi, Juang, Lodha and Mankirdia is below 3% in case of the males and below 1% among the females. The number of graduates and diploma holders are negligible among these PVTGs till today.

Development of ST&SC in Odisha is a matter of special concern of the State government. There are 506 Sevashrams, 766 Ashram Schools, 164 boys high schools, out of which 14 have been upgraded to higher secondary schools in science & commerce stream, 173 girls high schools out of which 8 girls high schools have been up to higher secondary school.

Transgender- Odisha is counted as one of the states with a higher transgender population. 5.75 per cent of the transgender households of rural India are in Odisha and 1.5 per cent of the urban transgender population in the country is in Odisha. The transgender have restricted access to education. While thirty per cent of them are illiterate, forty-four per cent drops out of schools before completing their secondary education. Only sixteen per cent manage to complete their secondary education and seven percent complete higher-secondary education.

Majority of the transgender are unemployed. Lack of educational qualifications is one of the major factors in their un-employability. They report high rates of engagement in illegal activities such as begging and sex work. Some transgender enjoy ritual status and receive alms in return for their customary services. Most of the transgender who apply for jobs or are in some employment invariably face verbal harassment and at times even physical assault because of their gender identity expression. Some hide and delay their gender transition or quit the job.

However, Odisha is the first region in India to give transgender people social welfare benefits - such as a pension, housing and food grains.

Chhattisgarh: Primitive tribes, tribal, transgender

There has been a dramatic improvement in the literacy rate of the tribal population since the 1980s. It increased from 16.4 per cent in 1981 to 63.1 per cent in 2011, signifying a remarkably high growth rate in tribal literacy. However, the growth in the ST literacy rate has been lower than those of the other communities.

While there has been an increase in the overall literacy rate of the ST population, the gap in the male female literacy rates in the tribal population continues to be high. The high growth rate in the literacy rate of the ST population has largely been driven by the high growth rate in the male literacy rate. The drop-out rate among the ST population continues to be high, In 2014, it was 31.3 per cent for the Class I–V (ST) students but the drop-out rates were much higher at the higher levels of classes, at 48.2 per cent for those in classes I–VIII and 62.4 per cent for those in classes I–X.

There are multiple barriers to the education of the tribal population. These barriers pertain to their socio-economic conditions; economic deprivations; their inhibitions in mixing with the mainstream society; and also the lack of access to schools and basic facilities in their areas. In the LWE districts, social conflict could be another factor responsible for the low education rates.

The National Policy on Education, 1986, examined the incidence of high drop-out rates among tribal children and attributed it mainly to the fact that they were the first generation learners. The Xaxa Committee, 2014, also underlined various reasons like the inadequacy of teachers in government schools, lack of trained teachers in the tribal regions, absenteeism of teachers in schools in remote areas, absenteeism of girl children in the conflict affected regions, and irregular school attendance of children, as the other factors responsible for children dropping out of school. It emphasized that the absenteeism of teachers has increased and small schools have become ineffective. In most of the States, Hindi or regional languages are used for classroom teaching, which are not understood by the tribal children at the primary level of their schooling.

Due to the high incidence of poverty, limited economic opportunities and low levels of income, tribal children are compelled to work either along with their parents or independently, to supplement their families' incomes. The higher level of educational deprivations among the ST girls is due to the fact that they have to stay back at home to take care of their siblings. This is especially the case if the girl child is older than her siblings.

Transgender- According to the Census 2011, there are 6,500 people who are identified as 'transgender' in Chhattisgarh, while the unofficial figure is closer to 20,000. There is a transgender welfare board in Chhattisgarh with Rs 50-lakh as annual budget. Chhattisgarh, transgenders are increasingly becoming a part of the political field. In fact, the 2018 Assembly election in Chhattisgarh saw increased participation by transgenders in the political process with members of the community contesting elections in Raipur, Bilaspur, Durg, Surajpur, Korba and Ambikapur. Although all of them lost the election, their increased acceptance in the political field was a point that was not lost on the public at large. The Chhattisgarh police have recruited 13 transgenders as constables in four districts of Chhattisgarh this year.

Recommendation and Suggestions for Follow-up

- While enrolment rates have increased, keeping students in school for the requisite number of hours each academic year remains a challenge. There is no national database to track student attendance, as enrolment figures are mostly calculated based on names on the register, which is often an unreliable source. The focus of the RTE Act must therefore shift from enrolment to attendance. This has a direct bearing on the retention rate of students. The Unified District Information System for Education (U-DISE) data suggest that government-managed schools have poor retention rates compared to other managements. (Source: Unified District Information System for Education)
- India needs to urgently develop a student-tracking system to facilitate appropriate teaching or remedial measures. The local authority, as designated by the RTE Act, must maintain a database of student attendance within its jurisdiction.
- Parents are the most important stakeholder in the RTE Act. They must be made aware of processes and provided with assistance for activities such as online filling of forms and lodging complaints. School Management Committees (SMCs), which the RTE mandates for every school, must be empowered to be the nodal monitoring agency in this regard.
- Quality teachers are back bone of quality education. There is urgent need of rationalization of teachers and recruitment of trained teachers as per need to ensure quality interaction between teachers and children.
- School education has to be more strengthened by increasing government spending to meet global benchmarks of 6% which has been also the recommendation of Kothari Commission in 1966. Further, funds under 14th/15th Finance commission, needs to be rationally spent for the up-gradation of schools and looking after regular urgent work.
- Admission of 25% of children from Economically Weaker Section in unaided schools promises a lot for inclusive education in the society. However, experience in the State does not review a positive picture. Therefore, there is a need to ensure flow of funds by State to unaided schools to ensure implementation of 25% reservation of seats for EWS. CSOs can help the duty bearers in implementation of this provision in the districts of Jharkhand.
- Government should take steps to limit the commercialization of education and put in place strong measures to regulate private education providers. School closures/merger needs to be stopped because it will further promote dropouts marginalized and geographically difficult areas.
- Strengthening implementation of RTE Act 2009, School Management Committee and School Development Plan may reduce all forms of inequality in all across Jharkhand
- Local language/ mother tongue based education should be promoted at primary levels. In addition, activity based learning must be promoted and adequate arrangement should be there for sports materials and Teaching materials (TLM).
- Government should incorporate more trained female teachers at primary levels. The existing gaps in PTR should be addressed through immediate recruitment of trained teachers.

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