CHAPTER FIVE

A CRITICAL ANALYSIS OF THE PROCESS OF IMPLEMENTATION OF THE RIGHT TO FREE AND COMPULSORY EDUCATION ACT 2009 (RTE ACT) IN GUJARAT: ROLE AND PARTICIPATION OF VARIOUS ACTORS AND AGENCIES

5.1   INTRODUCTION

In the modern nation-state, bureaucratic machinery was adopted by the state for performing executive functions. The traditional bureaucratic structure and framework are primarily hierarchal, focusing on achieving outcomes efficiently. For this, it operates on stringent rules, regulations and procedures. The traditional bureaucratic models in public administration treat it as a closed entity and merely focus on improving its internal structure. As an executive branch

of government, bureaucracy functions to implement the policies at different levels and mainly follows a top-down model in the process. As discussed in chapter four, under the top-down model, the decisions are made at the top level, and subsequent lower levels must implement them. They do not play any role in the decision-making process related to policy formulation and its implementation. However, the policy processes are "rarely linear; they are messy and complicated in which actors at various levels influence the uneven flow of ideas, policies, and practices" (Vavrus & Bartlett, 2012, p. 13).

Hence, a bottom-up model is preferable to a top-down one in the policy process. The bottom-up model involves the workers at the grassroots level in the decision-making process. The decisions are then communicated to the executives in the top tier. One of the essential components of the bottom-up model is the participation of all the actors involved in the process. Participation of all stakeholders in the policy process is considered imperative to implement policy and achieve its desired outcomes successfully. Participation is also considered an essential element of good governance, which is discussed in detail in Chapter 4.

Besides being an essential criterion for good governance, the importance of participation is further recognised in the Human-Rights-Based Approach by international organisations like UNICEF (2005) and UNESCO (2005). To achieve the Millennium Development Goals (MDGs) and Sustainable Development Goals (SDG) in education, international organisations have advocated a Human-Rights-Based Approach based on the principles of participation, accountability, non-discrimination, empowerment, and linkages to human rights. Further, UNESCO recommended decentralisation as a critical strategy for advancing mass education and developing accountable, participative, and responsive mechanisms for educational governance. Efficiency, accountability, openness, and flexibility are all boosted by better governance of educational systems (UNESCO, 2005).

In this light, the chapter analysis the implementation framework of the RTE Act 2009, focussing on the theoretical underpinnings of the participatory model in public policy and its significance. The previous chapter already discusses the roles of actors and organisations involved in the implementation process. Hence, this chapter will focus more on the school management committee members, particularly the role of parents, the State Advisory Council, and the local authority. They are essential stakeholders since they are affected by the decisions

and play a significant role in influencing the decision-making process through their involvement at various levels.

5.2 IMPORTANCE OF PARTICIPATORY POLICY ANALYSIS FRAMEWORK

The idea of democracy can be broadly understood at two levels- procedural and participatory. While the procedural system emphasises adhering to democratic principles, such as universal adult franchise, free and fair regular elections, and developing institutional capacity, it does not emphasise the involvement of the people in the processes. On the other hand, participatory democracy requires the active involvement of citizens. This involvement of citizens is desired in the formulation, execution and evaluation of laws and policies regularly.

In the public policy discourse, the participatory policy framework emerged as a response to the "alleged failure" of traditional policy analysis on the grounds of being "anti-democratic" and bad advisory outcomes emerging out of the "positivist framework" (Durning, 1993, pp. 297-322). The traditional policy framework was frequently criticised for being authoritative since it was perceived as primarily an outcome of the advice of policy analysts and experts. This process excluded public preferences and the influence of citizens on policy decisions. Moreover, the advice rendered by the experts was mainly based on the cost-benefit analysis, done on an economic basis, which can prove to be misleading. These shortcomings were addressed by the participatory policy framework, which rejected the positivist epistemology of traditional policy frameworks, and acknowledged the "interpretative or hermeneutic paradigm of inquiry" (Durning, 1993, pp. 297-32).

Unlike its former precedent, the participatory policy framework is sought to redistribute power by actively involving citizens in the governance processes and decision-making, thus establishing a participatory democracy (Dryzek, 1990; Fischer, 1990) by ending the elite domination of politics. Participatory policy analysis is a term used in public policy (DeLeon, 1990). The spectrum of players and stakeholders participating in formulating and implementing public policy in a discursive or deliberative mode is broadened by this methodological concept. In a nutshell, it necessitates a greater representation of people who influence and are influenced by a particular policy or, on a more specific basis, programme.

Further, the Participatory Policy Analysis focuses primarily on giving stakeholders, citizens and others who may be impacted by a policy decision chance to share information and voice their opinions in public settings like public hearings. Analysts consider these suggestions when forming their recommendations, and officials can do the same when making choices (DeLeon, 1990, pp- 30-31). Thus, the participatory policy analysis framework emphasises recognising and acknowledging the needs of stakeholders and citizens.

Furthermore, by introducing the concept of interpretative policy analysis involving the stakeholders, citizens, and those impacted by the policy, participatory policy analysis added a new dimension to the policy discourse. Policy analysts can better understand the analysis context through this process, including the stakeholders' values and worldviews (Tong, 1986). It also argues for the direct involvement of stakeholders, beneficiaries and community members in the policy processes at multiple levels, which benefits the government in making better decisions, boosts social capital, reduces distrust in the government, and, in the end, makes democracy stronger (De Lenon, 1990). The argument in favour of a participatory policy framework is also found in the bottom-up approach, which argues that legitimate democratic governance is only possible in a participatory model of policy analysis which includes all the stakeholders and persons affected by the decision (lower-level administrative actors, interest groups, private actors) in policy-making to be involved in advising the government on decisions.

Furthermore, it is argued that the participation among affected citizens would foster socialisation among people from both government and non-government and that contextual knowledge from the affected citizens would complement other types of knowledge, especially from technical and scientific experts (De Lenon, 1990). Thus, contemporary governments are adopting participatory policy designs to enhance decision-making and increase accountability and transparency in various policy initiatives to address societal difficulties.

Consequently, the term "participation" has become widely utilised by several organisations and a crucial part of the development paradigm. However, what it signifies to various actors can vary greatly. Several meanings and practises are linked with participation depending on who participates, their engagement, and who benefits.

Scholars like Jules Pretty (1995) argue that the goals of people who initiate participation are a significant aspect of the process. He has categorised participation into several categories, including manipulative, passive, consultation-based, incentive-based, functional, interactive, and self-mobilising participation. In contrast to passive participation, which involves people doing what is given to them and has already been determined, manipulative participation is more of a farce, with representatives on official boards having no real influence. Here, the administration makes decisions without consulting the participant and considering their reactions. Furthermore, under participation through consultation, people participate by being consulted or by answering questions. This procedure, however, does not enable a role in decision-making. People participate in participation for material incentives by paying expenses, but they have little influence on whether technology continues as a practice when the incentive ends. Finally, the functional participation paradigm calls for individuals to join groups to accomplish predetermined project-related goals. Their involvement may contain some aspects of joint decision-making and interaction, but it typically develops after external parties have already taken significant decisions.

Furthermore, people participate in joint analysis, preparing action plans, and strengthening local institutions under interactive participation. Participation is viewed as a right rather than a way to accomplish the objectives. Finally, self-mobilisation refers to individuals taking the initiative to participate independently of outside institutions. This concept allows people to connect with outside organisations to obtain the resources and technical guidance they require while maintaining control over how those resources are utilised.

5.2.2 THE IDEA OF PARTICIPATION IN THE CONTEXT OF A HUMAN-RIGHTS-BASED APPROACH TO EDUCATION

In education, the rights-based approach emphasises the active participation and involvement of all the rights holders and stakeholders like the children, parents, teachers, local communities, and civil society organisations (Moriarty, 2017; Tomasevski, 2006) in the overall process. This idea of participation is further reflected in Article 12(1) of the UNCHR (1990), which stipulates that "state parties should secure to the child who is capable of forming his or her own opinions the right to express those views freely in all situations affecting the child". Participation encompasses all facets of children's social, cultural, and economic lives and is not restricted to issues related to access to school or pedagogy. However, since the children lack the maturity

and required capacity to comprehend intricate matters to make informed decisions, their direct participation in the process becomes restricted. Therefore, the direct participation and involvement of parents, community members, and teachers becomes imperative to represent children's interests.

Further, since education is vital to developmental objectives, international organisations have advocated for implementing good governance in administrative procedures. It is crucial to note that the UNDP's definition of governance includes the private sector, civil society, and the state in the context of nations with unique circumstances. These three are considered essential components for long-term human development. While civil society institutions and organisations facilitate political and social interaction and mobilise groups to participate in economic, social, and political activities, the state's role is seen as creating a stable political and legal environment supportive of sustained development, which allows for an extensive range of non-state actors to participate in the process and, thus, broadens the scope of the participation process.

Thus, considering its significance, the concept of participation was incorporated in the RTE Act 2009 under various provisions like Article 21 (A) of Chapter 4 of the RTE Act 2009 and Article 16 of Gujarat State RTE model rules, which particularly emphasise the involvement of community members, parents of the wards, and other stakeholders in the implementation process.

5.2.3 THE DEVELOPMENT OF A PARTICIPATORY FRAMEWORK IN THE INDIAN EDUCATION SYSTEM

In the context of the education sector in India, prior to the advent of the RTE Act 2009, the idea of 'participation' was reflected in the decentralisation of education administration through Panchayati Raj institutions. The Balwant Rai Mehta Committee's report primarily advocated for the implementation of a three-tier Panchayati raj system, with a 'gram panchayat' at the village level, a 'panchayat samiti' at the block level, and a 'zila parishad' at the district level, all of which would be connected by indirect elections. The report also suggested that all welfare schemes and programmes at the three levels be run exclusively through these bodies, that there be a genuine transfer of power and responsibility to these bodies, and that the three-tier system

be used to facilitate future devolution and disposal of power and responsibility. The National Development Council accepted all of these committee recommendations.

Additionally, it was stated in the National Policy on Education and Programme of Action, 1986, that local communities would be given a significant involvement in the programme for school development through the appropriate agencies. As a result, the Panchayati Raj system of educational management was adopted by various states. Article 40 of the Indian Constitution, which compels the states to create village panchayats and grant them the power and authority required to allow them to function as units of self-government, was also a significant step. Hence, a new era of democratic decentralisation in India was heralded by the 73rd and 74th Constitutional Amendment Acts. The Eleventh Schedule to the Act lists 29 items. It states that these institutions would be responsible for primary and secondary education, technical training, vocational education, adult education, and non-formal education. By giving the Panchayati Raj organisations control over managing educational institutions and programmes, the states are expected to operate under the spirit of the Constitution.

The council stressed that the core ideas and broad concepts should be the same throughout the country, even though it did not insist on a single inflexible design. Instead, it allowed the states to develop their frameworks according to their unique circumstances. On October 2, 1959, in the Nagaur district, Rajasthan became the first state in India to establish a Panchayati Raj institution. Most states subsequently implemented the Panchayati Raj system, with Andhra Pradesh being the second state to do so. By the middle of the 1960s, most states had established Panchayati Raj institutions. However, there were variations by state regarding the number of tiers, the relative importance of samiti and parishad, their tenure, composition, functions, finances, and other factors. Subsequently, several additional committees, including the L.M. Singhvi Committee, the Ashok Mehta Committee, and the GVK Rao Committees, made pertinent recommendations that helped establish the Panchayat Raj institution in India. However, Panchayati Raj institutions did not acquire constitutional legitimacy until 1992's 73rd and 74th Constitutional Amendments Acts. For the development of rural areas, the Panchayati Raj Institution was founded as a three-tier system of local government, with the Gram Panchayat at the Panchayat level, headed by the Panchayat Chairman (Mukhiya), the Panchayat Samiti at the Block Level, headed by the Panchayat Chairman (Pramukh), and the Zila Parishad at the District Level, headed by the Chairman of the Zila Parishad.

The Panchayati Raj Institutions (PRI), which are more accountable to local communities and responsive to local needs and preferences, were established for the democratic decentralisation of administration and the empowerment of local political bodies. Following this development, 29 areas, including primary education, now fall under the legitimate control of Panchayati Raj governing bodies. By their constitutional status, Panchayati Raj organisations have been conferred with power over matters relating to education, including primary and secondary schools, technical and vocational training, adult education, non-formal education, and the promotion of literary and cultural activities.

Furthermore, a committee was established in February 1993 by the Central Advisory Board of Education (Ministry of Human Resource Development, Government of India) to develop guidelines for decentralised education management in light of the 73rd and 74th Constitutional Amendments. The Committee recommended that Panchayat Samitis and Zilla Parishads should be given authority to recruit and appoint teachers for their schools (subject to government guidelines), manage the services of government school teachers, and subordinate officials of the education department.

This development paved the way for establishing a multi-level governance system in the education sector, whereby authority is divided and shared across various tiers of government, from the supranational to the local, with significant interaction and interdependence among the constituent parts. The concept of multi-level governance is defined by Niemann and Schmitter (2009) as an arrangement for making binding decisions that involve numerous politically independent but otherwise interdependent actors, both public and private, at various levels of territorial aggregation in more-or-less continuous negotiation, deliberation, and implementation, and that does not assert a stable hierarchy of political authority to any of the participants. To offer effective policy in particular functional areas like transport and education, policymakers and interest groups in liberal democracies must converse, persuade, and negotiate across various tiers under the multi-level governance system. The underlying claim is that most policy issues cannot be solved by one level of government acting alone. Hence various levels of government must work together. The multi-level governance system further acknowledges the contribution of governmental, private, and voluntary actors to governing society. In the area of education, for instance, the central government department will want to raise educational standards in schools. However, in order to do so, it will need to collaborate with a broader range of groups, including parent organisations, teachers' unions, private sector suppliers, and

educational researchers, in addition to lower tiers of the public sector like the education boards (Hague, Harrop, & McCormick, 2016).

Hence, as discussed above, the 73rd and 74th constitutional amendments were instrumental in bringing about a fundamental paradigm shift in government structures by introducing decentralisation. These legislations not only established a three-tiered Panchayati Raj system in the nation, with elected bodies at the village level, block level, and district level, but also facilitated the entry for local institutions and communities to take part in the development, execution, and oversight of numerous government initiatives, including those of education. Thus, this new structure based on multi-level governance was enacted, whereby the community can actively participate in development projects and ensure that they are implemented more successfully.

5.3 THE RIGHT TO FREE AND COMPULSORY EDUCATION ACT 2009 (RTE ACT 2009): PARTICIPATORY FRAMEWORK IN GUJARAT

In Gujarat, the idea of participation in the education sector in the decentralisation framework has also evolved through the involvement of the Panchayati Raj institution since the reorganisation of the state in 1964. The state further reinforced it through the Panchayati Raj Act of 1993 (Tyagi, 2016). It was primarily done to increase the effectiveness of educational systems and improve the standard of educational institutions and resources by involving community members in planning and decision-making. In Gujarat, there are 33 district panchayats, 247 taluka panchayats, 14,017gram panchayats, and 18,584 revenue villages. Moreover, the state has eight municipal corporations: Ahmedabad Corporation, Surat Corporation, Gandhinagar Corporation, Vadodara Corporation, Rajkot Corporation, Junagadh Corporation and Jamnagar Corporation. Furthermore, there are 156 municipalities in the state. It was observed that while all eight municipal corporations have their website, yet, information related to education was found on the website of only two municipal corporations (Ahmedabad and Surat). The other six corporation's websites do not contain any education-related data. The researcher's most significant obstacle was collecting data and analysing primary education in these six corporations. Based on the data available on the corporation website, it was found that under the Surat Municipal Corporation, there are about 335 schools and 459 schools under the Ahmedabad Municipal Corporation. Further, Vadodara has a separate website for Nagar Shikshan Samiti. According to the data on its website, there are about 119 schools under the

Vadodara Nagar Shikshan Samiti, around 55 schools under Bhavnagar Nagar Shikshan Samiti, and 44 schools under Jamnagar Nagar Shikshan Samiti. According to a media report, it was found that there are 87 schools under Rajkot Nagar Shikshan Samiti (Jariwala, 2022). There was no data available on the schools under the Junagadh Shikshan Samiti.

Under this decentralised education structure, the District Education Committee plays a vital role in managing primary education in the state. Through this Committee, the Panchayati Raj institutions also participate in the administration of the education sector. According to the Bombay primary education rules of 1947 and 1949, the district primary education committee's tasks, responsibilities, and authority have been determined. Gujarat Panchayat Regulation 1993 Section 145 mandates that each district panchayat elect a district education committee from among its elected members. The Committee's term will be five years or until the district panchayat is abolished. The Zila Prathmik Shikshan Samiti, created based on the Bombay Primary Education Act rules of 1949, governs primary education in the state. The Zila Prathmik Shikshan Samiti is formed of the district panchayat members that have been elected. The Committee should have a minimum of 7 members and a maximum of 9 members, with two being female, one from a scheduled caste, one from a scheduled tribe, and one from OBC. The DEO/DPEO is a member secretary of the Committee. This Jilla Prathmik Shikshan Samiti is constituted in rural areas. A similar committee called Nagar Prathmik Shikshan Samiti is constituted in urban areas, with a maximum strength of 11 members.

These committees are elected bodies and issue directions to the District Education Officer (DEO) and District Primary Education Officer (DPEO). However, it came to light during an interview with the DPEO that the members of the elected body need to be made aware of their duty and functions, and they create unnecessary obstacles and challenges for the DPEO.

The RTE Act 2009 stipulates that the term "local authority" refers to all third-tier government bodies, as well as the Municipal Corporation, Municipal Council, Zila Parishad, Nagar Panchayat, Panchayat, and any other authority or body with administrative control over the school or with authority to act as a local authority under any applicable law. Hence, the Jilla Prakhmik Shikshan Samitis and Nagar Prakhmik Shikshan Samitis are designated as the local authority under the RTE Act 2009.

The local authorities have been given several responsibilities and duties as part of the RTE Act 2009's implementation process. The role and responsibilities of the local authority can be found in Chapter 3, clauses 6 and 7, and GOG circular vide PRE-1112- GOI-29-K, dated 01/20/2013. Further, since the members of the local authority are to be a part of the SMC, they have to perform additional functions as a member of the SMC too. The Act and government circulars and resolutions mandate the following responsibilities on the local authority in implementing the Act.

- The local authority is primarily responsible for making education available to children regarding school mapping, identifying children in rural locations, children with disabilities, and children from disadvantaged and disadvantaged segments of society.

- Section 6 of the RTE Act of 2009 mandates that local authorities open schools within three years of the law's implementation in cases where no existing schools exist.

- To provide every child with free and mandatory education through government and aided schools.

- The local authority shall keep a record of all children, in its jurisdiction, from birth until they turn 14. Furthermore, the local authority is to ensure that the names of all children enrolled in schools within their jurisdiction are prominently displayed in such schools.

- There will be no discrimination among children from weaker sections or disadvantaged groups, and no child will be held back for any reason. The local authority is responsible for ensuring that no child in the school is subject to any form of discrimination based on caste, class, religion, or gender. Similarly, the local government must ensure that no child from a disadvantaged group is separated or discriminated against in the classroom, during meals, on the playground, or while accessing essential facilities such as toilets or drinking water.

- Local government must keep track of every child's enrollment, attendance, and completion of primary school within their jurisdiction.

- The local authority is responsible for providing the school's building, the academic staff, and study materials.

- The local government shall ensure to provide a good quality elementary education under the Act's indicators like the pupil-teacher ratios, the size of the school, the number of school days, and the availability of sports and libraries.

- To ensure that primary curriculum designs are completed on time; to plan teacher training; to ensure that a child from a nomadic tribe enrols in the school; to ensure that the local authority maintains the school; and to prepare an academic calendar.

Based on the interview in select districts with the elected members of the local authorities who are part of the education-related committees, it was found that most of the members needed proper knowledge about the various provisions of the Act. Most members could not respond correctly when asked to define their roles and responsibilities under the RTE Act. Most members also admitted that they should be provided with some training by the state government regarding their role in implementing RTE Act 2009.

Another vital component in the decentralised structure was the Village Education Committee (VEC), which also significantly enhances participation in education. The development of VEC in every village in the state was addressed by a resolution adopted by the state Education Department. Given that the VEC was a village-level organisation, the Sarpanch of the village held the position of Chairman of the VEC. It was responsible for overseeing elementary education in the community. The Cluster Resource Coordinator (CRC), under DPEP, was a person through whom the school connected with higher-level authorities to help enhance its enrolment and retention. The head teacher was, by designation, a Member Secretary of VEC (ibid).

After the advent of the RTE Act 2009, which was implemented in the state through the RTE model rules. 2012, the VEC was replaced by the School Management Committee (SMC). The SMC plays a crucial role in implementing various provisions of the Act. A school management committee (SMC), created under section 21 of the RTE Act, must include teachers, parents, and elected local authority representatives. The Act mandates that SMC consist of one elected local authority official as determined by the local authority. The composition of the SMC, as per the Act, considers the more extensive participation of the people. According to Act, the SMC must also comprise twelve members, of which fifty per cent shall be women. Out of the total members, 75% shall be from among the parents or guardians of the children, and the parents of the children belonging to disadvantaged groups and weaker sections should also be given proportionate representation. One-third of the members shall be among the elected members of the local body, and one-third shall be from among teachers. The remaining one-third, from among local educators or children in the school, may be decided by the parents or guardians in the Committee. The SMC is composed to represent various stakeholders, and their involvement in the process strengthens the overall implementation process.

The Act requires the SMC to be constituted every two years to perform various functions. According to the Act, the SMC must perform an essential role in implementing the Act. The model rules 2012 framed by the Gujarat government to implement RTE Act 2009 stipulates the composition and functions of the SMC under sections 16 and 17 of the Act, in addition to the functions specified in clauses (a) to (d) of sub-section (2) of section 21 of the RTE Act 2009. The responsibilities and functions of SMC include the following:

1. Monitor the school's overall working and compliance with all the norms and standards of the Act.

2. Prepare the school development plan containing data on the class-wise enrollment, the requirement of additional teachers, the requirement of additional physical infrastructure or equipment to fulfil the norms of the Act, and the additional financial requirement for providing special training or other entitlements of children as stipulated under the Act. The school development plan should be prepared three months prior to the end of the financial year.

3. Monitor the use of grants from the appropriate government, local authority, or any other source.

4. Communicate in lucid and creative ways to the community members in the neighbourhood of the school and inform them about various provisions of the RTE Act, highlighting the rights of the child as reflected in the Act, the duties of various government offices at the state level and local level, school authorities, parents and guardians.

5. Ensure that teachers continue to attend classes on a regular and prompt basis.

6. Ensure that teachers are not required to perform tasks other than those listed in section 27 of the RTE Act.

7. Hold regular meetings with the parents and legal guardians and notify them of the child's attendance, academic achievement, and other pertinent information.

8. Ensure that all of the neighbourhoods are enrolled in the school and regularly attend the school.

9. Inform the local authority about any violation of a child's rights, including the verbal or physical abuse of children, admission denials, and the timely provision of free entitlement under Section 3(2) of the RTE Act of 2009.

10. Determine the needs and keep an eye on how Section 4 of the Act is being implemented, which states that "where the child above Six Years of Age has been admitted in any school or though admitted could not complete his or her elementary education, he or she shall be admitted in a class appropriate to his or her age."

11. Identify and monitor the enrollment of disabled children and the facilities for their learning to ensure their participation in the completion of primary school.

12. Monitor the implementation of the mid-day meal in schools.

The SMC, as mentioned above, functions indicate that SMC is critical to achieving RTE's objectives. The Act aims to change the current educational system, characterised by pessimism and a defeatist attitude among institutional stakeholders. The SMC can restore an effective educational system by taking proactive measures and engaging in constructive communication with other stakeholders. Positive acts taken consistently by SMC will alter the dynamics and lead to the emergence of solutions, initially at the local level and later at the broader systemic levels.

In this light, the present research has attempted to analyse the participation of SMC members in the implementation process from various dimensions. A survey was conducted in Gujarat schools across four zones (North Gujarat, Central Gujarat, South Gujarat, and Saurashtra-Kutch region) of SMC members, particularly the parents and members from local authorities. Based on the survey, it was found that approximately 58% of the total respondents had organised special training for schoolchildren. Upon further investigation, it was found that out of these 58% SMC members who said yes to organising special training for the school children, 43% were males, and the remaining 15% were women who were found to be working as either Aasha workers or Balwadi workers. Of the remaining 42% of SMC members who said they were not organising special training for the children, 30% were female. When probed further on the reason behind their inactivity, approximately 10% said that they have to take care of household chores, which leaves little time for them to focus on SMC-related work. Another 15% of the respondents said that they needed to be made aware of any special training to be organised on their part. They also added that they were never told about organising special training for the children before. Furthermore, lastly, the remaining 5% of the respondents said that they go to work during the day, and hence they cannot spare any time for SMC-related work.

Similarly, it was also found that approximately 41% of the respondents had participated in some activity related to creating awareness about the RTE Act. There were 28% female and 13% male respondents among the 41%. When these women respondents were asked about the activities, they employed to create awareness about the RTE Act, it was found that most of

them would participate in the rally or campaigns organised by the school. It was also found that none of the respondents, either male or female, had taken any self-initiative to create awareness among the community members about the RTE Act.

One of the crucial aspects of a participatory framework is ensuring financial accountability and transparency of the funds. For this purpose, the SMC, a representative body, is entrusted with preparing the school's annual budget. However, during the survey, it was found that only 36% of the total respondents were actively involved in the preparation of the school's annual budget. Of these 36% of respondents, 32% were males, and only 2% were females. Out of the remaining 64% of the respondents, most mentioned that the school authorities mainly prepared the annual budget. They were asked to sign on to it and did not play a significant part in its preparation. When they were further asked why they did not oppose it, most of them, who were women, said that they were illiterate and could not perform such a complicated task. Many respondents also mentioned that they were uncomfortable handling money-related matters and believed it was a man's job.

Regarding the preparation of the school development plan, it was found in the survey that 48% of the total respondents were actively involved in preparing the school development plan, and 30% were actively involved in preparing the school annual report. Further, out of the total respondents, 39% were actively involved in ensuring the enrollment and continuous attendance of all the neighbourhood children in the school. When they were asked about the reason behind not actively participating in ensuring the enrollment of schoolchildren, the researcher was told that since the parents work on farms during harvest time, they require the help of children. Thus, children cannot come to school during that time. They also added that sometimes children miss school due to social functions. The researcher got the impression that these SMC members did not find anything wrong with them and justified the absence of children from school on those grounds.

The study further found that only 12% of the respondents brought deviations from the child's rights to the local authority's attention, particularly mental and physical harassment of children, denial of school admission, and non-availability of free rights like textbooks and uniforms. When the respondents who had said no were asked about the reason behind it, 42% said that they felt it was the job of the teacher and principal to look after the children in the school and report to the higher authorities in case of any violation. Out of this 42%, 40% of respondents

also added that they did not feel it was right for them to interfere with the functions of the principal since he/she may feel offended. Furthermore, the study found that only 6% of the respondents arranged transport facilities for the children. On the other hand, the survey found that there was a high level of involvement of the SMC members in monitoring the mid-day meals, with 66% of the members. When the respondents were asked about the high involvement in monitoring mid-day meals, it was found that they considered it easy to taste the food, and most of them checked with their children about the food. This way, they were aware of it.

Several studies have pointed out that regularly attending training programmes and workshops positively impact work outcome (Gritz, 1993; Marshall et al., 1993; Hanaysha, 2016). For example, according to the SSA report of the year 2018-19, one day of training for all the SMC members at the school level was organised through BISAG. Similarly, in the year 2020-21, according to the SSA report, three days of training for 3365 schools and 400380 SMC members is to be conducted in the state every year. In training, the members were given guidance on the role of SMC in strengthening the process of home learning and improvement in the transition of students.

Based on the survey conducted by the researcher, it was found that only 75% of the total respondents had received any training from the government regarding their role and responsibilities as a SMC member. Of these, 41% of respondents were male, and 34% were female—reference Figure 1.

Figure 1

As a member of SMC, have you received any training from the government?		
	Yes	No
Male	41	9
Female	34	16

Further, during the survey, when the respondents were questioned whether they regularly attend the SMC meeting, 48% of the respondents replied with a 'yes', and 52% replied with a 'no". Out of the total 48% of respondents, 22% respondents were males, and 26% respondents were females. Furthermore, of the 52% of respondents who did not regularly attend the SMC

meetings, 28% were men, and 24% were women. (Reference figure 2). When the respondents were asked about why they were absent from the meeting, most male respondents mentioned that since the meetings are conducted during daytime and working hours, it is difficult for them to miss and attend work.

On the other hand, the female respondents cited the reasons for completing the household chores and engagement in either farm work or labour work. Furthermore, participation is more than a chance to remain present or attend a meeting. However, instead, it implies an opportunity to make a point or raise any issues and concerns during the meeting without facing discrimination. In that light, this study found that out of the 48% of respondents who regularly attend the SMC meetings, 24% of respondents—18% of whom were female—said they experience prejudice in some way when attending SMC meetings or raising any issues or concerns during the meeting.

Figure 2

Do you regularly attend the SMC meetings?		
	Yes	No
Male	22	28
Female	26	24

As discussed in the earlier section, the idea of participation is far-reaching. Including various stakeholders in the process does not serve the purpose. It only results in formal-functional participation. Ensuring that those included in the process also perform their duties and role effectively is also essential. Involvement in committees and groups without a direct role in decision-making may equate to passive engagement by persons who are merely recipients and listeners and who do not express their positive or negative views on the policy or topic at hand. The rationale of community members and stakeholders participating in the policy process is to empower them, known as the empowering model of participation. It raises awareness among participants, improves their capacity, skills, and knowledge, and uses their experience in the implementation process.

During the survey, it was found that training of SMC members and attendance in the SMC meetings did not result in anything concrete regarding their involvement in raising issues and giving valuable feedback that would benefit the overall implementation process. It was

primarily because out of the total respondents, only 8% of respondents were found to raise issues and concerns during the SMC meetings that they attended. Of this 18%, 15 % were males, and 3% were females (Reference: Figure 3). The remaining 52% of respondents, out of which 35% were male and 47% were females, were found to be mere passive participants in the process who did not contribute in any substantial way through either feedback, exchange of ideas or consultation. When the female respondents were asked reasons behind their passive participation in the meetings, most of them said that most of the time, they did not have accurate information about the issues being discussed.

In addition, a few respondents pointed out that since they were illiterate, they could not comprehend the matters properly and hence, could not contribute. Furthermore, the study also found that out of the 18% of respondents who said yes to raising issues in the meetings, only 4% of the respondents, who were males, agreed that their concerns or recommendations made during the SMC meeting were given serious consideration and executed.

Figure 3

Do you raise any issues in the SMC meetings?		
	Yes	No
Male	15	35
Female	3	47

As discussed in the above section, by including all the stakeholders and people who will be impacted by policy decisions to be involved in advising the government on decisions, the participatory framework benefits the government in making better decisions, boosts social capital, reduces mistrust in the government, and, in the end, makes democracy more robust. Moreover, affected citizens' participation would promote socialisation between members of the government and non-government organisations, and their contextual knowledge would complement that of other types of knowledge, particularly that of technical and scientific experts (De Lenon, 1990). In this light, based on the survey, it was found that RTE-related issues are discussed with other SMC members, according to 21% of respondents, and with the children's parents, according to 12% of respondents. About 15% of respondents stated that they had discussed RTE Act-related issues with the government or any government officials. Around 9% of respondents reported discussing RTE Act-related concerns with NGOs or other

organisations, and just 8% admitted to offering advice or suggestions to the government or other government authorities regarding implementing the RTE Act.

Thus, under the present RTE Act framework, there is scope for the participation of members from the local authority, local community, experts, stakeholders and those persons who are affected by the decisions through the provision of the School Management Committee and other committees at the block level and district level. Based on the survey of the SMC members, it was found that there was a high level of passive and functional participation of the members in terms of meeting predetermined objectives in the form of the functions assigned to the SMC members. However, there was a very low level of self-mobilisation, interaction and consultation among the participants.

As discussed above, approximately 48% of the total respondents were actively involved in the preparation of the school development plan, 30% of the respondents were actively involved in the preparation of the school annual report, and 39% were actively involved in ensuring the enrollment and continuous attendance of all the neighbourhood children in the school. However, compared to that, only 21% of respondents were found to discuss issues related to RTE with other SMC members, and 12% with the children's parents. About 15% of respondents stated that they had discussed RTE Act-related issues with the government or any government officials. Around 9% of respondents reported discussing RTE Act-related concerns with NGOs or other organisations, and just 8% admitted to offering advice or suggestions to the government or other government authorities regarding the implementation of the RTE Act. It demonstrates that the true objectives of establishing a participatory framework seeking to promote socialisation among stakeholders, those affected by decisions, members of government and non-government organisations, to use their contextual knowledge to supplement other types of knowledge, particularly technical and scientific knowledge, cannot be achieved unless the SMC members engage in a consultation and interactive process through self-mobilisation.

Furthermore, the role of women SMC members needs to be strengthened. The study found that female SMC members' involvement was very low compared to their male counterparts. They did not know their role as an SMC member and their expected duties in that capacity. It was also found that female SMC members faced more discrimination than male members. Furthermore, it was also noticed that while the Act has given varied functions to SMC when it comes to their involvement in monetary provisions, their participation is very low. It is even

more significant in the case of female SMC members. At the grassroots level, it was found that while the female SMC members performed other duties related to SMC, their involvement in the school's annual budget was very low. Thus, the government should take steps to ensure equal participation of both male and female members in performing all the duties related to SMC.

Besides the SMC, another agency which signifies a participatory framework in the implementation of the RTE Act in the state is the State Advisory Council. The 2012 RTE rules' Chapter 6, Clause 33, specifies the establishment and duties of the state advisory committee. Additionally, the government's general report (G.R.) from March 21, 2013, outlines the State Advisory Council (SAC) creation in the state. It will have a maximum of 14 members, including the minister(s) of education, secretaries or principal secretaries of the finance, tribal, social justice and empowerment, primary, and State Project Director (SSA) departments, as well as the director of GCERT and the director of primary education. The state advisory council would have members from both the government and non-government sectors. There will be seven of these individuals, all of whom are specialists with expertise and experience in early childhood and elementary education.

One of these members must have specialised knowledge in the field of education for children with special needs, one member must have specialised knowledge in the field of pre-primary education, two members must have specialised knowledge and practical experience in the field of teacher education, and fifty per cent of these members must be women. Four members must be from scheduled castes, tribes, and minority communities. The state advisory council must offer recommendations regarding the state's basic education programme in compliance with its obligations. The Act further states that every member may serve up to two terms in office and may be removed by a state government order if their misbehaviour or incapacity has been established. The selection of non-government members is sometimes based on pressure from ministers or senior bureaucrats or a recommendation, according to the information obtained from the interview with the state government official who was asked about SAC members' function and selection process. The researcher also could not get any data on the meetings of the SAC or the recommendations provided by the SAC in implementing the RTE Act 2009. According to the CAG Report 2017, it has come to light that The State Advisory Council met only twice against 16 meetings to be held between 2013 and 2017.