

Delhi School Education Agenda

India Institute Recommendations

Briefing for the Delhi Chief Minister

and the Delhi Education Minister

March 2015

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I. Key challenges faced by the school education sector in Delhi

According to NCR Planning Board data (2011), there are 5239 schools in NCT-Delhi, of which 2772 are government owned schools and the rest 2467 are privately owned. Both government and private schools form an important part of the education system in Delhi. Therefore education policies should be shaped mindful of issues faced by students, teachers, parents and heads of both government and private schools.

The school-education sector in Delhi is faced with following main challenges:

1. **Artificial supply crunch of schools:** Every year during the admission season the media is full of stories on how it is difficult for parents to gain admission in a school of their choice- mostly good schools in their neighbourhood. A key reason for this supply crunch when there is such a huge demand is the out-dated recognition system. The conditions requisite for recognition were framed in 1973 many of which are impractical in present day Delhi. Besides, it is an open secret that the discretionary powers in the hands of government officials who control the entry of private players in the field have made the process corruption- ridden.
2. **Reducing quality of education:** That the quality of our schooling is wanting is well known. There are several reasons, the key being (i) focus of input criteria rather than outcome for school assessment (ii) lack of incentive for schools to improve as the supply crunch keeps them in demand (iii) no accountability of government school teachers whose performance is not a factor in their career growth (iv) controlled number of schools depriving the people of the normal benefits of competition – government schools are not penalised for poor quality while private schools need only to do slightly better than government schools to survive (v) no independent agency that assesses the learning achievement of school children.
3. **Lack of accurate and updated data:** There is no independent agency for the purpose leading to inaccurate and incomplete data maintained by the education department which benefits from projecting inflated enrolment and attendance numbers for its schools.

Even where the data is maintained, it is not maintained in an orderly fashion with clearly mapped responsibility for the officials. This author has experience of filing RTI applications to the department, replies to which clearly show that the department does not maintain proper data and the limited data it maintains are not well organised to serve proper decision making.

4. **Closure of unrecognized schools:** Generalising all unrecognised schools as poor quality schools suffers from the same logical fallacy that is exhibited in the generalisation that all government schools are poor quality schools. Often, even facilities, let alone quality of education, in unrecognised schools are better than many government schools. So closing them all down indiscriminately has three major ill consequences: (i) further worsens the supply crunch and snatches the better quality education for children in those schools(ii) adds to the scope of corruption as these schools start operating under the radar with the connivance of the lower level officials and (iii) escalates the school drop-out phenomenon as many students who are suddenly forced to read in a changed medium and environment lose interest in education, especially girl students from poorer families who are already under enormous social pressure to stay at home and take care of the domestic chores.

The 2012 Shailaja Chandra Committee Report on Review the Delhi School Education Act and Rules of 1973 observes that the MCD had estimated 1593 unrecognised schools in Delhi serving 1,64,000 children.¹ When the government asked unrecognised schools to come forward and register on its portal, till March 2013, 1177 such schools had registered themselves.² Though many of these 1177 could have become recognised by now after the government subsequently relaxed some of the land requirement norms, many are likely to be unrecognised still as other impractical norms such as the condition that teachers must be paid as much as the government pays its teachers continue to be in operation. Besides, it is obvious that 1177 accounts only for those schools that were courageous enough to register knowing well that they might be closed under the new RTE rules.

II. AAP's assessment of the sector and action plan

The Aam Admi Party's 70 Point Action Plan and AAP Election Manifesto for the Delhi Assembly Elections 2015 enlists several promises to improve the education sector.

- 1) Increased government spending on education
- 2) 500 new government schools to be opened
- 3) Regulation and monitoring of fee structures in private schools
- 4) Transparency in private school admissions
- 5) Improving quality of education in government schools

- 6) Encouraging ‘school management committees’ with adequate representation from all the stakeholders
- 7) Empowerment of teachers with better training and reducing non-academic workload
- 8) Increase in untied funds for government schools

While these proposed solutions are to be encouraged, there is enormous scope for modification in light of the problems enumerated above. In particular, there is an urgent need to correct the anomaly of ignoring the contribution of low-cost private schools in Delhi, which have for decades provided better quality education to poor children by stepping in to fill the supply gaps but are now being forced to shut down under Sections 18 & 19 of the RTE, which has made it criminal to run an unrecognised school.

Recognising and co-opting the role of good low-cost private schools in the government’s efforts to improve schooling access and quality in Delhi is also in line with AAP’s stand as expressed in its Manifesto for 2015 Delhi Elections. It states that one of the guiding principles of education sector is ‘Community involvement in school education’. Small schools that come up in neighbourhoods without the help of the state or big corporate funding and sustain themselves by satisfying the parents are in fact excellent examples of the organic manner in which mohallas solve their problems. Not capitalising on this phenomenon through policies that facilitate the entry of these schools into the legal ambit would defy the principles of sound policy making for efficient and accountable governance.

This sentiment was further reiterated by AAP leader Yogendra Yadav on 10th February 2015, the day AAP received a historic mandate to govern Delhi, when he told the business channel ET Now, “Our economic agenda will be an intelligent mix of market and state.”

Education is as much an economic problem as it is a problem of governance. The supply crunch in schools and falling standards of quality in education can only be tackled with strong economic solutions. Keeping that in mind, the AAP government should seek the support of both the institutions- the market and the state.

III. India Institute recommendations

In the present situation we recommend a two-pronged approach for the government to improve education in Delhi-

1. Take the role of a facilitator rather than that of a controller with respect to enable affordable private schools in order to ensure that they too have an incentive to constantly improve their service delivery instead of expending energies to stay on the right side of the law by hook or crook.

2. Improve service delivery and accountability in government schools.

1. Enabling Affordable Private Schools

Contrary to the general perception, a substantial proportion of the private schooling ecosystem in Delhi is affordable private schools for the poor. Most of these schools have come to be categorized as ‘unrecognized schools’ as they are unable to meet the stringent, some times unreasonable, requirements for recognition under the Delhi School Education Act and Rules, 1972. According to media reports, at least 272 such schools have been shut down in Delhi since the enactment of the RTE, which makes operating such schools illegal. Another 2235³ schools have been served notices to shut down.

Often, these schools offer a better alternative to their non-performing government school counterparts in the neighbourhood as in the case of the Deepalaya School in Sanjay Colony, Okhla and the dozens of unrecognised schools that this author has personally visited in Seelampur. Even where the learning levels advantage is only marginal, parents value these schools for other important elements of schooling such as discipline, teacher presence and efforts, regular interaction with parents and accountability to them, smaller classes allowing individual attention, and, most importantly, English medium education that would later open more economic opportunities for their children. Surely, these are legitimate and praise worthy aspirations of economically poor people that want to fight their way out of poverty.

The way out for these schools if they wanted to continue functioning is to stay under the radar, pay off the inspectors or reshape themselves into tuition centres, effectively replacing a benign activity with forced corrupt and dishonest practices that defeat the purpose of the legislation. As for the extent of the harm that would be unleashed by acting against low cost private schools, even when we conservatively assume that only half of these schools remain affected, and only 100 children go to such a school on an average, more than one lakh children in Delhi are affected by just a few evitable input criteria for recognition. These children now have the following regrettable options:

- (i) Continue the risk of going to the unrecognised school. Risk because when the children want to shift to a different school, they will not have regular mark sheets or transfer/migration certificates. They will have to find corrupt means to get admission.

- (ii) Shift to a recognised private school and take the additional financial burden of paying more fees. Recognised schools have to invest more in infrastructure and pay their teachers more than the unrecognised schools do, so their fees are higher than in unrecognised schools.
- (iii) Shift to a government school, which is often of poorer quality. If the government school is a Rajkiya Pratibha Vikas Vidyalaya (RPVV), it may be better than the low cost private school but a child shifting from an unrecognised school will not be eligible for admission in an RPVV as only students who have studied in a government school for 2 continuous years are eligible.

A student who shifts to a government school suffers other impediments too. Since almost all private schools in Delhi are English medium and almost all government schools are Hindi medium, she will have to now read not just a different curriculum from a different set of teachers with a different set of classmates but also in a different medium, which can make her a laggard and even discourage and depress her enthusiasm for education.

- (iv) Drop out of school, especially if it is a girl child of migrant parents and the nearest government school does not have functional separate toilets for girls or if the teachers are known for not showing up. This is among the saddest consequences of criminalising unrecognised schools.

In essence, shutting down all unrecognised schools acts against the educational interests of the children from poorer families, not in their favour as the objective of the legislation would want it to be.

We propose three concrete steps to capitalise on the affordable private schools phenomenon:

- a. **Graded Recognition System- Separate criteria for recognition of quality low cost private schools:** Replace the policy of one-size-fits-all input based recognition system with a more flexible and practical input-cum-outcome based recognition system for both government and private schools, and categorise schools with stars or grades (as the UGC categorises universities) at five year intervals. This will correct the anomaly of forcing elite private schools that charge in lakhs and affordable private schools that charge in hundreds to conform to the same set of norms for recognition. In the present scenario where even state funded schools are

not able to meet the recognition criteria in several cases, mandating that low cost private schools should do so is unreasonable.

So the minimum set of norms for recognition should be limited to safety, hygiene and transparency aspects. Dilapidated buildings should not house children, a school cannot be without clean; separate toilets with running water connection for boys and girls; a school should not hide from parents what it knows will be of concern to the parents or mislead parents into believing what it knows is not true. Once these norms are met, the recognition awarded should be based on the level of infrastructure, best practices and learning level achievement a school can boast of. This will allow schools to grow organically based on their strengths and weaknesses. For example, a school in a congested part of the city may not have a big football field but excel in using technology for better learning outcomes, creative planning of lessons, teacher effort and best practices for parent involvement. Similarly, a low cost school might not pay teachers as much as the government pays or own land, but it could excel in community engagement, customisation of pedagogy as per the community's unique needs and special programs to encourage and empower girl children.

This system of graded recognition will offer two other unique advantages:

- (i) The parents will be able to make a more informed decision, as they will now have information on a school's category and what it entails.
- (ii) The schools will have an incentive to continuously improve their service delivery, as they would now have an opportunity to work on their strengths and weaknesses and move up the category ladder. They would also know that non-performance would lead to brand erosion through lowering of category ranking.

In the present system, once a school gets recognised, it has no incentive to improve its quality.

- b. **Scrap 'Essentiality Certificate':** As a part of its review of the present education policy, the government must scrap the process of handing out 'Essentiality Certificate' to those who want to start schools. The certificate, which is basically a government license to run schools, has become a breeding ground for corruption. It allows existing low-quality private schools to monopolize education in a particular area by restricting competition from new schools that may be able to provide better education.

Rule 44 of the Delhi School Education Act and Rules 1973 (DSEAR) mandates procurement of Essentiality Certificate as a precondition for school recognition. As the Shailaja Chandra Committee for Review of DSEAR reported in 2012, this rule was primarily intended to decide government allocation of land for a school and deserves to be deleted immediately⁴. When schools do not ask for a government land grant, this rule is irrelevant. To compound the unreasonableness, as revealed by the education department in the reply to this author's RTI application in this regard, there is no agency-government or private- that maintains data of school aged children in any area. In the absence of data, the grant of essentiality certificate has become a fertile ground for corruption. The zonal office of the education department constitutes a committee to look into the application for an essentiality certificate, whose reasons for rejection is often along the lines of, "enough essentiality certificates have already been issued in the area" and "land prices have gone up since the date of the project proposal"⁵. This shows the unhealthy extent of discretionary power exercised by the department officials and how it has come to be misused.

Market is the best judge of whether a school is needed in an area or not. It benefits the students by ensuring that competing schools have a reason to stay on top. It is currently not allowed to do its job by a licensing system that serves no beneficial purpose. Therefore, the essentiality certificate should be scrapped and maximum number of schools allowed to come up to fill the artificial supply gap created by the present system in the last 40 years.

Some times the essentiality certificate is justified on the ground that it will ensure schools are not fly-by-night operators. Perhaps nothing could be farther from reason as the implied argument that inefficient and poor quality schools should be artificially sustained through coerced subscribers in the interest of those subscribers.

- c. **Government sponsored independent rating system.** A rating system for schools should be put in place by the government and executed by an independent agency. The present licensing system and consequent supply crunch has led to vast levels of information asymmetry that allow poor quality schools to thrive at the cost of compromised future of the state's children. An independent rating system will help parents choose their school in an informed manner. This will involve the cost and efforts of devising a new system but benefit the parents and children enormously.

Sometimes it is argued that it is difficult to put a rating system in place. But difficulty should not be the reason to promote inefficiency and market opacity. It is also feared that rating of all schools will highlight deficiencies in

government schools. That could have been the concern of the governments of parties that had ruled before. For the AAP government, that concern is not only absent but would also be anathema as it has gained the people's mandate by championing the cause of honesty.

2. Improving Government Schools

- a. **Performance based pay for teachers:** Absenteeism among government teachers is high. Since their remuneration and career progress are scarcely linked to their performance, government schoolteachers also lack the accountability for the quality of education they provide. This has led to their losing interest in not just teaching but also continuing to be knowledgeable. In 2013, 99% of teachers who appeared for the Central Teachers' Eligibility Test failed the test. Teachers have to be encouraged and incentivized to be regular in conducting classes and pay more attention to the progress of each child in the class. Introduction of a performance-based pay for teachers will go a long way in ensuring that government teachers, who are among the most respected and well paid, to fulfil their professional commitments sincerely and improve the quality of teaching in government schools.

This will also encourage passionate young teachers with leadership qualities to set the bar high as the system would now allow them to rise up in the hierarchy and make a good career for themselves, unlike in the present system in which they often slog under under-performing and less capable head masters who beat them with their seniority. Which in essence is grave injustice to the children.

- b. **More autonomy to school principals:** The job of a government school principal is unenviable to say the least. Political interference in appointments, transfers and disciplinary action against teachers and other school staff has reduced the role of a principal in government schools from an academic leader to a clerk cum teacher. She is supposed to ensure that teachers and other staff are present and performing their duties, but her ability to reward better performers and punish laggards is limited.

One anecdote will sufficiently explain the state of affairs. When this author visited a government school, the school was extremely dirty. The principal wanted to have it cleaned but the sweeper had not turned up. She tried calling the sweeper a dozen times but the sweeper did not bother to take the call. Embarrassed, the principal asked a senior teacher what could be

done, to which the teacher replied that even the deputy director was scared after hearing the story of how another officer who wanted to reinforce discipline was “punished”. Hoping to make it easy for them, I suggested that they tell me the average attendance of their students. The teacher then asked the peon to get the attendance records. But the peon would not move and said that she was unwell and hence could not get up and open the almirah a few feet away. May be the situation is not so bad in other government schools, but not much better either.

Adding layer upon layer of monitoring would only increase the red tape and make fixing accountability difficult. Redressal is possible only through simplification of processes and building capacity for delivery in those who are responsible for a task. In the case of a school, the principal has to have the power and ability to transform her staff into a disciplined and enthusiastic team to deliver.

- c. **Equal norms for all schools:** Several reports have shown that sanitation and infrastructure in most government schools are very poor. The sanitation facilities available in a school not only have an immediate impact on the attendance levels of children in the school, but also have a long-term impact on a child’s health and hygiene. It is deplorable then, that there are schools in Delhi that have no functional toilets or safe drinking water. If a private school without these facilities will not qualify for recognition, why should a government school in the same condition be recognised? Are the children be penalised for going to government schools?

This practice of differential standards is not restricted to amenities. Some times a government school goes without a principal for years together. In the absence of a figurative head even, the school suffers from lack of coordination, planning and record keeping. On the one hand this is injustice to the enrolled children and the taxpayers. On the other hand, this perpetuates injustice to children enrolled in nearby private schools too as they have no competition. Therefore, the government should immediately put an end to the double standard by making both government run and private schools subject to the same set of norms for recognition.

Our recommendations and AAP’s stand

Several among the above recommendations are in line with AAP’s poll promises and ideology. Still others are based on findings of the Committee for the Review of DSEAR.

On February 17th 2014, Chief Minister and then AAP leader Arvind Kejriwal told a gathering at CII's National Council Meeting,

"We are against licence and inspector raj, which are affecting the business community. The government should privatise sectors with more competition immediately and improve governance"

"We are not against capitalism, but we are against crony capitalism."

We recommend that AAP build its education policies by incorporating this important statement on incentives. Competition among schools and better regulatory policies from the government will restrict cronyism and improve quality of schooling.

The AAP government, which is spear heading the mohalla sabha based governance, must place more faith in parental choice. The poor, as the party has always contended, are not any less intelligent than the rich when it comes to what is good for them. They place an enormous amount of premium on education as a way out of poverty. It is the duty of a progressive government to provide them the necessary avenues to succeed in their attempt to help themselves.

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End Notes

¹ Report of the Review Committee on Delhi School Education Act and Rules of 1973, 2012. Vol I, Pg 36.

² <http://archive.indianexpress.com/news/no-pvt-school-in-city-will-be-shut-down-govt-assures-house/1093851/0> (Accessed 04 March 2015)

³ <http://www.educationworld.in/news/states/delhi-closure-of-unrecognized-schools-will-deprive-45-lakh-children.html> (Accessed 04 March 2015)

⁴ Report of the Review Committee on Delhi School Education Act and Rules of 1973, 2012. Vol I, Pg 76.

⁵ Observed and recorded by the author in a social audit of files related to rejected applications for Essentiality Certificate at the Najafgarh zonal office of the education department.

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