
UNIT 5 POLITICAL ECONOMY OF EDUCATION

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5.1 INTRODUCTION

Education is now part of the human rights dialogue. The twentieth century saw human rights accepted world wide as a guiding principle towards creating a foundation of freedom, justice and peace in the world. This unit provides a concise overview and analysis of the nature and scope of the right to education both nationally and internationally. As international forces have played an important role in influencing educational policies and programmes in the context of this right, we briefly examine the various forms of commitments adopted by the international community over the past half century, their legal status and implications. The right to basic education is further examined in the context of India. Deficiencies in its implementation are discussed under the sections 'Planned development of education' and 'Public expenditure.' The issue related to 'Politics of Education' is discussed in the next unit. It also outlines the future tasks and challenges that lie ahead towards translating the intent of the 'right to education' into meaningful reality in the country.

5.2 OBJECTIVES

By the end of this unit, you should be able to:

- understand international concerns and broad issues in the human rights dialogue in education;
- analyze the nature and scope of the right to education both nationally and internationally;
- assess the implications and status of Constitutional Provisions within India in granting its people the right to education; and
- identify factors responsible for non-accomplishment of the right to free and compulsory elementary education.

5.3 RIGHT TO EDUCATION: LEGAL STATUS AND ITS IMPLICATIONS

As education is now part of the Human Rights dialogue, in this section, we briefly examine the various forms of commitments adopted by the international community over the past half century, their legal status and implications.

5.3.1 International Laws and Provisions

UDHR: The Universal Declaration of Human Rights adopted in the General Assembly of the United Nations in 1948 has historic importance in setting out standards of achievement in human rights. The international community's commitment to implement the rights and freedoms set out in the Universal Declaration of Human Rights has over the years taken various forms ranging from international treaties to internationally agreed Programmes and Frameworks of Action. Those relating to the right to education are of particular concern in this unit.

Right to Education: The right to education is spelled out in Article 26 of the Universal Declaration of Human Rights (UDHR) [Box 1]. As spelled out in three distinct paragraphs, the right to education has several different facets, both quantitative and qualitative. The first paragraph deals with access to education, the second with the content, notion and purposes of education, and the third affirms the prior right of parents to choose the kind of education that shall be given to their children. The issues concerning its implementation are to a considerable extent bound up with questions of interpretations. Much discussion and debate had been needed to get from the first draft of this Article prepared by the Secretariat to the final text adopted by the General Assembly. India was one of the States ratifying the principles set out in the UDHR.

Box 1: The Right to Education

Article 26 of the Universal Declaration of Human Rights

- 1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and Professional education shall be made generally available and Higher education shall be equally accessible to all on the basis of merit.
- 2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- 3) Parents have a prior right to choose the kind of education that shall be given to their children.

Source: Universal Declaration of Human Rights Adopted and Proclaimed by the General Assembly of the United Nations on the 10th Day of December 1948. Final Authorized Text. New York. United Nations. 1950.

Forms of Commitment and their Legal Status: Since the UDHR was proclaimed, its principles have inspired a great number of internationally agreed normative texts of all kinds. The most important are the multilateral treaties. The UDHR is an internationally endorsed statement of principles and does not have the force of law. It is not a treaty. Its principles needed to be transformed into treaty provisions to establish legal obligations on the part of each ratifying State. This was undertaken in

two *International Covenants* prepared after the Declaration was adopted. These were: (i) The International Covenant on Economic, Social and Cultural Rights, and (ii) The International Covenant on Civil and Political Rights. The preparation of the Covenants was a much longer process undertaken over a period of eighteen years. The two Covenants were adopted by the United Nation's General Assembly in 1966, but another ten years were to pass before a sufficient number of States (thirty five) had ratified them to bring them into force, i.e. make them legally binding on the ratifying States. *The Covenants together provide a comprehensive coverage of the rights and freedoms set out in the Universal Declaration.* The right to education is dealt with in Articles 13 and 14 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), and is also mentioned in Article 18(4) of the International Covenant on Civil and Political Rights (ICCPR). The latter affirms the 'liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions,' as stated in paragraph 3 of Article 13 of the ICESCR.

Besides Covenants, a large number of other international treaties were adopted over the years in regard to specific rights, or special aspects of some or all of the rights (e.g. Elimination of all forms of discrimination among women. Those directly relating to education are outlined in Box 2.

Box 2: International Treaties Directly Relating to Education

The five international treaties relating directly to education are:

- International Covenant on Economic, Social and Cultural Rights (1966)
- Convention against Discrimination in Education (1960)
- Protocol instituting a Conciliation and Good Offices Commission to be Responsible for Seeking the Settlement of any Disputes which may arise between States Parties to the Convention against Discrimination in Education (1962)
- Convention on the Rights of the Child (1989) and
- Convention on Technical and Vocational Education (1989).

In addition, education is referred to in certain other international treaties, notably the International Covenant on Civil and Political Rights (1966) and the Convention on the Elimination of All Forms of Discrimination against Women (1979), as well as in several regional treaties.

Other forms of commitment to implementation of the right to education, as mentioned above, include *recommendations* of international conferences of States, *Declarations* and *Programmes of Action* adopted by inter-governmental conferences, or by 'mixed' conferences composed of representatives of governments, international organizations and civil society. While these do not have the legally binding force of treaties, recommendations are normally adopted by consensus on the understanding that States will make best efforts to implement their provisions. Sometimes (as in case of 'mixed' Conferences, Declarations and Frameworks of Actions), they provide an additional impulse to implementation of previous, formally agreed commitments when their provisions substantially overlap with existing treaties and recommendations. At the same time they have more flexibility for introducing concepts that are not directly expressed by existing treaties and Recommendations, e.g. 'meeting basic learning needs' as will be seen below. Of special significance particularly in the area of elementary education, besides the Universal Declaration and the two Covenants, are the Convention on the Rights of the Child (1989) and the World Conference on Education for All, commonly referred to as the Jomtien Conference (1990).

5.3.2 Shifts in Emphasis

Since the Universal Declaration was proclaimed, many general questions were raised about the right to education- education's purposes, notion, duration, approaches and content, and about the assessment of progress towards its implementation. These have formed part of successive debates and commitments that have been agreed to by the international community. The international community in its various normative texts has emphasized different facets of the right to education at different times, sometimes resulting in emergence of new concepts such as 'basic education', 'lifelong education,' 'lifelong learning,' and 'learning needs' that are not mentioned in the UDHR. Words such as 'free' and 'compulsory'; and 'fundamental' and 'elementary' education, have been debated in questions dealing with access to education at various stages (i.e. till which stage should education remain free and compulsory; should the focus be on children or adults?). When the UDHR was drawn up, only a minority of the world's young people had access to any kind of formal education. Thus the emphasis was primarily on making education available to all. In the post-Jomtien perspective of Education for All, however, implementation of the right to education became less a question of 'access to education' as such than one of access to 'relevant learning opportunities' i.e. learning opportunities for everyone-children, youth and adults-to satisfy their basic learning needs.

Despite the shifting emphasis, it is felt that the 'learning-centered' way of looking at education is consistent with the original vision of Article 26 of the UDHR. It was the original intent of the UDHR that all young people should complete an education that would satisfy what today are called their 'basic learning needs' and not just an education that would satisfy what might happen to be called 'elementary.' This is the position taken by the Framework for Action adopted by the World Conference on Education for All.

Check Your Progress 1

1) What does the 'right to education' include?

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2) What different forms of commitment to implementation of the right exist in the international community?

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5.4 BASIC EDUCATION AS A FUNDAMENTAL RIGHT

Most of the nations of the world today have accepted their obligation to provide 'free' and 'compulsory' education at least at the elementary stages to their citizens. However, the terms 'basic', 'compulsory', 'primary', 'elementary' have different connotations in different countries. These need to be understood within the specific contexts of their countries.

5.4.1 Concepts of Basic, Free and Compulsory Education

Basic and Elementary education: Basic education as we have seen above is not limited to a specific stage or level of education but refers to 'education of all'—children, youth, and adults. Even the notion of 'elementary' education in the UDHR was not intended to refer to any particular stage or level in the system of formal education as is generally understood. It broadly meant an education that would give children a good start in life.

The notion of 'compulsory' education also differed for States since the UDHR was adopted. (States here refer to countries ratifying the UDHR). In countries where compulsory education was well established till the first level or stage of formal schooling (as in the case of Belgium, parts of Canada, Finland, and the then Federal Republic of Germany, Switzerland, and the former USSR by the mid-1950s), there were compulsions to lengthen the duration. Developing countries—mostly of Africa and Asia—where compulsory education was not already established, or existed in name only, there were pressures both for wider access to primary schooling as such and for better opportunities to complete it.

'Free education' implied that it was obligatory for the States to provide for the education of its people. However, the extent of 'compulsory free education' was to be defined by the States as per their capacity and the prevailing educational situation. It was also recognized that there was an obvious limit in every country beyond which education cannot be made compulsory without at the same time offending the very idea of education as a 'right.' In majority of the countries today, the duration of compulsory education extends into secondary education. However, there are countries where even primary education (defined as extending up to grade VIII in most countries) is not universally provided. Thus while targets were being reset at the World Conference on Education for All, there was a clear understanding among the countries that the targets related to universal access to, and completion of, *primary education, or whatever higher level of education was considered as 'basic'* for achievement by the year 2000. In the case of India, the notion of 'compulsory' education extends up to the 'elementary stage' i.e. the primary (constituting of grades I to V) and the upper primary (constituting of the grades VI to VIII).

5.4.2 The Case of India: Legal Status and Implications

Provisions in the Constitution: International laws, conferences and recommendations apart, provisions within the Indian Constitution itself exist to give the people of India the right to education. The scheme of the Constitution for realizing the socio-economic agenda of the country comprises of both justifiable Fundamental Rights as well as the non-justifiable Directive Principles. These form respectively part III and part IV of the Indian Constitution. The influence of the UDHR can be seen in the formulation of India's Constitution although attempts to make the right to free and compulsory education in the country began a little more than a century ago. (The Indian leaders first demanded provision for mass education and Compulsory Education Acts in 1882 after the Compulsory Education Act was passed in Britain in 1870 resulting in a number of Compulsory Education Acts passed by different states prior to Independence).

Influence of the UDHR: The influence of the UDHR in framing India's Constitution is reflected in the formulation of Fundamental Rights (part III) and the Directive Principles of State Policy (part IV of the Constitution). Most of the civic and political rights are guaranteed under the Indian Constitution as Fundamental Rights. For example, Article 21, provides for right to dignity, health and free education up to 14 years as part of 'protection of life and personal liberty'; Article 29 provides for 'cultural and educational rights of minorities'; and Article 30 provides for 'right of

minorities to establish and administer educational institutions'. However, most of economic, social and cultural rights are included as part of the non-justifiable Directive Principles of State Policy. Some of these Directive Principles relate to the right to work and to education, provision of free and compulsory education, promotion of educational and economic interests of the S.C., S.T. and other weaker sections, and the like. The 'right to free education' is elaborated in Article 45 of the Directive Principles. The 'State,' which in our context includes the government and Parliament of India, government and legislature of the states, and all local and other authorities within the country, is enjoined to 'apply these principles in making laws.' Thus, the Constitution, through the Directive Principles, makes a forceful *appeal* to the various Indian States to work towards assuring these rights through the process of governance but clearly states that any court cannot enforce them.

Implications of Directive Principles: The reason why the Directive Principles were left by the founding fathers as non-enforceable was to give the government's sufficient latitude to implement them. The concept was not one of justifiability at the instance of individuals in court of law, but of enforceability by the State which means that the State must 'recognize' and 'take steps,' by adopting 'legislative' or other measures for the 'full realization' and 'to the maximum of the State's available resources' both 'individually' and through 'international assistance and co-operation' as clarified in one of the recent reports of the Law Ministry. These are the words actually used by the ICESCR and have been the subject matter of voluminous literature. These rights are described as 'entitlements' of the people and give rise to 'obligations' and 'duties' on the part of the State parties. The provision of 'compulsory education' as in Article 45 is thus intended to be included as obligation for the State to provide adequate schooling opportunities for its children. As a consequence, many Indian state governments during the past fifty years, enforced compulsory education and passed Primary Education Acts to make education free and compulsory for their children. (For example, between the period 1947 to 1962, 19 Primary/Basic/Elementary Education Acts were passed some of which were revisions of State Acts passed earlier during the post-Independence period. Some of the State Acts were later revised and introduced during the past three decades).

It is important to note that the provision of compulsory education is not intended to penalize parents for not sending their children to school due to reasons of poverty and underdevelopment as originally visualized by the UDHR. However, this is an aspect that is least understood and much debated in literature.

5.4.3 Commitments to Implementation of the Constitutional Directive

Article 45: Article 45 of the Directive Principles envisages provision of free and compulsory education for children. "*The State shall Endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years.*" Subsequent national documents and reports over the past five decades or so continued to highlight the importance of the goal which remained largely unattained despite many schemes and programmes initiated during the various five year plans of the country. The 1968 National Policy on Education provided for 'free' elementary education. The National Policy on Education (1986) emphasized two aspects of the new thrust in elementary education: (a) universal enrolment and universal retention of children up to 14 years of age, and (b) substantial improvement in the quality of education. In addition, there have been specific amendments to the Constitution, as can be seen in 42nd, 73rd, 74th, and 83rd and 86th Amendment Acts. While the 42nd Amendment was made in 1976, the latter four are recent, largely post-Jomtien, as a consequence of interest and debate generated in the country during the decade of the nineties. These amendments to the Constitution pertain to provisions to enable education being included in the Concurrent List (42nd), devolution of powers to local bodies

(73rd and 74th) and making elementary education a Fundamental Right formally from its present status of Directive Principles (83rd and 86th). The last amendment notified in December 2002 is to be followed by a Central Legislation to operationalise the Fundamental Right.

Questions that need to be explored: While the 86th Amendment to the Constitution is considered as one of the significant measures for achieving the goals of Education for All, it might be relevant to ask why the new legislation is needed when we had so many provisions within the Constitutions and so many state legislations in place. Were the ideals and norms set forth in the Indian Constitution not fully implemented? Did we fail to accord adequate priority and resources to the implementation of this goal? The answers to these questions can be derived from an analysis of the planned approach of the central and state governments. As we all know, more than fifty years have passed since the country decided to follow the path of planned development and set the goal of universal provision of elementary education. Despite various efforts made through national plans and schemes, the situation in providing universal elementary education remains far from satisfactory. This is acknowledged even in our various national plan documents and reports. The country has so far gone through ten national five-year plans and several annual plans. The tenth five-year plan (2002-07) has just completed and we are in the process of deciding on the allocations for various sectors in the 11th Plan. The allocations in the 11th Plan is much more impressive than the previous Plans. For example, in the 11th Plan for the Higher and Technical education, the allocation is of Rs. 84943 crores whereas it was 9500 crores (and the actual expenditure was Rs. 8500 crores only) in the 10th Plan.

A brief review of the planned development of education and analysis of public expenditure on education over the past five decades is provided in the following sections to understand the reasons for non accomplishment of the goal on the one hand and the magnitude and immensity of the problem on the other. The analysis reveals a lack of will and commitment on part of the central and state governments to initiate the necessary steps and make the necessary investment in the sector of elementary education especially during the first four decades that followed the first five-year plan of the country.

Check Your Progress 2

- 3) How can the terms 'basic', 'compulsory', 'free', 'primary' and 'elementary' education be defined? What do these terms imply in the context of India?

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- 4) What is the implication of Directive Principles of the Constitution for the Indian states? Explain in the context of Article 45.

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5.5 PLANNED DEVELOPMENT OF EDUCATION

5.5.1 Overview of Developments

Declining Emphasis: The country launched its First five-year plan in 1951. The plan gave high priority to the goal set in the Constitutional Directive through its all round programme for development under the National Extension and Community Projects Movement. However, education and social development, which received a prominent place in the community development programmes, received a setback in the successive plans in terms of overall priority and allocation of resources. The Second five-year plan (1955-61), which was based on the famous *Mahalanobis* model, supported the development of the large-scale industrial sector. As it recognized that manpower resources were at the base of all developmental programmes, major efforts were directed towards building up of high level scientific and technical manpower. Basic education, which was largely confined to the rural areas, continued to suffer for a lack of trained teachers. The Third plan (1961-66) sought to extend the programme of basic education to urban areas in order to 'identify the problem clearly.' The review of ten years of achievement for outlining the approach to the third five-year plan showed that in respect of basic education, the process had not advanced very far. "The educational aims of community development (and other sectors such as health and other social welfare programmes) were the most difficult to realize..." The subsequent five-year plans reiterated their intentions towards providing primary/elementary education to all children in the age-group 6-14. The target date for achieving universal elementary education kept shifting from 1960 to 1972, then to 1976.

Revival of Interest: While a National Policy on Education that was formulated in 1968 following the recommendations of the Kothari Commission (1964-66), had emphasized provision of 'free' elementary education up to grade eight; it was only in the Seventh (1985-90) and Eighth (1992-97) plans that the focus on education became sharper. The New Policy on Education (1986) reaffirmed its resolve to ensure universal elementary education. Both national and international developments in the mid-eighties and early nineties helped lay the ground for a special thrust towards universal primary education. *The NPE 1986 again revised the date for universalizing elementary education.* Realizing the difficulty of achieving the target of universal elementary education in one go, it set 1990 as the target year for universalizing primary education up to grade five and 1995 for elementary education up to grade eight. However, no detailed action plan existed for achieving the targets until 1992 when considerable international interest was witnessed in the development of primary education in India.

Faulty Planning: In the overall analysis, 'Indian plans seemed to have failed to exploit the full potentialities of growth and development as a result of self-creating constraints arising from faulty planning...' In the words of an economist and planner, who was also an Advisor to the Planning Commission, '.....India's perspective plans were hardly plans of action; there had been no sound perspective plan for the development of the strategic and critical elements relating to the task of development. There had been no plan of action in the field of education and infrastructure to create facilities ahead of demand in an integrated manner.' In words of Prof Amartya Sen, 'the goal has been regularly reiterated without any effective steps being taken to reach it.'

Developments in the Nineties: Various developments in the 1990's led to an active collaboration of an unprecedented nature between the government of India, state governments and external donors on one hand and private and non-governmental sector on the other. The World Conference on Education for All in Jomtien (1990) emphasized the need for making international funds available for primary education

to the developing world. In 1992, India became a signatory to the Convention on the Rights of the Child passed in 1989. Subsequently, the decade witnessed the initiation of many internationally aided programmes such as the Bihar Education Programme, *Lok Jumbish*, and *Shiksha Karmi (second phase)*, *Shikshak Samakhya*, UP Basic Education Programme, District Primary Education Programme, and *Janshala*. The Ninth plan (1997-2002) came out with the highest priority attached to the attainment of this goal. The strategies included amendment to the Constitution, decentralization of planning, supervision and management through local bodies at district, block and local levels, social mobilization of local communities, convergence of different schemes of Universalization of Elementary Education (UEE), and revision of the scheme alternative and innovative education. There is also strong evidence to suggest that policy reforms of the nineties through projects supported by the external donors resulted in improving access, retention and quality. However, the accomplishments were substantial only in relation to the prevailing situation in the country at the time of initiation of the projects. About half the states and districts still remained untouched by any primary education reforms.

5.5.2 Current Status: Achievements and Failures

Lack of Facilities still Remain: The current status no doubt reflects an impressive increase in the number of primary and upper primary schools from a mere 2.10 lakhs in 1950-51 to 8.40 lakhs in 1999-2000. The total number of teachers increased to 3 million by the year 2000. With the availability of alternative schooling facilities, the enrolments at the elementary level also showed an increase from 22 million in 1951 to about 155 million in 2000. However, the expansion of the elementary education system has not been adequate to attain the Constitutional goal. More than 100,000 habitations in the country are still without any schooling facilities. A large number of sanctioned posts of teachers in various states remain unfilled. The access to upper primary schools for the primary school-leavers continues to be low. In spite of consistent efforts, a large number of children continue to remain outside the school system, without an access to either formal or alternative system of education. The NFHS-II Survey (1999) indicated that while 79% of 6-14 age group children were attending school, about 42 million children were still out-of-school. The enrolment targets set in the Ninth as well as the Tenth Plan could not be achieved. As per the present indications the impressive target of additional enrolment of 29 million children from un-reached segments of the population could not be achieved. Those outside the school system have been identified as mostly SC/ST girls, working children, disabled children, urban deprived and children in difficult groups especially in the educationally backward pockets. Overall, universal provision of schooling opportunities has suffered.

Apart from this, there are concerns about the overall retention of children admitted to various grades. Achievements at the end of the Ninth plan revealed considerable improvement in drop out rates, yet a large percent of the upper primary school children drop out before completing the relevant stages of education. The internal efficiency of elementary education thus leaves much to be desired. Overall trends indicate that less than half the cohort enrolling in grade I is able to reach grade V and less than a third reach grade eight. Thus, while much improvement took place over the past five decades, despite the proclaimed national priority, the state governments have not been able to guarantee adequately equipped facilities and qualified teachers for all children within an acceptable distance of each child's home. The quality of education also leaves much to be desired.

5.5.3 The Focus of Tenth Plan (2002-2007)

Sarva Shiksha Abhiyan: The Central government now plans to achieve UEE goals through the implementation of the national scheme of *Sarva Shiksha Abhiyan (SSA)*. The framework document elaborates the broad parameters for providing central

assistance to the states and sets out an outer time limit to the achievement of the goals. Providing universal access to primary education by 2007 and to universal elementary education by 2010 have been set as goals in the national scheme of *Sarva Shiksha Abhyan* and the Tenth five year plan. The Tenth Plan recognizes community based planning processes as essential elements of planning and management, and encourages partnerships with NGOs and civil society in formulating and executing the programme interventions. Thus the level of effort will have to be indeed high, both quantitatively and qualitatively, if the stipulated targets are to be achieved in a serious manner. Quantitatively, as projections made by the Working Group for the Tenth plan indicate, the country will need enrolment to grow at almost twice to thrice the level of current effort to bring children back to school and retain them there. Growth rate of 2.5% and 6% will be required respectively for primary and upper primary enrolments as against the rates of 1.7 and 2.5% (during 2003-03). Qualitatively, it will require improvements in the planning and management systems and processes at various levels- state, district, and sub-district.

What is needed: This requires a strong commitment of the government (state and central) towards providing the required political will and financial resources to implement the right to free and compulsory education of a satisfactory quality. However, past experience shows that while there have been several lacunae in planning and implementation of this right in the past, one of the main reasons has also been the lack of adequate resources to education on one hand and on elementary education vis-à-vis other competing sub-sectors of education (such as secondary, higher, technical, etc) on the other. The right to education has suffered on account of low priority accorded to education in the overall allocation of resources whether at the level of the state or the centre. The following section analyses the position of resource availability during the past five year plans of the country.

Check Your Progress 3

5) Identify the three phases of commitment towards implementation of the goal set in constitutional directive through the Five Year Plans.

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6) What developments led to renewal of interest in the nineties?

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5.6 PUBLIC EXPENDITURE ON EDUCATION

By measure of any indicator, the share of education in overall public expenditure has remained low over the past half century. In this section, we discuss the low priority given to education with respect to two indicators; share of education in Gross National Product (GNP), and its relative share in different five-year plans. The analysis in intra-sectoral allocation of resources indicates the low priority accorded to elementary education.

5.6.1 Share of Education in Overall Expenditure

Share in GNP: There is no doubt that public expenditure on education as in all other developmental sectors has increased over the past five decades in nominal terms. However, it continues to form an extremely low proportion of the Gross National Product (GNP) of the country. Presently, 3.6% of GNP is invested in education, which is significantly below the required levels. Since 1968, the various national plans and documents have reiterated the goal of setting apart 6% of the GNP for education as recommended by the Kothari Commission as requirements for the education sector. For the first time we find an impressive allocation in the 11th Plan.

Share of Education in Five Year Plans: Although in absolute terms the 'plan' allocation for education increased substantially during various five-year plans, the share of education shows a declining trend from 7.9% in the First five-year plan to 2.7% in the Sixth plan. The favorable period for elementary education ended with the First five-year plan. The declining trend was reversed during the Seventh and the Eighth plans with respectively 3.5% and 4.5% of overall plan outlays allocated to education. The Ninth and Tenth Plans once again reflect a favorable trend yet resources are insufficient to meet the growing demands of the sector of education. With the impressive allocation in the 11th Plan, we may witness a rapid change in the situation.

5.6.2 Share of Elementary Education and Requirements for UEE

Intra-sectoral Allocation of Resources: The intra-sectoral allocation of resources during the past plan periods shows a lopsided emphasis on elementary education. While the First five year plan allocated more than half its total outlay for education (to the extent of 56%) on elementary education, the share declined to 35% in the second plan and gradually to 30% in the Sixth plan. During this period, the allocations for secondary and university education increased substantially. For example, the allocation to secondary education increased from 13% in the First plan to 19% in the Second and 25% in the Sixth plan. Similarly, allocations to university education increased from less than one-tenth in the First plan to one-fourth of the total allocations for education during the Fourth plan. Even though social returns on primary education are known to be higher, government spending was biased in favor of higher and technical education.

Allocations to the elementary sub-sector increased during the Seventh and the Eighth plans to 37 and 47% respectively. However, the overall plan allocations for the elementary sub-sector never reached the priority reflected during the first five-year plan. As some authors believe, had the country continued to maintain the pattern of intra-sectoral allocation of resources in education sector adopted in the First plan, universalization of elementary education would have been an easy task, if not already accomplished by now. The lack of will to commit adequate resources on the part of the states is also reflected from the fact that the state shares on education remained stagnant at about 19 to 20% of their respective overall outlays during the past five decades. Their dependence on the central funds (through the centrally sponsored schemes) has consistently increased over the past five-year plans, particularly during the Ninth and the Tenth plans where international funding has also played an important role.

Financial Requirements and Implications: The Expert Group constituted by the Government of India to estimate the financial requirements for making elementary education a fundamental right projected a total requirement of Rs. 136, 000 crores for the children of age group 6-14 over a period of ten years. Based on assumptions of the rates of growth of the economy, the Commission saw the possibility of making 6% of the GNP available for the education sector. The projections also included assumptions on critical minimum inputs that needed to be provided for universal

provision of schooling facilities as well as for universal retention and provision of quality education in schools. Among others it provided for various incentives for children of families 'below the poverty line'. The Working Group for the Tenth Plan estimated a requirement of Rs. 82, 000 crores for the expansion of elementary education during the plan period based on financial norms adopted for SSA. The group reiterated the possibility and necessity of allocating 6% of the GNP to education so that financial needs of elementary education and of other sectors of education can be met. Thus, unless overall allocation of educational resources increases to the levels projected, the current momentum would be difficult to sustain as the needs of the elementary sector would always be competing against the growing demands of secondary, higher and other sub-sectors as increased proportions for one would necessarily be at the cost of others.

How Free 'Free' Education is: There is another aspect that needs to be reviewed while assessing the financial implications for universal elementary education. Despite the growing commitment and emphasis, the current position remains far from satisfactory in making education 'free' for all children, especially for those belonging to the poorer sections of society. While 14 states and 4 union territories have made education 'free' and 'compulsory' by passing the compulsory education acts, it is a well-known fact that elementary education today is neither free nor compulsory. There is no doubt that as per their norms, all state governments have abolished tuition fees in government and government-aided schools up to the upper primary level. But poor parents continue to incur large proportions of their incomes on education of their children. High costs of schooling and inadequate resources on part of the states to finance essential provisions for children (uniform, text books, transport, incidental expenses) are found to act as major deterrents to universal enrolment and retention of children, specially of those belonging to economically poorer and socially backward households. States' commitment to free education will need to remain undiluted and 'free education' cannot continue to be interpreted merely as 'free tuition.' This will have further implication for the states as it requires strengthening of capacities in micro financing and management of resources at local levels.

Check Your Progress 4

7) List your arguments for inadequate priority accorded to education, particularly elementary education during the past five decades of planned development in the country.

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8) Is elementary education actually 'free'? If not, how can it be made free?

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5.7 LET'S SUM UP

We began with the vision and concerns of the international community towards implementing the right to education. In this connection, we examined the rights and freedoms set out in the UDHR, different forms of commitments that followed and the shifting emphasis towards 'learning centered' way of looking at education. This was followed by a discussion on concepts of basic, free and compulsory education as they need to be understood in the different countries' specific contexts. In India the notion of compulsory education extends up to eight years of elementary education as reflected in the goal of universal primary education.

The case of India was discussed in the sections that followed. The discussion began with an examination of the provisions made in the Constitution to give the people the right to education. These as we saw, consist of both justifiable fundamental rights and non-justifiable Directive Principles. Thereafter the implications of Directive principles were discussed in the context of Article 45 whereby the State is obliged to provide adequate schooling facilities and education of a satisfactory quality for its children. However, as we saw, the states have by and large failed to fulfill their Constitutional obligation. A brief review of the planned development of education and analysis of public expenditure on education was provided to identify the factors responsible for non accomplishment of the Constitutional goal and understand the complexity of the tasks involved in its fulfillment. The analysis revealed a lack of will on part of the State to accord the required priority in investment of resources and create an enabling environment with appropriate planning and implementation processes and mechanisms. The last section examined the dynamics of federal-state relations leading to a discussion on the need for further central legislation to enforce the right to education. The discussion was concluded by identifying tasks that lie ahead in responding to the challenges in translating intentions into meaningful reality.

5.8 REFERENCES AND SUGGESTED READINGS

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