

Primary Schools in Dharwad: Amidst Paisa, Power & Politics

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Education is the passport to accelerated economic growth...(it) is the key to building human capital and human capital is the vital ingredient in building a nation. (Mahboob Ul Haq and Khadija Haq, 1998). In India, under various constitutional provisions and five-year plans education facilities, have been expanded at all levels. According to Article 45, of the constitution of India, "the state shall endeavor 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. As per 93rd amendment to the constitution, now elementary education has become the fundamental right of every child. But still millions of children are out of schools.

Karnataka, with 67.04 percent literacy rate may possibly be seen as being representative of the country in the sphere of primary education in that it is not as backward as Bihar nor as advanced as Kerala (Rekha Kaul, 2001). There has been a rapid increase in primary schools and enrolments. The number of primary schools-government, aided and private in Karnataka went up from 27,050 in 1960-61 to over 46,900 in 1997-98 (Human Development in Karnataka 1999) and to 50,424 in 2002-03. Despite a vast network of schools, growth of enrolments and creation of 5000 posts for teachers every year since 1994-95, the dropout rate from classes I-VII during the period 1985-87 to 1993-94 has been recorded at 51.89 percent (Educational Statistics at a Glance, 1993-94). In 1996-97, out of a total estimated child population of 94 lacks in the 6-14 age group, 86 lacks are in school. However though the percentage of children out of school has dropped to less than 28 percent in 1996-97, in absolute numbers to be as high as 26 lacs. The percentage of girls out of school is 33 percent and that of boys is 23 percent. Poverty is one of the main reasons for these dropouts. A study conducted by Rekha Kaul reveals that, primary education is not free even in government run schools of Karnataka, as the parents have to spend on stationery, transport, uniforms etc. 90 percent of rural children go to government schools, their parents have to spend Rs.600 to Rs. 800 per annum per child; while 45 percent of urban children go to government schools the expenditure is Rs 800 to Rs.1200 per annum per child. The remaining 10 percent of rural and 55 percent of urban students going to private aided and unaided schools have to spend thousands of rupees per annum. The changing policies of the government towards these private schools, is also responsible for the hike in the cost of education. This paper attempts to analyze the working of private schools, mainly emphasizing on the licensing procedure to open them.

How to open a private school

"Private school", means any school imparting education; established and administered or maintained by any person or body of person; not by the central government or the state government or any local authority or any other central or the state government.

Procedure for registration of a school

First, any local authority or any person or group of persons intending to open a school shall be under the management of a committee of 11 persons or a society, registered under the Societies Registration act, 1960 or the Bombay Public Trust Act, 1950 or any other act that may be specified by government, it shall consist of not less than 7 and not more than 13 persons, it shall act in capacity of trustees and shall be answerable for the maintenance of the institution and for the observance of such rules as may be prescribed by the department from time to time. It has to convince the registering authority that there is need for providing educational facilities to the people in the locality or for the type of

education intended to be provided by the institution. Applications for registering an educational institution shall be filed in form-1 before the registering authority only in the month of March in every academic year. The application for registration, to the class of institutions, shall be accompanied by a registration fee as per Table 1.

Table 1

SN	Class of Educational Institutions	Registration fee to be paid (in rupees)
1	2	3
1	Pre-primary Institution	2,000-00
2	Lower primary schools with pre primary section (Standard I to IV)	5,000-00
3	Upper primary schools(Standard V to VII) (for Kannada medium) (for English medium)	5,000-00 10,000-00
4	Secondary schools (Standard VIII to X)	10,000-00

Second, to determine the financial viability to the registering authority, an applicant seeking registration, has to provide the following documents namely:

- i. latest audited Balance Sheet and assets- liability statement of the applicant institution, and also that of other educational institutions seen by the applicant institution which shall be duly certified by a Chartered Accountant.
- ii. the Bank transaction and the cash balance in the account obtained by the applicant institution.
- iii. Certificate from the Bank regarding the cash balance in the account of applicant institution.
After the verifications of these documents, registering authority registers only that applicant institution which;
 - i. holds in its own name a minimum cash of balance of rupees five lacs or assets worth to that extent.
 - ii. is possessed of an initial corpus fund to establish, maintain & run the proposed educational institution;
 - iii. has the capacity to deposit stability fund as required under the rules governing recognition of the class of educational institutions to which its belongs
 - iv. has the capacity to provide suitable facilities like site, building, accommodation, staff, equipment etc. For this applicant has to submit, the photocopy of title deeds to evidence possession of the extent of land required for building, playground etc, of the prescribed standards and blue print to evidence that building to the required extent and of the required specifications are available.

Table No. 2 shows the registering authority for educational institutions seeking fresh registration under the section 31 & for up gradation under section 32 as mentioned in Karnataka Education Act, 1983.

Table 2

SN	Class of Educational Institution	Registering authority for the purpose of receiving Applications	Registering authority for all other purpose & the provisions of the act noted below
1	Pre-Primary Institution	B E O in the concerned Block for the Block	B E O in the concerned Block
2	Lower Primary Schools (Std. I to IV) (Other than English Medium)	B E O in the concerned Block for the Block	B E O in the concerned Block
3	Lower Primary Schools (Std. I to IV) (English Medium)	Deputy Director of Public Instruction of concerned District for Districts	Director of Public Instruction (Primary)
4	Upper Primary Schools (Std. V to VII) (Other than English Medium)	B E O of concerned Block for the Block	Director of Public Instruction
5	Upper Primary Schools (Std. V to VII) (English Medium)	Deputy Director of Public Instruction of concerned District for Districts	Director of Public Instruction (Primary)
6	Secondary Schools (Std. VIII to X) (For All Medium)	Deputy Director of Public Instruction of concerned District for Districts	Director of Public Instruction

Procedure for recognition of, registered educational institution.

- 1) Every registered institution shall file an application for recognition in the month of July of the academic year in which the institution has been started but not later than 31st August, to the competent authority.
- 2) The applicants should deposit the prescribed amount as security deposit, for the class of educational institutions and standards as specified in Table 3

Table No. 3

SN	Class of Educational Institution	Standards governed	Value of security deposit (Rs)
1	Lower Primary School	I-IV	10,000
2	Upper Primary School (including composite school)	V-VII	20,000
3	Secondary School (including composite school)	VIII-X	30,000

- 3) The applicant must ensure the competent authority that it

- a) has a site registered in the name of the governing council or the managing committee of such educational institution
- b) has good building facility, sufficient accommodation with water, toilet and other facilities.
- c) has sufficient area for playground, enough for all the students in the institution to assemble, to play and watch at least two outdoor games at one time.
- d) has provided laboratory equipment, library books, sports materials, maps, charts and other teaching aids.
- e) has appointed only qualified teachers and other staff as specified in the recruitment rules notified by the competent authority authorized in this behalf.

A school also needs to apply for affiliation with Karnataka State Secondary Education Examination Board (KSSEEB). Only on affiliation with KSSEEB the students of the particular school can appear for public examinations. In order to get affiliated, the school needs to follow the curriculum for each course or class specified by the competent authority.

This lengthy procedure of registration, recognition and up gradation produces enough paperwork for schools to spend a huge sum of money and manpower to get their work done at the earliest. To obtain, 'PTR Utar' from the sub registrar office; site plans of the building / sanctioned building plan, completion certificate, building fitness certificate etc from the municipal corporation, school authorities have to spare tens of thousand rupees. Political influence also plays a vital role in opening private schools, especially English-medium schools as government is in favor of Kannada medium schools. Given below is a list of licenses & documents to open and operate a school.

SN	Name of Licenses	Governing Act	Regulating Authority
1	Registration Certificate of Society or Trust	The Societies Registration Act, 1960 or the Bombay Public Trust Act 1950	
2	Certificate of Recognition	Education Act, 1983	BEO or The Director of Public Instruction
3	Certificate of Up gradation	Education Act, 1983	BEO or The Director of Public Instruction
4	Certificate of Affiliation	Affiliation Bye-Laws	KSSEEB
5	Certificate of HDMC		HDMC
6	Affidavit regarding proper purchase of land and no violation of master plan in the land wed		HDMC
7	Site plan of the Building /Sanctioned Building plan		HDMC
8	Completion Certificate		HDMC
9	Building Fitness Certificate		HDMC
10	Duly approved scheme of Management		BEO or The Director of Public Instruction
11	Consent of the People		People of that locality
12	Financial viability certificate of the institution		Bank
13	Certificate regarding the cash balance in the account of the applicant		Bank

Given below is the list of information to be submitted, along with application for Recognition / Up gradation

1. Name of School: (a) Composition of the school Boys / Girls / Co-education
(b) Medium of instruction
2. Date of starting, working hours of the Schools.
3. Whether Registered under the Societies Registration Act or not?
4. Name and address of the Management, (Type of the Management General, minority/SC and ST)
5. List of Management Committee Members.
6. Name of the Secretary/Correspondent with full address, Telephone, Fax.
7. Whether the Management is running any other institutions, if so furnish the list.
& Financial position of the Management (enclose audit report of the last three years) (a) furnish details of stability fund (b) furnish details of fees/donations or any other amount collected
8. Financial position of the Management (enclose audit report of the last three years) a) furnish details of stability fund b) furnish details of fees/donations or any other amount collected
9. Aided or unaided (if aided enclose a copy of the G.O.) .
10. If any subject or activity that is not included in the curricular is prescribed, if so furnish details.
11. Class or Classes to be recognized. Details about, number of Pupils and average attendance during each month, in every section. If the additional sections have been sanctioned enclose copy of the order
12. Year of latest recognition obtained (enclose a copy)
13. Staff Particulars:
14. Accommodation (enclose copy) (a) Total area of the school buildings (i) Number of rooms/size (ii) Rented or own (b) Total area of playground (c) Toilet provided or not both for staff and students (d) Electricity facility available or not (e) Whether the special provision is made in the school building for disabled children.
15. Drinking water facility
16. Library Facility
17. AV aid(furnish the list)
18. Sports and games
19. Laboratory facilities
20. Co-curricular activities provided
21. Furnish Annual Public Examination results of the last three years.
22. Any unique features of the school.

Grant-in-Aid

Grant or grant-in-aid means any sum of money paid as aid, out of the state funds to any educational institution. The state government sets apart a sum of money annually for being given as grant to private institutions, in the state recognized for this purpose. The sanctioned grant, is disbursed by the, 'Commissioner of Public Instruction' or such other office subordinate to the commissioner or the director or the state government may by general or special order authority in this behalf.

The private aided educational institution receives grants in the following forms.

(A) Building Grants

(B) Maintenance Grants

- i. Salary Grants: the entire amount of salary of teaching and non-teaching staff.
- ii. Grant on contingencies: the entire expenditure incurred on approved items of contingencies like
 - a) On general items: chalk piece, white papers, envelopes, excises books, notebooks, flat files etc.
 - b) On miscellaneous items: phenyl, postage, repairs to typewriter school clock, locks, cycle, purchase of forms and registers etc.
- iii. Grant on maintenance & repairs of school buildings and play grounds.
- iv. Grant for the purchase of furniture, laboratory-equipments etc.

v. Grants for youth tours and hikes etc.

According to “The Karnataka Educational Institutions (Grant-in-Aid for primary, secondary and pre-university education institutions) rules, 1998”, in Karnataka all the private educational institutions [including all private educational institutions run by Scheduled Caste and Scheduled Tribes established or permitted to be so established on or after the first day of June 1987, but started functioning from the academic year 1987-88 and on wards] for imparting primary education, secondary education or Pre-university education shall be permanently ineligible for Grant-in-Aid. Thus now onwards, new private schools can be opened, only by the rich and influential people; caste and community trusts which are in a strong position to run all kinds of educational institutions through patronage, like donation of land or space; buildings; furniture & funds.

Plight of English-medium schools

In much of urban India there prevail two aspects of education namely English-medium and vernacular-medium. The medium of instruction in vernacular schools is usually one of the constitutionally recognized state languages of India. English in these schools is taught as one of the subjects. In English medium all subjects are thought in English. English-medium education along with the changes in attitude, lifestyles, mannerisms and aspirations has brought higher economic and cultural status for those who have access to it. As English has become “the language of social advantage and exciting economic opportunities” the people educated in vernacular schools are facing “ a chronically unfair compulsion to participate in the mainstream market economy from a weak position; [Kumar (1996)]. Therefore nowadays most of the parents in urban areas are willing to send their children to privately owned and managed private English-medium schools to state-run vernacular-medium schools. In Hubli-Dharwad, there are 34 English-medium schools. All these, 34 schools are run by private management. Still there is a great demand for few more English-medium schools, even though the cost of education in these schools is very high. The Headmistress of one the best Kannada-medium schools established in early 1940’s told that, students felt that there are many advantages if they learn in English medium and many students migrated from their school to other English medium schools. Hence they are forced to start English medium section in 1994. She told that as they have to run these English-medium schools by the fees collected by the students, it has become a difficult task. She also regretted that “the step-mother like” attitude of the state government towards English-medium schools is harming the interests of both students and teachers. Because every student in the English-medium school has to pay Rs.2500-3000 more than the students in Kannada-medium school and also as government does not gives ‘salary grant’ to English-medium schools; teachers working in these schools have to satisfy themselves with less pay, no allowances and pension facility.

Private Schools Vs The Education Act:

There are 278 primary schools including both lower and upper primary schools and 212 secondary schools in the twin cities of Hubli-Dharwad. Out of these 490 schools, 328 are private schools and 162 are government schools. Thus nearly two-thirds of children in these two cities go to private schools. Table 4 gives the details of schools in Hubli-Dharwad.

Table 4

SN	Class of Educational Institution	Government	Private Aided	Private Unaided	Total
1.	Lower Primary Schools	32	5	29	66
2.	Upper Primary Schools	88	42	82	212
3.	Secondary Schools	42	104	66	212
4.	Total Number of Schools	162	151	177	490

According, to section 39(1) (a) of Karnataka Education Act, 1983. The recognition of the educational institution can be withdrawn by the competent authority, where any local authority or the governing

council of any private educational institution fails to fulfill any of the conditions of recognition or fails to comply with the orders of the competent authority with respect to accommodation, equipments etc. In Dharwad "xyz school", established in 1980 failed to construct its own school building within the permitted time span. 'The Department of Public Instruction' gave notice to the school authorities thrice. But every time the school authority succeeded retaining their reorganization by paying bribe to the concerned officials. Now as "Zilla Panchayats" (ZP) are also involved in this process, schools have to satisfy the ZP authorities also. This example clearly shows how effectively the Karnataka Education Act, 1983 has been implemented and how efficient are our *sarkari babus*!

Many school authorities objected to the provision of transferring teachers from one aided institution to another institution by the government; where as the authority for appointment lies with the management of private institutions usually managements appoints only those teachers who agree to work in accordance with "Bye-laws" of the schools but the transferred teachers from other private institutions many times fail to follow the rules and regulations of this particular institution, leading to clashes between the management and teaching staff.

The education act says that every school must have a sufficient area for playground enough for all students to assemble and to play outdoor games. The principal of one of the girl's high school having the strength of 1500 students run by the minority community told that, they had a play ground, measuring 2 ¼ acres. The government has taken out, an-acre of land from this, to construct a government hostel, in spite of the strong resistance from the school authorities.

According to the Karnataka Education Act, 1983, recognized private unaided institutions may collect tuition fees from all the students which shall commensurate with the expenditure incurred towards salary of staff and the quality of education provided by the institution and they can also collect up to a maximum of Rs. 600/- per year. But they are collecting Rs. 2100/- from pre-primary students; Rs. 2900/- from primary students and Rs 3500 per annum from high school students.

As per rule, all educational institutions from pre-primary to secondary education shall work for 5 ½ hours a day excluding the duration of interval and 5 ½ days in a week from Monday to Saturday. But some private unaided primary schools work only for 3 1/2 hours due to shortage of classrooms. As the government has stopped giving building grant, equipment grant and sites at subsidized rates for private schools, the management itself has to rise funds for all these purposes. In the opinion of school authorities, to open a primary school(I to VII) Rs. 60 lacs and a high school(VIII to X) Rs.40 lacs is needed. But as they are unable to construct sufficient number of classrooms due to shortage of funds, they are conducting classes on shift basis (for primary students 8.00 a. m to 11.30 a.m. and for high schools 12.00 noon to 5.30 p.m).

According to the education act, in case of primary schools there shall be a minimum of one teacher for every forty students or fraction there of. But in almost all private schools this ratio is 1: 80. In addition, many recognized private unaided schools have appointed unqualified teachers on a temporary basis, by paying very less salary, as they could not afford to pay the salary to the qualified permanent teaching staff as per the government scale. Unfortunately the concerned authorities are not taking any action against these institutions, though these factors are mainly responsible for the deterioration in the quality of education. This kind of educational scenario can be seen all over India. Thus Professor Amartya Sen suggested,

"The common claim of Indian government being overactive is only half true. In the economic area, the government has gone too far with its "License-Raj. However in the social sphere specifically in education and health care, the government has been grossly under active"

Case Study of a School

Let us focus on the plight of a school in Hubli-Dharwad. The study tells us how the Karnataka Education Act, 1983 and the state government are detrimental to the quality of education and more so to the less privileged section of the society.

This school was established in 2001. This is run by a community mutt and guided by service minded retired civil servants and well known educationists. A 'Public Trust' was registered under the 'Bombay Public Trusts Act, 1950 (Bombay XXIX, of 1950) at the office of charity commissioner, for religious institutions, Belgaum, long back. Under this trust, the mutt is imparting quality education to the students in some parts of Karnataka, without having any profit motive. When this trust submitted an application, through a proper channel and documents to open a school to impart education, to the children of slum dwellers and other poor people, its application was rejected. The reason given by the authorities was that, already there existed sufficient number of schools in that particular locality. But the real fact is that, one of the existing schools is a private unaided English Medium school, which could not admit the poor students, who could not pay the heavy fees. So again the trustees, urged the authorities to give permission to open a school and also used some political influence. Then the permission was given to open a school, after the inspection of the school building and other facilities by the Block Education Officer. Thus in 2001, under the section 32 of the Karnataka Education Act 1983 (Karnataka Act No.1 of 1995) the registration was done. Nursery and first standard classes were opened and after that it has been upgraded every year.

As per the education act, this school is also permanently ineligible for Grant-in-Aid. So it has become a difficult task to run a school, to construct some more classrooms, purchase teaching aids and furniture as it is being upgraded by one standard every year. The authorities say that, as they do not get any help from the government they have to run the school by collecting funds from the students, in the form of special development fees and tuition fees. But, as this school is specially meant for poor students who cannot afford to pay the fees, public funds are also being raised by the philanthropists. One of the school authorities criticized the government policy of giving, free text books, uniforms, school bags and note books to the students studying in government schools only. Under centrally assisted program of nutritional support, three KGs of rice/ wheat was supplied to the children in government and private aided primary schools, till the last academic year. From this academic year; the state government has started a scheme of giving hot, cooked midday meals to children in government primary schools. He said that, these programs must also be extended to the poor children studying in private unaided private schools to stop, school dropouts. He regretted that though they are managing to give a decent sum of money to the teachers as a salary, it is much less than the government scale. So they are leaving this school, whenever they got a job in government schools or private aided schools. So the government must start giving aid to the unaided private schools, to bear the essential expenses.

This school has only four classrooms. When it is upgraded by one standard in the present academic year there raised a need for another classroom. Then, the room meant

for some other purpose, was converted into a classroom, as in the same premises there exist another education institute, run by the same trust. As the process of up gradation continues every year, the need for classrooms and other facilities goes on increasing. For the fulfillment of these needs lacs of rupees is required. But from which source do they raise this huge amount of money? This is a Herculean task faced by the management of every unaided private school, specially, by the authorities of those schools who run them for poor people without any profit motive! . One of the trustees raised, the following questions.

"In this situation, can we achieve the target of universal education? If not, then why the government is not taking any initiatives to help private schools along with government schools which impart quality education, with charity motive?"
These questions are yet to be answered, by the people in power

Conclusion: Give them a freer hand!

In Hubli – Dharwad 16.34 percent of boys, 18.33 percent of girls i.e., 17.34 percent of children in the age group of 6-14 are out of school ! As government schools alone cannot accommodate all these children there is a great need of private schools in these two cities and also all over the state. The performance of the students in the private aided schools is far better than that of government schools. But many provisions of the Karnataka education act 1983 are against these private institutions

imparting quality education. It is essential to liberate education from governing acts and regulating authorities, to give freer hand to school authorities to make school curricula less rigid and to adopt innovative initiatives in the field of education so as to march along with the dynamic developed economies.

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