

**Marginalised Children and their Right to
Education in Delhi:
A Study of Five Urban Communities**

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Chapter 1

Introduction

When the Indian government made the right to education for all children aged 6 to 14 years an enforceable legal right under Article 21A of the Constitution in 2002, it became one of the few countries in the world where elementary education is a fundamental right. The Constitution also contains Article 46, which stipulates that the Indian state will promote with special care the educational and economic interests of the weaker sections of the people, in particular that of the Scheduled Castes and Scheduled Tribes, and protect them from social injustice and all forms of exploitation. Read together, the government has an obligation to not only ensure universal elementary education, but also to take special measures to enable socially marginalised children to enjoy their right to education. This is reaffirmed in the National Policy on Education 1986/1992, which emphasises the removal of disparities and the equalisation of educational opportunities in terms of access as well as the conditions for successful completion of education. This requires that the government attend to the needs of those who have been denied equality in education so far.¹

Strengthening this obligation, under Article 28 of the International Convention on the Rights of the Child 1989 the Indian state recognises children's right to education and commits to achieving this right on the basis of equal opportunity. An important aspect of this right is that education must be accessible to all, especially the most vulnerable children, in law and in fact, without discrimination.² This right, and especially its equity component, has been interpreted to mean not only equal opportunity, but also the creation of conditions in which the disadvantaged sections of society can avail of the opportunity to be educated.³ The creation of such conditions may require different strategies for different groups of children, due to the diversity of circumstances and socio-economic barriers children face to accessing and completing their education. Such diversity is particularly apparent in urban areas today, where people from all social, economic, cultural and religious walks of life reside.

India today has 36.55 crore people living in urban areas, representing 30% of the country's population.⁴ Within the country, Delhi is one of the fastest growing cities: it had around 47% population growth from 1991 to 2001, more than double the national rate; and the provisional National Census 2011 population data notes a population growth rate from 2001 to 2011 of 21 percent. A large part of this rapid growth has been due to the high levels of

¹ National Policy on Education 1986/1992, paras 3.6 & 4.1.

² CESCR, *General Comment 13: Right to Education (Article 13)*, UN Doc. E/C.12/1999/10, 1999, para 6(b).

³ Report of the Committee on Implementation of RTE Act and the Resultant Revamp of SSA, as quoted in Department of School Education and Literacy, *Sarva Shiksha Abhiyan: Revised Framework for Implementation based on the Right of Children to Free and Compulsory Education Act 2009*, Ministry of Human Resource Development, New Delhi, 2011, p.24.

⁴ UNICEF, *State of the World's Children 2012: Children in an Urban World*, New York: UNICEF, 2012, p.vii.

migration to the city by people in search of work, especially from Uttar Pradesh and Bihar. Delhi also has the highest density of population per square kilometre in the country.

Alongside the growth of cities like Delhi, however, is also the increasing number of poor people living in cities. There are currently over 80 million people living below the official poverty line in Indian cities and towns, with a per month consumption expenditure of less than Rs 538.60. Many live in slums. In addition, there are around 40 to 45 million others who subsist just above the official poverty line, and hence are economically vulnerable. The urban poverty gap, measured by inequalities in monthly consumption expenditure, is also deeper as compared to the poverty gap in rural areas.⁵ In terms of living conditions, the India Urban Poverty Report 2009 notes,

Urban poverty poses problems of housing and shelter, water, sanitation, health, education, social security and livelihoods, along with the special needs of vulnerable groups like women, children and aged people. Poor people live in slums which are overcrowded, often polluted and lack basic civic amenities like clean drinking water, sanitation and health facilities. Most of them are involved in informal sector activities where there is constant threat of eviction, removal, confiscation of goods and almost non-existent social security cover.⁶

This is echoed in the Approach Paper to the 12th Five-Year Plan,⁷ which notes that one of the key challenges of urbanisation is to address the basic needs of the urban poor, including their lack of access to education. The Ministry of Housing and Urban Poverty Alleviation envisions that urban poverty reduction will be accelerated by the convergence of different programmes and services in a transparent and participatory manner relating to skill development, creation of livelihoods, social security and social services including health and education.⁸

As far as education is concerned, some of the major issues identified across all the 35 million-plus Indian cities, including Delhi, are: non-availability of land for opening schools and for running the schools on rent; the need for rationalisation of teachers; the need for strategies for the urban slums and coordinated urban interventions; the lack of basic amenities in many areas; problems of linkages between Education Departments and other Agencies/Departments in terms of urban planning and education planning; and the lack of special surveys to identify out of school children in the urban slums/areas.⁹

⁵ Steering Committee on Urbanization, *Report of the Working Group on Urban Poverty, Slums and Service Delivery System*, Planning Commission, New Delhi, 2011, pp.2-5.

⁶ Ministry of Housing and Urban Poverty Alleviation, *India Urban Poverty Report 2009*, Oxford University Press, New Delhi, 2009, Summary.

⁷ Planning Commission, *Faster, Sustainable and More Inclusive Growth: Approach Paper to the 12th Five-Year Plan*, New Delhi, 2011, p.109.

⁸ Ministry of Housing and Urban Poverty Alleviation, *Strategy Paper (Seven Steps)*, Government of India, 2011, p.iii.

⁹ Planning Unit Technical Support Group, *Status of Elementary Education in the Million Plus Cities*, SSA, MHRD, New Delhi, 2009.

Urban children face a particularly complex set of challenges affecting their development and the fulfilment of their rights.¹⁰ Urban areas contain diverse groups of disadvantaged and marginalised children: street children; orphan or single parent children; runaway children; working children such as rag pickers, construction workers, factory workers or domestic workers; child beggars; children of sex workers; children of migrant labourers; children living in urban poor slums, especially those classified by the government as un-notified or unauthorised slums; homeless children; children displaced due to the resettlement of urban slums on the outskirts of cities; HIV-affected children; children with special needs; and so on. A large number of these children belong to Scheduled Caste, Scheduled Tribe and Muslim social categories. Gender and disability cross-cut all such groups of children. These children are often more deprived and have no access to education despite a number of education provisions and schemes. Moreover, a large section of these children are engaged in child labour, often in hazardous occupations.

While urban areas are often perceived to have better educational facilities and better educational indicators, the reality is that “urban inequities profoundly undermine children’s right to education”.¹¹ While the enrolment of disadvantaged and marginalised children in urban schools may be fairly high, dropout rates are even higher. Behind the failure to access, attend and complete school education, especially elementary education up to 8th class, are a number of factors: e.g. family poverty; gender, caste, ethnicity and religious discrimination¹²; social norms, especially gender norms; distance to schools; insecurity for children travelling to and within schools; overcrowded and poor quality government schools; teacher absenteeism; the lack of a proper and authentic database for out of school children in urban areas; the lack of basic amenities in their homes/ neighbourhoods; and the lack of a basic educational environment.

Consequently, in 2005, around 2.1 million children were out of school in urban areas (4.34% of the eligible population) out of a total of 13.4 million children out of school in the country. In 2006-07, 35 cities/districts reported around 0.62 million children between the ages of 6-14 years (3.38% of the total child population) out of school. The numbers of out-of-school urban children, however, may be much higher due to inaccurate or insufficient surveys. These surveys do not capture informal or illegal settlements, migration patterns in and out of cities, or the differences between the poor and non-poor within urban settlements.¹³ In

¹⁰ UNICEF, *State of the World’s Children 2012: Children in an Urban World*, New York: UNICEF, 2012, p.2.

¹¹ UNICEF, *State of the World’s Children 2012: Children in an Urban World*, New York: UNICEF, 2012, p.28.

¹² Multiple state surveys by UNICEF have highlighted the biases against girls and ‘lower’ castes in schools: see Mehtrotra, S., *The Economics of Elementary Education in India: The Challenge of Public Finance, Private Provision and Household Costs*, Sage Publications, New Delhi, 2006.

¹³ Note that SSA has recognised the inadequacy of data on urban deprived children and that data on urban areas in general do not reflect on the situation of marginalised communities within urban areas: Planning

2007-08, 18% of the urban population aged 15 years and above were not literate. Out of those literate, 0.9% were without formal education, 36.3% had studied up to the middle school level, and 28.1% had studied up to the secondary and higher-secondary level. Only 11.4% had graduated and only 3.5% had completed post-graduation studies and above.¹⁴

The inability of broad policies and programmes to capture the specific situation of urban children and the inadequate emphasis on work with the urban poor has been recognised by the Indian government's flagship education programme, Sarva Shikshya Abhiyan (SSA). Hence, relatively greater emphasis has been placed on the education of the urban poor under the second phase of SSA, with the inclusion of an 'urban deprived' innovation head for schemes under SSA. SSA now openly recognises hierarchies among the poor, and that the most underprivileged and neglected groups have to receive special priority, separate needs assessment, and focused and innovative interventions in order to ensure their inclusion in elementary education. The most disadvantaged groups that SSA identifies include urban deprived children, children of migrant workers and children in very poor slum communities and uprooted urban habitations. The large number of urban deprived children without elementary education is identified as partly due to the multiplicity of education providers and the agencies managing education, so that often a number of initiatives for universal elementary education do not reach the urban schools. There is therefore a need for separate education planning down to the habitation level in urban areas and coordinated efforts to provide solutions on an institutional basis to urban issues.¹⁵

Equity-Inclusion Dimensions in the RtE Act

It is against this context that the Right of Children to Free and Compulsory Education Act 2009 (RtE Act herein) becomes particularly relevant. The RtE Act stipulates the right of every child aged 6 to 14 years to eight years of quality elementary school education in their local neighbourhood. For those children who do not yet enjoy this right, the Act provides additional education support to cover the lost period of education and to enable such children to access eight years of education both inside and outside schools. The RtE Act rightly shifts the responsibility of providing schooling to the state, moving away from the earlier theories of family and child deficits. Given the existing schooling constraints in terms of poor infrastructure, lack of adequately qualified teachers, delays in disbursing books and scholarships, the absence of quality midday meals and the lack of robust school monitoring or support systems, the tasks of implementing this right for children inside schools is a

Unit, SSA Technical Support Group, *Strategies of Urban Deprived Children under SSA: Annual Work Plan and Budget 2009-10*, 2009, p.3.

¹⁴ Steering Committee on Urbanization, Report of the Working Group on Urban Poverty, Slums and Service Delivery System, Planning Commission, New Delhi, 2011, p.14.

¹⁵ Department of School Education and Literacy, *Sarva Shikshya Abhiyan: Revised Framework for Implementation based on the Right of Children to Free and Compulsory Education Act 2009*, MHRD, New Delhi, 2011, paras 3.2.8.17-19 and 3.8.2.26-29.

herculean task. In terms of ensuring this right to the millions of children currently outside of schools, this becomes even more of a challenge.

April 2013 is a critical watershed when the central government has promised to ensure the right to elementary education in all aspects, except for meeting teacher capacity norms. The central government has conducted stocktakes for the first two years of implementation of the RtE Act in April 2011 and April 2012, which show progress in a number of areas and continuing challenges in many more. Civil society organisations also have conducted stocktakes for the same period, primarily covering the norms and standards set out in the Act's schedule (i.e. physical infrastructure, facilities and services, teaching hours, etc.), and come up with a number of challenges. The Supreme Court has also supported the process by ruling in October 2011 that the denial of the basic rights to water and toilet facilities in schools violates the right to free and compulsory education provided under the RtE Act.¹⁶ These are all important first steps in monitoring the Act and promoting state accountability for its implementation. Numerous challenges to implementation remain, given the lack of clear-cut and effective enforcement mechanisms under the Act and the inadequate financial allocations for education – India still spends only 3.78% of its GDP on public education,¹⁷ one of the lowest percentages in the world and much less than the government's promise of 6% allocation.

However, a dimension that is not sufficiently covered in stocktaking by both the government and civil society organisations is the bundle of issues that constitute equity and inclusion in schooling. **Equity in education** means that all children should have equal access to, in and through elementary education to realise their potential and aspirations.¹⁸ Equity is interpreted to mean not only equal opportunity, but also the creation of *enabling conditions* in which socially excluded children can avail of the opportunity to receive an elementary education.¹⁹ Equity is recognised under SSA as an integral part of the agenda of improving the quality of education. This is achieved by developing a deeper understanding of the issues contributing to exclusion and disadvantage arising from structural inequalities, the challenges children from socially excluded communities face and their subsequent specific needs. Non-discrimination is understood as a minimum, core state obligation that has immediate effect, irrespective of the availability of resources. Hence, active measures

¹⁶ The Hindu, *All Government Schools must have Toilets by November-end*, 19.10.2011, available at: www.thehindu.com/todays-paper/tp-national/article2550270.ece.

¹⁷ World Bank, World Development Indicators, data for 2008-09, available at: www.data.worldbank.org.

¹⁸ UN Girls' Education Initiative & EFA Fast Track Initiative, *Equity and Inclusion in Education*, Washington DC, 2010, p.3.

¹⁹ *Report of the Committee on Implementation of The Right of Children to Free & Compulsory Education Act, 2009 and the Resultant Revamp of Sarva Shiksha Abhiyan*, Ministry of Human Resource Development, New Delhi, 2010, para.12.

should be in place in all schools to both prevent and redress discrimination of any kind.²⁰ Equity also requires that contextualised education strategies are developed to address the deep rooted prejudices that support social exclusion of these children.²¹

Inclusion in education means two processes: reducing exclusion from and within education, and addressing and responding to the diversity of learning needs among students.²² It is about viewing diversity and differences among students as opportunities for enriching learning, not as problems, and transforming school systems and the learning environment in order to respond to the diversity of learners. As such, it is a much broader issue than just ensuring certain excluded groups come into mainstream education.²³ Inclusion implies understanding and addressing the specific educational needs and predicament of socially excluded children. Students should be seen as active participants in learning, albeit with different capacities and abilities. Therefore, methods of appraising and monitoring their progress should be sensitive and constructive, rather than standardised and penalising those with particular learning needs. Inclusion involves examining the social and community context of these children, their school context, and the quality and inclusive nature of learning materials available to them, to devise *flexible and varied* approaches and strategies to ensure their full participation in education. It also means tailoring education to embrace diversity and benefit *all* learners, with the goal of building an equitable and inclusive society.

Various issues under this dimension of equity and inclusion are sporadically raised in terms of unequal provisioning for school children, discrimination and exclusion of children from certain social groups in schools, dropouts from school, inequalities in learning outcomes, the disproportionate numbers of girls and children from Dalit/ Adivasi/ Muslim communities among the population of out-of-school children, child labour, barriers that poor and disadvantaged parents face to engage with schools, and so on.

Some of the RtE Act provisions related to equity and inclusion that are implicit and touched upon, but not yet codified into standards, under the Act, are:

- i) **social access**, in terms of community mobilisation, creating a welcome environment in schools, parent/community engagement with schools, transport and safe access, institutional support for out of school children, infrastructure barriers for children with special needs;

²⁰ UN Committee on Economic, Social and Cultural Rights, General Comment 13: The Right to Education, 1999, paras 31-37.

²¹ Ministry of Human Resource Development, SSA Framework for Implementation based on RtE Act 2009, New Delhi, 2011, Ch.3.

²² UN Girls' Education Initiative & EFA Fast Track Initiative, Equity and Inclusion in Education, Washington DC, 2010, p.3.

²³ See UNESCO Guidelines for Inclusion in Education: Ensuring Access to Education for All, Paris, 2005.

- ii) **equal participation in schooling**, in terms of non-discrimination, equal opportunities, special provisions, affirmation/ encouragement of all children, child participation, parent/community participation;
- iii) **equitable education outcomes**, which require building teachers' sensitivity towards different academic levels and needs of children, curriculum fit, flexible timings of schools, academic support for disadvantaged children, adequate budgetary allocations;
- iv) **inclusion in education**, in terms of inclusion talk, inclusion activities and grievance redress.

Given the massive expenditure required to implement the RtE Act – estimated at around Rs 43,600 crores in 2010²⁴, ensuring government accountability to all children, and especially marginalised and vulnerable children, rises to the fore. It therefore becomes imperative to include a stocktaking of how schools are equipped and encouraged to ensure particular sections of marginalised and vulnerable children enjoy their right to education; in other words, to take stock of the 'equity and inclusion' dimensions under the RtE Act. The Act has made an important beginning in identifying and naming children from 'disadvantaged' and 'economically weaker sections' of society. A child belonging to a 'socially disadvantaged group' is taken to mean a child belonging to the scheduled castes, scheduled tribes, the socially and educationally backward classes or such other group having disadvantage owing to social, cultural, economic, geographical, linguistic, gender or such other factors, as may be specified by the appropriate government by notification (sec. 2(d) RtE Act). A child belonging to a 'weaker section' is taken to mean a child belonging to such parent or guardian whose annual income is lower than the minimum limit specified by the appropriate government by notification (sec. 2(e) RtE Act). The norms for these children, however, need to be unpacked and assessed from a rights perspective.

Time-bound and clear strategies are then essential to ensure that different groups of particularly vulnerable children are facilitated to enjoy their rights under this Act. This may require both common strategies across these social groups, as well as differentiated strategies to deal with their specific conditions. Without inclusion of these children in education, democracy and development in the country cannot truly progress. Education, as such, "is an effective instrument not only for the development of one's personality, but also for the sustained growth of the nation."²⁵

This study, therefore, aims to take the current understanding and monitoring of the RtE Act forward by i) understanding the barriers to education faced by particular vulnerable and marginalised sections of children; ii) taking stock of schools in terms of equity-inclusion

²⁴ Aiyar, Yamini, 'Education Finance', *The Indian Express*, 23-01-2010, available at: www.indianexpress.com/news/education-finance/570784/.

²⁵ MHRD, Report to the People on Education 2010-11, New Delhi, 2011, p.18.

dimensions; and iii) evolving and unpacking norms for equity and inclusion in education. The study was conducted by Centre for Social Equity and Inclusion (CSEI) in Delhi NCT, since Delhi is one of the largest urban areas in India with a large and diverse population of marginalised and vulnerable children. The study findings should strengthen the efforts of organisations working on the implementation of the RtE Act for marginalised and vulnerable children across Delhi and other urban areas of the country. In particular, the study details an oft-missed dimension of the RtE Act debates, that of how concretely to examine and address the equity and inclusion dimensions within the Act through both general and vulnerable community-specific strategies.

General Objective of Study

To promote greater equity and inclusion in elementary education in Delhi schools by enhancing the ability of civil society actors to strategise community and school-based interventions among marginalised children, and to monitor and advocate the implementation of the RtE Act from an equity and inclusion perspective.

Specific Objectives

1. To identify the barriers and opportunities that prevent or facilitate marginalised and vulnerable children to access their right to education.
2. To take stock of how schools are equipped to ensure marginalised and vulnerable children enjoy their right to elementary education.
3. To develop recommendations at the policy level as well as time-bound and clear strategies to ensure that different groups of vulnerable and marginalised children are facilitated to enjoy their rights under the RTE Act.

Study Scope and Sample

Given the focus on developing an in-depth understanding of how and why marginalised and vulnerable children access or fail to access their right to education as per the RtE Act, the study is primarily qualitative and experiential. In other words, it does not aim to cover a large sample of children across Delhi using a survey technique. Instead, qualitative data collection techniques are utilised within a small number of study field sites to elicit experiences and perspectives on access to elementary education. The detailed case studies that are produced indicate points of exclusion from/inclusion in school education, the reasons for and actors behind such exclusion/inclusion, and the perspectives of a number of key stakeholders – the children, their parents and communities, school actors – regarding these children’s access to and enjoyment of school education.

The Alliance for People’s Rights (APR), a network of civil society organisations engaged with education interventions among children and their communities across Delhi, has the unique strength of working with some of the most disadvantaged and marginalised children in the

urban areas of Delhi. Hence, CSEI located the study with APR partners in terms of covering specific categories of disadvantaged and vulnerable children that they work with. Five categories of disadvantaged and vulnerable children were identified, two based on social/socially ascribed identity and three based on occupational identity:

- i) Children from de-notified tribes or nomadic tribes
- ii) Muslim children
- iii) Waste picker children (both children who engage in rag-picking as well as children of rag-pickers)
- iv) Construction worker children (both children who engage in construction work as well as children of construction workers)
- v) Sewage worker children (both children who engage in sewage work as well as children of sewage workers).

The study examined each category of children in two slums or areas where APR partners are involved with the identified communities and where education levels are low, as follows:

S. No.	Community	Slum / Area	District	APR Partner Organisation Involved
1	De-notified and nomadic tribes	Gosai area in Nangloi Part II	West Delhi	Navshristi
2		Singhi slum, Mahipalpur	South West Delhi	BVD
3	Muslims	Goyala Dairy slum	South West Delhi	Ahasas
4		G-Block, Sunder Nagri	North East Delhi	Basic Foundation
5	Waste pickers	Rangpuri Pahari Extension slum	South West Delhi	BVD
6		Ghazipur slum	East Delhi	ASOJ
7	Construction workers	Rajasthani colony	West Delhi	LEDS
8		Temporary camp by PWD office, Sangam Vihar	South Delhi	Matrisudha
9	Sewage workers	Varun Niketan colony, Haiderpur	North West Delhi	LEDS
10		Karol Bagh / Sultanpuri	West Delhi / North West Delhi	LEDS

Thus, the study covered a total of 11 areas across seven of the nine districts of Delhi NCT. The exception of covering three areas where sewage workers live is due to the fact that the more vulnerable category of children of contract sewage workers live scattered across the city. Hence, in order to find sufficient families of contract sewage workers with children aged 6 to 14 years, two areas of Karol Bagh and Sultanpuri were chosen, based on the location of sewage stores in those areas. Within each of the five different social groups taken for the study, an attempt was also made to represent diversity within each community. Hence, among Muslims different caste communities from districts with high

and low minority populations were chosen for the study; different DNT/NT communities were interviewed; both schedule caste Hindu and Muslim waste pickers were covered; both permanent and contract sewage workers were studied; and both permanently settled as well as migrant construction workers were interviewed.

To be noted is that this study does not claim to be exhaustive of the differences among these five social groups of children. Nor does it claim to represent the issues of all marginalised and vulnerable children in urban areas. Significant groups of such children, like street children, have not been covered under the study due to limited work by APR partners among these children, as well as due to a lack of time. What the study findings provide is an in-depth understanding of the diverse barriers and opportunities for certain marginalised and vulnerable children in school education in urban areas. At the same time, it is possible to generalise or transfer some of the emerging factors to other contexts, because the data is very detailed about the factors influencing these children's access, retention and completion of education. In other words, while this study does not intend to represent a wider population of vulnerable and marginalised children, it does produce an explanation of the barriers and opportunities to access education. In doing so, it suggests a framework to explore these issues with other such children in other contexts. Ultimately, each marginalised and vulnerable group of children deserves to be studied in detail and their voices brought forth. Hence, this study aims to promote similar research into all other such groups of children in urban areas across the country.

Study Perspective

The perspective adopted for the study is rights-based, in that the data collection tools developed to explore issues of equity and inclusion in elementary education are based on human rights norms and indicators. These indicators are broadly grouped under availability, accessibility, acceptability and adaptability (see Chapter 2). The Rte Act norms, accordingly, have been classified under these indicators, allowing one to see the aspects of the right to education which go beyond or expand the Rte Act norms.

The study also aimed to consolidate and strengthen the knowledge and strategies that APR partners have and deploy in their engagement with these groups of children and their communities. Hence, interviews with the APR partners working in the study areas among the five social groups of children also formed part of the knowledge base for this study, and one focus area of questioning is on the changes that children and communities think would help the children to enjoy their right to education. The research, as such, is action oriented, in that the analysis leads to a series of recommendations on strategies for civil society organisations, as well as recommendations to the state.

Study Methodology

The study used a diverse set of data tools. It included a survey of literature and data on school performance in Delhi and on equity-inclusion dimensions in education, questionnaires to assess school performance, focus group discussions (FGDs) to understand children and parents' experiences and expectations regarding education, individual interviews with key actors vis-à-vis children's education, and analysis of policy, strategies and institutional arrangements to deliver the right to education. Specifically:

1. Secondary data on school performance levels in Delhi, equity and inclusion in education, national and state education policies, strategies, budgets, programmes and institutional arrangements were examined to provide a broad overview of the status of implementation of the RtE Act in Delhi NCT and with regard to the issues of equity and inclusion. This set the background for the primary data collection, in terms of linking the primary field data to wider institutional patterns and processes.
2. Each field area was mapped in terms of (i) basic socio-economic data (i.e. the number of households, occupational status, income status, basic amenities, membership of any committees, etc.); (ii) the history of the basti and how the community came to live there and have been treated by the state and other communities in the area; (iii) the status of the children in the area, especially in terms of education and work. Additionally, schools in the neighbourhood of each area were mapped by number, type of school, and any admission of the specific group of children in the area under study. All this information was primarily obtained from the key leader/s or knowledgeable informants in each community through formal individual or group interviews.
3. A total of five FGDs were conducted in each field area with two key groups of stakeholders in relation to these children's education: children and their mothers. The latter were chosen due to the links evidenced between women's empowerment and children's education. FGDs were held with (i) school-going boys, (ii) school-going girls, (iii) out-of-school boys, and (iv) out-of-school girls separately in order to ensure that gender differences were adequately brought out and girls' voices heard. One FGD was also conducted with (v) a group of women from each area who were mothers to children either going to school or out of school. The FGDs aimed to uncover the perceptions, actions and key social, cultural, religious and economic conditions that either facilitate or act as barriers to the children's education. CSEI prepared the focus group questions in advance and finalised them with APR partners, in order to tailor any specific questions to the socio-cultural background of the specific groups of children in the study.
4. Four in-depth individual interviews were conducted in each basti with one boy and one girl in school, and one boy and one girl out of school. The children were chosen based on their articulation of issues pertaining to education in the FGDs. These interviews aimed to uncover greater details on the issues raised in the FGDs, especially the impact of

environmental, educational and other factors on these children's lives and their access to elementary education.

5. The one main school that the majority of these children attend for their elementary education was to be assessed in terms of these children's right to education. The assessment was to be in the form of a questionnaire administered in the school. The questionnaire aimed at two levels of inquiry: one was to assess deviations from the existing standards under the RtE Act and Schedule; the second was to assess school performance under the expanded equity-inclusion norms.
6. Two individual interviews were to be taken with teachers in the main school that these children attend for their elementary education, to obtain their views on these children's education progress and outcomes, as well as the strategies they deploy and constraints they face in promoting equitable and inclusive education.
7. Where school management committees (SMCs) exist more than on paper, two individual interviews were to be conducted with one male and one female SMC member, including any SMC member from the community under study. The aim was to obtain their views on equity and inclusion of these particular community children in the schools and possible strategies and constraints.
8. Finally, interviews with all the key APR partner organisations working with the five social groups were undertaken to include their knowledge and experience into the development of an understanding the situation of these children and strategies for their inclusion in primary education.

Data Collection Process

A three-day training session for all the field investigators, both from APR and CSEI, was conducted from 3 to 5 August 2012. The training introduced all the staff of APR organisations participating in the study to the objectives and framework of the study, especially the focus on equity and inclusion dimensions under the RtE Act. The study tools were then given to the field investigators for group discussions based on the community of children chosen for the study that each APR partner works with. This process enabled both clarifications on the data collection tools, as well as additional inputs to refine and finalise the tools.

The fieldwork among the children and their communities was then undertaken between August and November 2012. Unforeseen delays occurred due to a number of factors. The late arrival of the monsoon in Delhi made access to some slum areas difficult due to water logging and the non-availability of common sheltered spaces in which to conduct interviews and FGDs. The outbreak of communal tensions in one study area meant that field investigators could not enter into the area for over a month. Moreover, schedules had to be continually adjusted due to festivals or the non-availability of certain informants for the

study. The interviews also often threw open new areas of exclusion or barriers that required additional field visits to explore further in depth. The study does not claim to have exhausted all areas of inquiry within such a short period. However, the repeated visits to the communities ensured that a large number of issues and major concerns of the children and their communities have been uncovered.

Unfortunately, the study team was unable to obtain permission to enter into the schools to conduct the school questionnaire, interview teachers and ascertain the names of SMC members for interviews. Given the division of Delhi schools under the Municipal Corporation of Delhi and Delhi government, as well as the need to apply for district-wise permission to enter into the schools, obtaining permission became a large task. The study team was unable to obtain a positive reply from the concerned government departments within the short period of the study. Only two APR partners, moreover, were able to obtain this information through school visits. Furthermore, in only one of the areas studied was a member of the community being studied also part of the SMC. The lack of data from schools was in part compensated for by including more questions among parents and children in each community about school infrastructure and school/teacher actions towards equity and inclusion of children in education. Nonetheless, the lack of engagement with schools, teachers and SMC members constitutes a major limitation to this study.

Data Analysis

All the qualitative data from the individual interviews and FGDs with children and community members were manually coded, and then broader analytical categories developed under which to group the data for analysis. The broad data categories were the same across the communities so as to ensure comparable analysis in the different chapters on each community. The links between different codes/categories were also mapped in order to obtain a holistic picture of the different barriers and opportunities, and how they interlink with each other to facilitate or obstruct children from these five communities in realising their right to education.

The individual interviews with children were developed into case studies, which are used throughout the report to illustrate in detail the experiences and perspectives of children as regards access, retention and completion of school education.

The interviews with APR partner organisations are likewise incorporated into the community-wise chapters, to illustrate the types of strategies being used to respond to the different needs and circumstances of these different groups of vulnerable and marginalised children, and the practical challenges of working towards implementation of the RtE Act.

Care has been taken to change the names of all persons interviewed for this study, to preserve their anonymity. The names of their slums/areas, however, remain the same.

Organisation of the Report

The report is organised into three sections. The first section introduces the study, its methodology and the general context of marginalised and vulnerable children and their education in urban areas (Chapter 1). The framework for understanding equity and inclusion in education is also elaborated (Chapter 2), and an analysis of the education status of children and implementation of the RtE Act in Delhi NCT is undertaken (Chapter 3).

The second section is divided into five chapters, each chapter dealing with one specific section of vulnerable and marginalised children studied. The history and socio-economic context of their communities are analysed. This sets the background and informs the remainder of each chapter, which analyses the children's enjoyment of their right to education from the context and perspectives of their families and communities, the functioning of their schools, and the children's own perspectives on equity and inclusion in school education.

The third section then summarises the key findings of the study as regards the key common and different barriers and opportunities in access and enjoyment of the right to elementary education across the five groups of children (Chapter 9). This is then linked to the policy recommendations proposed to expand the norms on equity and inclusion under the RtE Act, and to develop common and differentiated strategies for different groups of marginalised and vulnerable children in urban areas.

Chapter 2

Children's Access and Enjoyment of Rights under RtE Act: A Framework

2.1 Right to Education and its Features

Education is an empowerment right, in that it is the primary vehicle for socio-economically marginalised adults and children to lift themselves out of poverty and obtain the means to participate fully in their communities.¹ The *Right of Children to Free and Compulsory Education Act 2009* (RtE Act) creates a legally enforceable entitlement to free and compulsory elementary education from Classes 1 to 8 for all children aged 6 to 14 years. It moves the education system in the country away from an incentives- and provisions-based approach, to a rights and entitlements approach. It is understood as encompassing the admission into schools, attendance and completion of quality elementary education, as well as access to and participation in all academic and non-academic services and activities, based on principles of equity and non-discrimination.²

The RtE Act thus provides an opportunity to examine and address in a holistic manner the multiple factors that ensure an education that facilitates each child's ability to fully develop her/his human personality. This refers to an education in keeping with constitutional values and principles, as well as the objectives of education enunciated in Convention on the Rights of the Child 1989 and other international human rights conventions. Children should realise their potential in terms of cognitive, emotional and creative capabilities. These factors can be grouped under four features of the right to education, for which governments and schools should have an overall monitoring and developmental strategy: (i) availability; (ii) accessibility; (iii) acceptability; and (iv) adaptability. Particularly the latter three features comprise key aspects pertaining to equity and inclusion within each school/neighbourhood.

Availability: educational facilities, personnel, services, goods and programmes must be available in sufficient quantity.

Accessibility: educational facilities and services should be accessible to everyone without discrimination. Accessibility has four overlapping dimensions:

- i) *physical accessibility* meaning that facilities and services must be within safe reach for all sections of the population;
- ii) *economic accessibility* meaning that facilities and services must be affordable for all, and whatever costs and charges involved must not compromise or threaten the realisation of other rights;

¹ CESCR General Comment 13: Right to Education, 1999, para.1.

² Ministry of Human Resource Development, *SSA Framework for Implementation based on RtE Act 2009*, New Delhi, 2011, para 1.2.2.

- iii) *non-discrimination* meaning that facilities and services must be accessible to all, including the most vulnerable or marginalised sections of the population, in law and in fact without discrimination; and
- iv) *information accessibility* that includes the right of everyone to seek, receive and impart information concerning the right to education.

Acceptability: the form and substance of education - including curricula, learning content, and teaching materials, methods and environments - should be of quality and culturally appropriate to all students. **Quality** refers to curricula and teaching methods that ensure that the basic learning needs³ of children are met, *and* are of a quality that has meaning to the individual students, to the community, and to society at large. That is, the purpose and content of the curriculum as well as teaching methods should be non-discriminatory and inclusive, tailored to the needs of children in different and difficult circumstances, incorporating content **appropriate** to the students' cultural, linguistic and social backgrounds, be free from stereotypical representations of various groups, and respectful of children's social, cultural and religious identities. It also means that laws, policies, strategies, programmes and measures should be formulated and implemented in a way that is acceptable by the individuals and communities involved. Consultation and participatory processes are key in this regard.

Adaptability: requires that education strategies, policies, programmes and measures should be flexible and relevant so as to respond to the needs of changing societies and communities, and to the needs of different students within their diverse social and cultural contexts.⁴

While the RtE Act, Schedule to the Act and State Rules detail a number of standards under these four features (see table below, left column), there is further scope for the elaboration of these norms and standards (see table, right column). Notably, provisions of the RtE Act that are not expanded include those pertaining to equity and inclusion: that is, ensuring non-discrimination, elimination of fear and mental harassment, ensuring that children are not prevented from studying owing to financial barriers, quality education, promoting inclusion, supporting diversity, etc. Monitoring and enforcement mechanisms, moreover, need to be more clearly defined.

Established Standards under RtE Act/Rules and Desirable Rights-Based Standards

Feature	Essential Standards provided under RtE Act 2009 and RtE (Model) Rules 2010	Desirable Additional Standards (that not specified under RtE Act/Rules)
<i>Availability</i>	1. Government/local authority should establish schools within every neighbourhood limits 2. Central/state/UT governments to share in the provision of adequate funding for	<ul style="list-style-type: none"> • School should have adequate and functional toilet facilities • School should have adequate facilities

³ Basic learning needs comprise: (i) *essential learning tools*: literacy, oral expression, reading and numeracy, problem solving, writing; and (ii) *basic learning content*: knowledge, skills, values, attitudes.

⁴ CESCR General Comment 13: Right to Education, 1999; Kalantry et al., 'Enhancing Enforcement of Economic, Social, and Cultural Rights Using Indicators: A Focus on the Right to Education in the ICESCR', *Human Rights Quarterly* 32, 2010.

Feature	Essential Standards provided under RtE Act 2009 and RtE (Model) Rules 2010	Desirable Additional Standards (that not specified under RtE Act/Rules)
	<p>implementation of RtE provisions</p> <p>3. School should have adequate space and facilities for children to learn, play, have meals, wash rooms, interact, etc.:</p> <p>(i) All-weather school building/s</p> <p>(ii) One office-cum-store-cum head teacher's room</p> <p>(iii) Separate male/female toilets</p> <p>(iv) Safe and adequate drinking water facility</p> <p>(v) Kitchen where midday meal is cooked</p> <p>(vi) Playground</p> <p>(vii) Boundary wall or fencing</p> <p>4. School has adequate teachers and facilities for teachers to teach like classrooms, teaching materials, etc.:</p> <p>(i) Adequate number of suitable trained/qualified teachers for the number of students (see Schedule)</p> <p>(ii) Adequate teacher training facilities</p> <p>(iii) One classroom per teacher</p> <p>(iv) Timely prescribing of elementary education curriculum and courses of study</p> <p>(v) Minimum number of instructional hours in an academic year fulfilled</p> <p>(vi) Teachers conduct and complete curriculum in time</p> <p>(vii) Teaching learning materials as required by each class</p> <p>(viii) Play material, games sports equipment as required by each class</p> <p>(ix) Library</p>	<p>for SMC/parents to engage and participate in the children's education, like a room for teachers and parents to interact, hold discussions, etc.</p> <ul style="list-style-type: none"> • Teachers should be regular and punctual
Physical Accessibility	<ol style="list-style-type: none"> 1. Primary school (classes 1 to 5) should be within 1 km of the neighbourhood, and Upper Primary school (classes 6 to 8) within 3 km of the neighbourhood 2. Location of schools should avoid risks like dangerous terrains, flooding, landslides, lack of roads and other dangers for children to travel to and from school 3. Special facilities like residential schools or transport should be provided for children from small hamlets outside of neighbourhoods. 4. Appropriate and safe transportation arrangements should be made for children with disabilities to enable them to attend school 5. Schools to have special physical infrastructure to ensure barrier-free access for children with physical disabilities, like ramps to school building 	<ul style="list-style-type: none"> • There should be no safety barriers or harassment of especially girl children or disadvantaged children in travelling to and from school • Child should have escorts to school when and where necessary to avoid harassment or threats to safety • The school academic cycle and school timings should be flexible and convenient, taking into account the different cultural and religious contexts of students

Feature	Essential Standards provided under RtE Act 2009 and RtE (Model) Rules 2010	Desirable Additional Standards (that not specified under RtE Act/Rules)
Economic Accessibility	<ol style="list-style-type: none"> 1. Schools are free and children do not have to pay fees (incl. capitation fees) of any kind (<i>NB: free education subject to different rules depending on type of school</i>) 2. Children are entitled to free textbooks, writing materials and uniforms 3. Children with disabilities are entitled to free special learning and support material 	<ul style="list-style-type: none"> • Scholarships should be needs-based, adequate and timely • Children should be provided with <i>good quality</i> midday meals • Children who desire additional learning should not have to give it up because of lack of financial resources • Children should not be prevented from participating in cultural or extra-curricular activities for lack of financial resources
Social Accessibility, Non-discrimination	<ol style="list-style-type: none"> 1. Parents have duty and should be encouraged to admit all their children into schools for education 2. The government/local authorities should ensure that children’s access to schools is not hindered on account of social and cultural factors 3. There should be minimum 25% reservation in Class I to children from disadvantaged and weaker sections in neighbourhood <i>private</i> and ‘special category’ schools, with fees reimbursed by the government 4. Government/local authorities should ensure that children belonging to disadvantaged groups or weaker sections are not discriminated against and prevented from pursuing and completing elementary education <ul style="list-style-type: none"> • Discrimination includes segregation or discrimination in the classroom, during midday meals, in the playgrounds, in use of common drinking water and toilet facilities, and in the cleaning of toilets or classrooms • Children from disadvantaged or weaker sections should not be segregated from other children in classroom,, nor their classes held in different places and timings from other children • Children from disadvantaged or weaker sections should not be discriminated as regards entitlements/facilities like textbooks, uniforms, library and ICT facilities, extra-curricular activities 5. Local authorities should ensure admission of migrant children in education 6. Schools should not deny admission to students at any time of the year 7. Schools should not hold back or expel students from elementary education 8. Schools should not have any screening process 	<ul style="list-style-type: none"> • Non-discrimination should be both in law and in fact, with <i>active</i> measures taken to combat both overt and passive discrimination in education • Governments should monitor schools for de facto discrimination, identify and address the issues in terms of policies, institutions, programmes, spending patterns, etc. • Governments should put in place positive measures to facilitate access to education for disadvantaged children (eg: quotas) • Right to fundamental education for those who have not received or completed elementary education, <i>or not received basic learning needs</i> • Child should not feel discriminated in school, nor be abused, humiliated, threatened, live in fear or anxiety, or told cannot learn or less capable of learning • Child should not hesitate to share identity, family background, culture and community, food habits, religious practices, etc. • Child should not be picked out to do extra work in the school, or any tasks hurting her/his dignity • Schools should not have practices that neglect or negate a child’s culture, religion, gender, etc. • Child should not stay only in her/his own social group in school • Child should have mentors to monitor their progress, and to help them cope with times of stress and shock • Child should be able to raise

Feature	Essential Standards provided under RtE Act 2009 and RtE (Model) Rules 2010	Desirable Additional Standards (that not specified under RtE Act/Rules)
	<p>of child or parents to enter into the school</p> <p>9. Children should not experience physical punishment, mental harassment or abuse on basis of caste, class, gender or religion in schools</p> <p>10. Special provisions should be made to admit into schools any child who has never been admitted or has not completed their elementary education, to receive special training that enables them to complete their elementary education; special training may also be given to those children who are enrolled in schools more than six months into the academic year</p> <p>11. Teachers should regularly meet with parents to discuss the child's progress in education</p>	<p>complaints and get redress for any incident violating her/his RtE in a supportive environment</p>
Acceptability	<ol style="list-style-type: none"> 1. Government should ensure good quality education conforming to the Schedule norms <i>(NB: quality defined in terms of availability only)</i> 2. Curriculum and courses of study should meet minimum standards 3. The medium of instruction, as far as practicable, should be in the child's mother tongue 4. Curriculum and evaluation procedure should make the child free of fear, trauma and anxiety, and help the child to express their views freely 5. Specially designed, age appropriate, learning material should be developed for imparting special training to children who have not received or completed elementary education 	<ul style="list-style-type: none"> • Curricula and teaching methods should be relevant and of quality • Curricula and teaching methods should ensure child's basic learning needs are met • Curricula and teaching methods should be culturally appropriate and have inputs from diverse sources and socio-cultural backgrounds, especially those of marginalised children • Curricula on religion/ethics should be unbiased and objective • Education should promote respect for different cultures, religions, racial and ethnic groups, non-violence, human rights and fundamental freedoms, the natural environment, etc. • Teaching methods should foster critical thinking and freedom of expression among children • Education should prepare children for a responsible life in which they make balanced decisions, promote the value of equality, are tolerant of other societies/cultures/religions, resolve conflicts in non-violent ways, and develop a healthy lifestyle • Education should promote children's capacity to aspire for a future with opportunities • Parents should be allowed to ensure moral/religious education of children according to their convictions

Feature	Essential Standards provided under RtE Act 2009 and RtE (Model) Rules 2010	Desirable Additional Standards (that not specified under RtE Act/Rules)
Adaptability	<ol style="list-style-type: none"> 1. Teachers should assess the learning ability of each child and accordingly give supplementary instruction where necessary 2. A child receiving special education should, after induction into the age appropriate class, receive special attention to ensure they successfully integrate both academically and emotionally 	<ul style="list-style-type: none"> • Education should be flexible to respond to needs of students within diverse socio-cultural contexts • Education should be flexible to adapt to needs of changing societies and communities • School hours and terms should be flexible to accommodate the local cultural and religious context of students
Monitoring and Developing Schools	<ol style="list-style-type: none"> 1. Government/local authorities should ensure and monitor <i>admission, attendance</i> and <i>completion</i> of elementary education by all children in neighbourhood 2. Local authorities to maintain record of all children aged 6-14 years within jurisdiction 3. Local authorities should monitor the functioning of all schools within their jurisdiction 4. Schools, except unaided/private schools, should have a School Management Committee (SMC), composed of 50% women, and 75% parents with proportionate representation of parents from disadvantaged social groups and weaker sections 5. Each SMC should prepare a school development plan, communicate RtE to neighbourhood community, monitor child enrolment and attendance, ensure maintenance of RtE norms 6. The SMC is the immediate agency for grievance redressal under the Act, requiring registration, investigation and responding to complaints 7. National and State Commission for the Protection of Child Rights (NCPCR/SCPCR), or Right to Education Protection Authority (REPA) shall examine and review safeguards for rights provided under RtE Act and inquire into complaints relating to a child's right to free and compulsory elementary education 	<ul style="list-style-type: none"> • Local authorities should be adequately capacitated to carry out mandated tasks • SMC members should be provided with adequate capacity building and handholding support where needed to ensure that they are able to fulfil their responsibilities and tasks • The RtE Rules should include provision for children's participation in the monitoring and developing of schools • Standards and indicators for monitoring equity and inclusion provisions of RtE should be developed

* Disadvantaged groups = SC, ST, socially and educationally backward classes, or such other group having disadvantage due to social, cultural, economic, geographical, gender, linguistic or other such factors

** Weaker sections = children of parents/guardians whose annual income is lower than the minimum specified by the appropriate government by notification

2.2 Equity and Inclusion in Education

The government has recognised that the hierarchies of caste, economic status and gender characterising Indian society deeply influence children's access to education. It therefore emphasises the significance of social access in universalising elementary education. Schools

should respect the country's diversity and plurality, and recognise differences arising out of uneven social and economic development. Government schools in particular have a high proportion of first generation school goers and children from socially disadvantaged communities and weaker sections. Teachers and educational administrators must be sensitive to these children and their home environments. They must ensure that, given the difficult circumstances of the children, these children are enabled to participate in and complete elementary education. The curriculum and textbooks also need to be intrinsically connected with the child's life outside the school, and should reinforce the child's pride in her/his language, society and way of life, at the same time as affording opportunities for learning about the wider world.⁵

While the RtE Act provides a legal entitlement to elementary education to all children belonging to socially disadvantaged groups and economically weaker sections – SC, ST, Muslim, girls, urban deprived, children with special needs, migrant children, working children, etc. (herein collectively termed *socially marginalised children*), their actual participation in schooling requires innovative and sustained measures, integrated with mainstream interventions. The spelling out of standards, especially regarding social accessibility, is one step towards strengthening equity and inclusion principles, and moving towards concrete strategies to ensure these children's integration into schools.

In concrete terms, education with equity and inclusion requires that **first**, children from socially marginalised groups within a neighbourhood should be identified and their access in terms of admission, retention and completion of elementary education mapped. This social mapping should be undertaken with community involvement, as part of the process of mobilising local communities to enrol and retain their children in education. The mapping process has been proposed as follows: (i) environment building in the neighbourhood; (ii) conduct of a household survey; (iii) preparation of a map indicating the number of children in each household and their participation status in schools; (iv) preparation of a neighbourhood/school education register; (v) presentation of the map and analysis to the people; (vi) preparation of a proposal for improved education facilities in the neighbourhood, which would form the basis of the School Development Plan.⁶

Second, the barriers that these children face in terms of availability, accessibility, acceptability and adaptability of education should be identified through separate discussions with children, parents, community leaders, teachers and school management. This refers to barriers within the children's social, cultural, religious, economic and geographical contexts, within the school context, and any policy or programme barriers. From this, strategies for removal of such barriers should be generated so that socially marginalised children have equal access to, in and through elementary education.

⁵ Ministry of Human Resource Development, *SSA Framework for Implementation based on RtE Act 2009*, New Delhi, 2011, Ch.3.

⁶ Ibid.

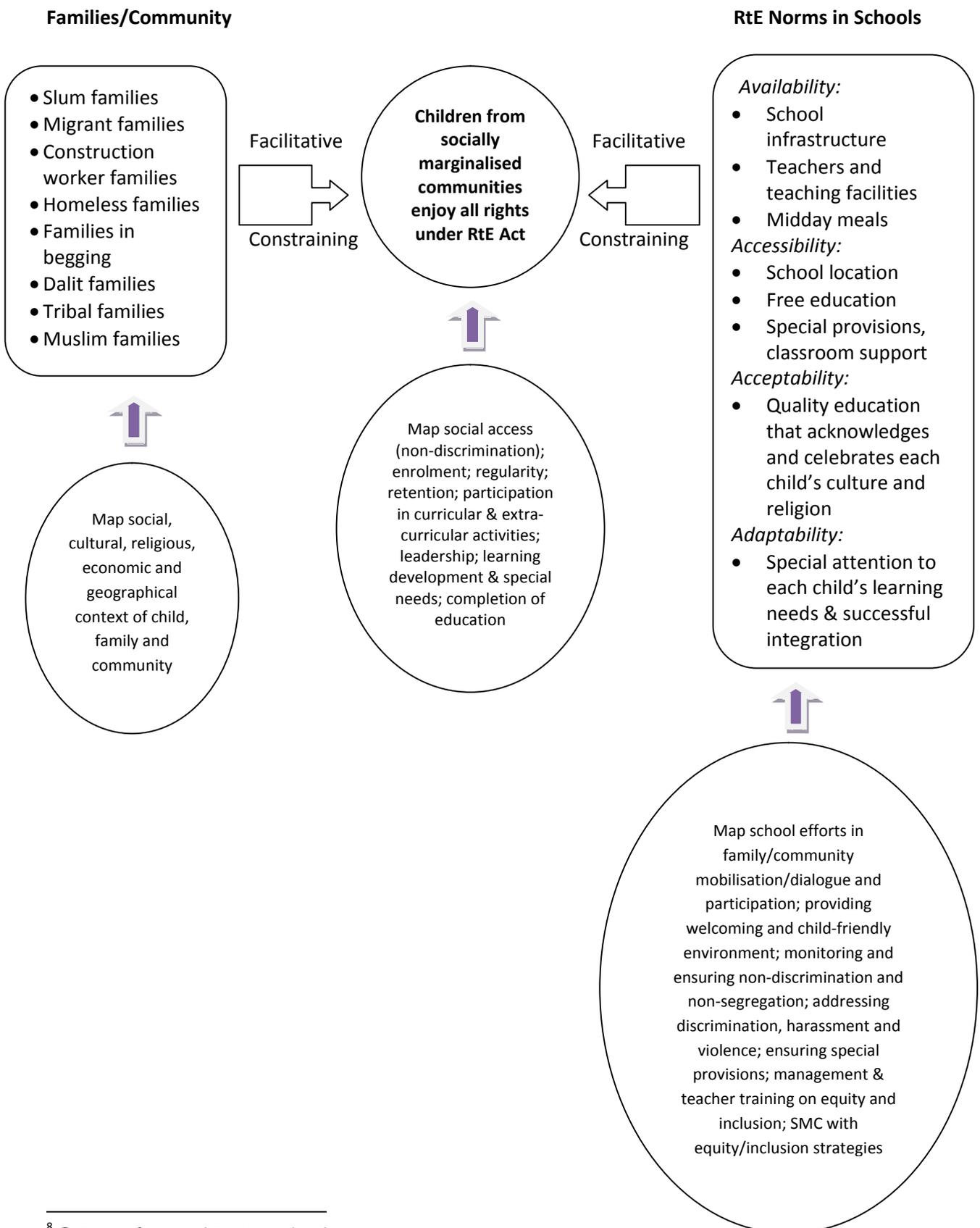
Third, school systems and school management should be organised so that schools are child-friendly, meaning every child feels welcome, enjoys a level playing field and has the opportunity to develop to the best of her/his abilities through schooling in a healthy and safe environment. Schools should be places where a child is able to participate fully in and learn from all educational and extra-curricular activities, study good quality curricula that support equity and inclusion, have good learning outcomes, receive leadership and personality development opportunities, feel safe and secure, and feel confident to share their identity and culture/religion. In this regard, the role of the teacher is considered central, in terms of creating an equitable and inclusive environment within and outside the classroom, especially for girls from socially marginalised backgrounds.⁷ Not only should the teaching profession be inclusive and equitable, therefore, but teachers should also be equipped and motivated to support equity and inclusion in schools. This equipment process should occur through pre-service teacher training as well as the establishment of norms of behaviour within the school for management, teachers and students. Additionally, the school curricula should be of good quality, meaning not only fulfilling the learning needs and knowledge development of children. Curricula should also be in conformity with constitutional values and rights, respect for diversity of cultures and religions, and foster children's freedom of expression.

The creation of child-friendly schools also requires the identification of *existing strategies* within schools to ensure equity and inclusion in education, and an assessment of whether and to what extent these strategies fulfil their goals. This includes strategies to guarantee that all children, including out-of-school children, are in schools, and to cater to the special needs of children from socially marginalised groups. It further includes school systems to monitor/supervise school performance in terms of equity and inclusion, and to prevent or provide redress for discrimination, abuse and harassment that negatively affect a child's ability to gain an education.

Inclusive education also demands that spaces are created and parents/family and community are actively encouraged to participate fully in all school processes, including monitoring their child's educational progress. This includes through functional school management committees (SMCs) set in place in each school, which allow families and communities, including socially marginalised communities, to become actively involved in monitoring school performance and developing plans to improve educational processes and outcomes using equity and inclusion strategies. Additionally, spaces and mechanisms should be created for students to participate and have a say in the course of their education, to identify problems and difficulties, and to suggest solutions.

⁷ *Report of the Committee on Implementation of The Right of Children to Free & Compulsory Education Act, 2009 and the Resultant Revamp of Sarva Shiksha Abhiyan*, Ministry of Human Resource Development, New Delhi, 2010, para.12.

2.3 EQUITY AND INCLUSION FRAMEWORK⁸



⁸ © Centre for Social Equity and Inclusion.

The framework examines the situation of socially marginalised children from three angles. **One angle** maps the position of children within the context of their families and communities. It analyses what social, cultural, religious, economic and geographical conditions in the family/community facilitate the children's education and what act as barriers or constraints.

The second angle is to map the schools around the children's neighbourhood in terms of the status of existing norms under the RtE Act like the type of school, quality of school infrastructure, school location, provision of free education, quality of education, etc. Mapping is also undertaken of a host of measures, special provisions and strategies in place in the schools to facilitate equity and inclusion, and the barriers or constraints socially marginalised children face in the schools. This includes strategies to identify and monitor problems of exclusion, discrimination, segregation, harassment and violence against socially exclude children from management, teachers, students or parents from other social groups; to address any such grievances and establish equity and inclusion norms applicable to all in the schools; to incorporate equity and inclusion talk and activities in the classroom. It also includes gauging the level of parent/community participation in the children's schooling.

The third angle maps the various rights of the child under the RtE Act pertaining to equity and inclusion. It expands on the meanings of such norms so as to assess to what extent socially marginalised children are able to realise their right to education and what are the violations/gaps. It indicates the level of children's current enjoyment of equity and inclusion *outcomes* in schools. These include the numbers of children out of school, enrolled in school, their levels of educational attainment, experiences of discrimination, segregation, harassment and violence, levels of participation in education, special needs of these children, etc.

An underlying principle in these three mapping exercises is specific attention to the *gender differences among children of different socially marginalised groups*. Gender is recognised as a cross-cutting structure; gender intersects with location (rural-urban), caste, class, religion, ethnicity, disabilities, etc. to create a complex reality. Hence, equity and inclusion strategies, including in curriculum, textbooks and pedagogic practices, need to capture the entire web of social and economic relations that determine an individual's location in the social reality and shapes her lived experiences.⁹

The framework recognises that while there may be more constraining factors and barriers to the equitable participation and development of children from socially marginalised communities in and through education, there may also be some facilitating factors both from the family/community and the school. These factors need to be captured as well, as they provide insights and stronger scope for effective equity and inclusion strategies.

⁹ Ministry of Human Resource Development, *SSA Framework for Implementation based on RtE Act 2009*, New Delhi, 2011, para 3.4.3.

The outcome of applying this framework is the detailing of the norms on equity and inclusion, as well as facilitative factors and barriers to equity and inclusion, in elementary education. In particular, the elaboration of the norms regarding social accessibility and equal participation in education will establish benchmarks. These concrete understandings of equity and inclusion will then enable the formulation of strategies as to what the government, family/community and school management need to do to ensure socially marginalised children's right to education is respected, protected and fulfilled.

Chapter 3

Education Status and Implementation of RtE Act in Delhi NCT

3.1 Education Status in Delhi NCT

The National Capital Territory of Delhi (Delhi NCT) today, with a population of 16.8 million, has the largest population of urban children of elementary school age. The projected population of children aged 6 to 13 years in 2009-10 was around 2.3 million, out of which 19.5% were scheduled castes and 0% were scheduled tribes.¹ As per the Delhi Development Goals, first enunciated in the Delhi Human Development Report 2006 in line with the UN Millennium Development Goals, the Delhi government has committed to ensuring that by 2015 all children will complete their elementary education. The specific indicators developed are universal enrolment of children aged 6 to 14 years as well as 100% completion rate by 2008; universal school health programmes in all government schools; and upgrading of the quality of teaching in all government schools. The Delhi Human Development report states that Delhi has the resources and the capacity to deliver on these goals, and is committed to making the city 'child-friendly' in terms of education, decent living standards, healthcare, security of life and participation in public life.²

The education status of children in Delhi, however, cannot be separated from increasing inequalities in living standards across the city. While Delhi has one of the highest per capita incomes in the country, it also has approximately 2.2 million of its urban population, or 15.2%, living below the official state poverty line.³ Its official migrant population in 2001 was 43.4% of the total population.⁴ The majority migrate for work and are being absorbed into the expanding informal, unorganised sector. Delhi also has a disturbingly high number of children, many migrants with or without families, employed as domestic workers, in roadside *dhabas*, shops and other occupations, where exploitation and abuse are common.⁵ The 2001 Census estimates were 41,899 working children in the age group of 5 to 14 years, a number that would have only grown over the last decade with the increasing migration to the city. The Delhi government also estimated that it has around 100,000 to 500,000 children living on the streets of the city.⁶

¹ MHRD, Statistics of School Education 2009-10 (as on 30/09/2009), New Delhi, 2011. Note that no tribes are notified as scheduled tribes in Delhi.

² Government of NCT of Delhi, *Delhi Human Development Report 2006: Partnerships for Progress*, Oxford University Press, New Delhi, 2006, pp.109-111.

³ Planning Commission data, reported in Government of NCT Delhi, *Economic Survey of Delhi 2008-09*, New Delhi, 2009. The Delhi NCT poverty line in urban areas is Rs 612.91 monthly per capita income.

⁴ Census of India 2001.

⁵ Government of NCT of Delhi, *Delhi Human Development Report 2006: Partnerships for Progress*, Oxford University Press, New Delhi, 2006, p.8.

⁶ Government of NCT of Delhi, *State of Governance: Delhi Citizens' Handbook 2009*, New Delhi, 2009, p.267.

Accompanying this large-scale migration is an increasingly severe housing shortage in the city. Consequently, a large number of households live in slums⁷ and lack access to basic amenities, including safe drinking water and proper sanitation. While the 2001 census estimated 1.9 million out of the total 13.9 million population of Delhi NCT, or 13.7%, living in slums,⁸ the Delhi Development Authority placed the figure at closer to 3.2 million or 25% of the urban population. The actual figure may be more when one includes all informal settlements and unauthorised slums. In 2002, there were around 1,867 slums across Delhi, out of which 1555 (83.3%) were non-notified slums.⁹ According to the 2001 census, Delhi NCT comprised 16.9% SC population, 11.7% Muslim population and 0% ST population. Yet in slums, scheduled castes and Muslims are disproportionately represented as compared to their share of the NCT population. A 2005-06 survey revealed a higher percentage of Muslims lived in slums than in non-slums across the city (15.8% as compared to 7.2%). A similar trend was observed for scheduled castes (36.4% as compared to 11.7%), as well as for scheduled tribes (1.7% as compared to 1.1%). By contrast, those who did not belong to the SC, ST or OBC categories were found to reside mostly in non-slum areas (75.2% in non-slum areas as compared to 42.7% in slum areas). Additionally, there were an estimated 50,000 to 100,000 homeless people across the city, of which close to 50% were children.¹⁰

The significance of the above situation is that a large number of the poor, including children, still lack access to basic services of education and healthcare despite the city's impressive network of schools and medical facilities. National educational institutes exist alongside low levels of learning achievements among Delhi's school-going children. Among children, persistently strong discrimination against girls and anti-female biases also continue to affect all areas of their lives, not least their access to education.¹¹

In terms of literacy rates for persons aged 7 years and above, Delhi NCT has one of the highest rates in the country: the literacy rate was 81.7% in 2001 and 86.3% in 2011, both higher than the national average for that year.¹² The 2011 female literacy rate of 80.9%, however, is still less than for males (91.0%). For scheduled castes, their literacy rates in

⁷ Slums are further classified as regularised slums (that were previously unauthorised), resettlement colonies, slum designated areas, jhuggi jhonpuri clusters and unauthorised slums, depending on the type of basic amenities and other urban facilities granted to them.

⁸ Census of India 2001.

⁹ NSSO, *Condition of Urban Slums 2002: State Sample Report on Housing Conditions in Delhi*, NSS 58th Round, New Delhi, 2002. Slums that have not been notified as such by local authorities are compact urban areas with at least 20 households living in poorly built tenements, mostly of temporary nature, crowded together usually with inadequate sanitary and drinking water facilities in unhygienic conditions.

¹⁰ Government of NCT of Delhi, *Delhi Human Development Report 2006: Partnerships for Progress*, Oxford University Press, New Delhi, 2006, p.4.

¹¹ Government of NCT of Delhi, *Delhi Human Development Report 2006: Partnerships for Progress*, Oxford University Press, New Delhi, 2006.

¹² Census of India 2001 and 2011 (Provisional). The (provisional) national average literacy rate is 74.04 for 2011.

2001 were much lower than the Delhi average: just 59.1% for women (as compared to 74.7% for women in general) and 80.8% for men (as compared to 87.3% for women in general).¹³ A 2005-06 survey showed that 53% of women and 56% of men in Delhi NCT had completed 10 or more years of education. At the same time, 21% of women and 10% of men aged 15 to 49 years had never attended school.¹⁴

Delhi also has high enrolment ratios at the primary level and above national average enrolment ratio at the upper primary levels: in 2009-10, the gross enrolment ratio¹⁵ was 114.75 in the primary level and 100.40 in the upper primary level. The net enrolment ratio¹⁶ in the primary level, however, was 93.58 and in the upper primary level it was 71.69. Enrolment for elementary school overall in 2010-11 was reported at 70.1 percent.¹⁷ In other words, there are a number of children of elementary school age who are not in schools, especially at the upper primary level. In terms of three categories of marginalised children, their percentage enrolments were as follows: 10.2% and 10.4% at the primary and upper primary levels respectively for SCs; 0.3% and 0.2% at the primary and upper primary levels respectively for STs; and 15.4% and 12.5% at the primary and upper primary levels respectively for Muslims.¹⁸ Interestingly, despite Delhi NCT reporting a 0% ST population in 2001, there were a total of 8,828 ST children enrolled in schools in 2009-10.¹⁹

Differences in school attendance are apparent when looking at slum and non-slum children: in 2005-06, school attendance at ages 6 to 17 years was much lower in slum areas (65%) than in non-slum areas (84%). At ages 15 to 17 years, only 37% of slum children attended school, compared with 67% in non-slum areas. In terms of gender differences, gender disparity in education was reported as almost non-existent at ages 6 to 14 years, but at ages 15 to 17 years girls are more likely than boys to attend school. Even in slum areas, girls are much more likely to attend school than boys at age 15-17 years.²⁰

Delhi NCT government itself has recognised that reliable data on school retention is not available.²¹ Delhi city reportedly had only 38,922 children or 1.38% of children aged 6 to 14

¹³ Census of India 2001.

¹⁴ International Institute for Population Sciences and Macro International, *National Family Health Survey 2005-06 (NFHS 3): Delhi*, Ministry of Health and Family Welfare, New Delhi, 2007, p.4.

¹⁵ Gross enrolment ratio is the ratio of the number of children enrolled in the class group to the total number of children in the corresponding official age group.

¹⁶ Net enrolment ratio is the ratio of the number of children in the official age group for primary (6-10 years) and upper primary (11-13 years) school levels to the total number of persons in the age group.

¹⁷ Elementary Education in India: State Report Cards, DISE 2010-11 (Provisional).

¹⁸ Elementary Education in India, DISE 2009-10: Flash Statistics.

¹⁹ MHRD, *Statistics of School Education 2009-10 (as on 30/09/2009)*, New Delhi, 2011.

²⁰ International Institute for Population Sciences and Macro International, *National Family Health Survey 2005-06 (NFHS 3): Delhi*, Ministry of Health and Family Welfare, New Delhi, 2007, p.3.

²¹ Government of NCT of Delhi, *Delhi Human Development Report 2006: Partnerships for Progress*, Oxford University Press, New Delhi, 2006, p.24.

years out of school in 2009-10.²² The dropout²³ ratio from school education for all students in Delhi NCT was 13.3 for Classes 1 to 5, and -27.1 for Classes 1 to 8.²⁴ By comparison, for SC students, the dropout ratio in Classes 1 to 5 was much higher, at 23.0, and the overall dropout from Classes 1 to 8 was -38.6. Similarly, the dropout ratio among ST children was 19.2 in Classes 1 to 5, and overall was 37.6 in Classes 1 to 8.²⁵ However, estimates by civil society organisations place the average dropout rate at around 25-30% from primary school alone, and the rate of children entering Class 1 in government schools and completing to Class 10 at only 14 percent.²⁶ A 2012 survey by the Office of the UEE Mission in Delhi of out-of-school children with special needs alone found that there were 11,348 such children in the city.²⁷ As regards the reasons for dropouts or failure to complete school education, the most common reasons were that children were not interested in education (24%), or they had completed the desired class (21%), or due to financial constraints and/or the need to work (21%).²⁸

In 2007-08, a reported 7% of children aged 6 to 13 years and living in Delhi NCT had never enrolled in education, as compared to 10.2% at the all-India urban level. The major reasons cited were that education was not considered necessary (39%), or parents were not interested in educating their children (25%), or due to financial constraints (20%).²⁹ This was despite 90% of urban households having a primary school within 1 km and 99.5% within 2 km, and 98% of urban households having a middle school within 2 km.³⁰

The quality of schooling, however, is very mixed. A public perception survey sanctioned by the Delhi government in 2005 noted substantial differences in education quality across government and private schools in terms of school infrastructure: around 64% of parents of private school-going children rated school facilities as good, as compared to only 41% of parents of government school-going children. In terms of midday meals, only around 28% of

²² Planning Unit Technical Support Group, *Status of Elementary Education in the Million Plus Cities*, SSA, MHRD, New Delhi, 2009.

²³ Delhi NCT defines 'dropout child' as any child who has not attended school for more than 45 days.

²⁴ Note that negative dropout rates are due to inconsistent enrolment data. The gross completion rate of primary level education was 103.29 (as against the gross enrolment ratio of 114.75): DISE, *Elementary Education in India 2009-10: Flash Statistics*.

²⁵ MHRD, *Statistics of School Education 2009-10* (as on 30/09/2009), New Delhi, 2011.

²⁶ Gupta, Soumya, *Overview of School Education in Delhi*, Working Paper no. 68, Centre for Civil Society, New Delhi, 2003.

²⁷ Office of the UEE Mission, Department of Education, GNCT of Delhi, Circular dated 05.11.2012, signed by State Project Director SSA.

²⁸ Delhi NCT Government, *Participation and Expenditure in Education based on NSS 64th Round: State Sample*, New Delhi, 2010.

²⁹ Delhi NCT Government, *Participation and Expenditure in Education based on NSS 64th Round: State Sample*, New Delhi, 2010; NSSO, *Education in India 2007-08: Participation and Expenditure*, NSS 64th Round, Ministry of Statistics and Programme Implementation, New Delhi, 2010.

³⁰ Delhi NCT Government, *Participation and Expenditure in Education based on NSS 64th Round: State Sample*, New Delhi, 2010.

parents rated the midday meals provided in government schools as of good quality, while around 21% considered the meals to be of poor quality.³¹

Learning outcomes, moreover, are not satisfactory. A separate survey of learning outcomes in 2005 found that among children aged 7 to 10 years, 37% of those studying in government schools could not even read words, while only 46% could read at least four simple lines. Around 52% of these children could not perform simple arithmetic exercises. In private schools, by contrast, 69% of children could read at least four simple lines and 70% could perform simple arithmetic exercises. By the ages 11 to 14 years, 71% of government school students as compared to 85% of private school students could read fluently, and 60% of government school students as compared to 80% of private school students could solve division sums. That left around 30% of government school children in middle schools who were unable to read fluently a simple Class 2 story, and 15% who could only recognise numbers but not perform simple sums.³²

A study among children in six slums across Delhi in 2003 noted five key factors behind continuing educational disparities, despite increasing enrolments in schools:

1. Supply-side constraints and bias/discrimination in the provision of education infrastructure;
2. Inefficiencies in the management of education, teacher preparedness and the deployment of teaching and allied resources;
3. Poor information management systems to identify and tackle problems;
4. Standardised curriculum and teaching-learning methodologies that affect the pace and quality of education outcomes given the diverse learning needs of children;
5. Demand-side constraints including child, family and society responses to government initiatives, which are linked to religious, social, economic and residence factors.³³

Consequently, this study noted the persisting large disparity in learning outcomes between the privileged and deprived children in urban areas like Delhi. Improved access to schools was accompanied by declining quality in government schools. On the one hand, slum children in poorly functioning schools with non-educated parents received little academic support for their studies and often had irregular attendance at school. On the other hand, 44% of children did not receive any assistance if they failed to understand the content matter of classes. Over 60% of children mentioned being beaten by teachers, leading to loss of concentration or disinterest in the classes. In addition, a number of children reported

³¹ Government of NCT of Delhi, *Delhi Human Development Report 2006: Partnerships for Progress*, Oxford University Press, New Delhi, 2006, p.67.

³² Study by Pratham, 2005, reported in Government of NCT of Delhi, *Delhi Human Development Report 2006: Partnerships for Progress*, Oxford University Press, New Delhi, 2006, pp.24-26.

³³ Y.P. Aggarwal and Chugh, Sunita, 'Learning Achievement of Slum Children in Delhi', National Institute of Education Planning and Administration, New Delhi, 2003, pp.3-4.

difficulties in different subjects, indicating the need for more appropriate learning materials suited to their socio-economic backgrounds. Consequently, 65% of slum children in Class 4 in government schools or unrecognised private schools could not pass a simple mathematics test, Meanwhile, 43% of slum children in government schools and 25% in unrecognised schools attained less than the average score in language tests.³⁴

Another study of 714 children in 50 notified slum clusters across the city in 2007-08 noted three reasons for late or non-admission of slum children into schools. One was administration-related, in that only 33.7% of slum children had or were able to supply the birth certificates required for admission in government schools within the narrow admission period. A second reason was the lack of adequate school seats to deal with the rapidly expanding city population. A third reason was the effects of migration on slum children, in terms of the lack of requisite certificates and proof of address in Delhi. Moreover, 31.5% of slum children surveyed had never attended schools, even if they were enrolled, primarily due to financial constraints (i.e. the costs of education) and parents' negative perceptions towards education. The same reasons applied for the 20.5% of slum children aged 5 to 14 years who had dropped out of elementary education. An important finding was that private tuition was essential to continue education among slum children, and only those whose families could afford private education were surviving until the upper classes.³⁵

It is against this context of persisting inequalities in enjoyment of the right to education, affecting particularly marginalised and vulnerable children in Delhi, that the RtE Act needs to be located.

3.2 Implementation of RtE Act in Delhi NCT

Delhi NCT notified its Right of Children to Free and Compulsory Education Rules (herein RtE Rules) on 23 November 2011. Both categories of disadvantaged and economically weaker sections children have not been defined in the Rules. In 2011, Delhi NCT government also passed the Delhi School Education (Free seats for Students belonging to Economically Weaker Sections and Disadvantaged Groups) Order, which stipulated that all unaided, private schools within Delhi NCT should admit into class 1 children belonging to the economically weaker sections and disadvantaged groups to comprise at least 25% of strength of the class and to receive free elementary education. Additionally, the Delhi government, in response to a Delhi High Court order, has proposed an additional 15% reservation for children belonging to the economically weaker sections and disadvantaged groups in the 394 private recognised schools in the city that have been allotted land at

³⁴ Y.P. Aggarwal and Chugh, Sunita, 'Learning Achievement of Slum Children in Delhi', National Institute of Education Planning and Administration, New Delhi, 2003.

³⁵ Tsujita, Yuko, 'Deprivation of Education: A Study of Slum Children in Delhi, India', a background paper prepared for the Education for All Global Monitoring Report 2010, 2010/ED/EFA/MRT/PI/12, UNESCO, 2009.

concessional rates by government agencies. The quota would be applicable to admissions made in Classes 2 to 7.³⁶

Under the 2011 Order, children from weaker sections are defined as children whose parents have a total annual income of less than Rs 1 lakh from all sources and who have been staying in Delhi for the last three years. Children belonging to disadvantaged groups are defined as children belonging to scheduled castes, scheduled tribes, other backward classes who do not fall in the creamy layer, children with special needs and suffering from disability as defined in the Persons with Disabilities Act 1996.

The Delhi RtE Rules contain the following provisions related to children and parents/guardians of children from disadvantaged and economically weaker sections:

1. **School management committees:** These committees with 75% parents/guardians of children are to be 50% women and to have proportionate representation of parents/guardians of children belonging to disadvantaged groups and weaker sections. The SMCs are to bring to the notice of local authorities any deviations from the rights of the child, in particular mental and physical harassment, denial of admission or non-timely provision of free entitlements, poor implementation of midday meals, and non-enrolment or lack of adequate facilities for children with disabilities to access schools.
2. **Special Training:** Special trainings are to be organised to (re)-integrate out of school children into formal schooling in the age appropriate class.
3. **Access to schools:** Access to schools should not be hindered on account of social and cultural factors, and appropriate transportation arrangements should be made to ensure children with disabilities are able to access schools.
4. **Free entitlements:** Children are entitled to free textbooks, writing materials and uniforms while pursuing their elementary education, while children with disabilities shall also be provided with free special learning and support material.
5. **Non-discrimination for children from disadvantaged groups and economically weaker sections:** The government/local authorities should ensure that such children are not segregated or discriminated against in the classroom, during midday meals, in the playgrounds, in the use of common drinking water and toilet facilities.
6. **Admission of children belonging to disadvantaged social groups and weaker sections:** The school should ensure that such children are not to be segregated in classrooms nor given separate classes, nor discriminated in terms of entitlements and facilities such as textbooks, uniforms, ICT, extra-curricular activities and sports.

According to the Delhi NCT government, the steps it has taken to implement the RtE Act in Delhi include: the creation of additional posts of teachers to maintain the prescribed norms

³⁶ Times of India, 'Delhi Govt eyes 15% quota for poor in private schools', 29.11.2012, available at: <http://timesofindia.indiatimes.com/city/delhi/Delhi-govt-eyes-15-quota-for-poor-in-private-schools/articleshow/17406824.cms>

of teacher-pupil ratio in all government schools; providing educational facilities to all school age children by opening new schools and additional sections; and implementing the 25% quota for students from economically weaker sections by private schools. In view of the 12th Five-Year Plan, Delhi government has prioritised the setting up of schools and new classrooms within neighbourhoods for all children; 100% enrolment of all children aged 6 to 14 years; bridging gender and social category gaps as well as inclusive education for children with special needs; and a focus on quality education. Concerns regarding the quality of education are proposed to be addressed through not only recruiting adequate numbers of teachers, but ensuring their continuous training and stopping the deployment of teachers in non-teaching assignments like administrative work, midday meals supervision, etc. It also envisions the mainstreaming of out-of-school children and children with special needs through SSA initiatives. In order to provide school education to street children, it proposes that Rainbow Homes be started for street children under SSA.³⁷

Among urban deprived children, one specific focus of the Delhi government is on minority children. North-East Delhi district is currently a special focus district for SSA interventions based on the poor educational indicators among Muslims in the district. In 2008-09, therefore, the government proposed special admission drives in minority concentrated areas, additional and supplementary learning material for minority children and remedial coaching for underperforming minority students. This was in addition to special community mobilisation programmes to encourage school education among communities where children were out of school, and assessments of the learning gaps of out-of-school children in order to plan innovative interventions.³⁸

In line with the RtE Act, in 2011 the Delhi government reported that its schools did not practise detentions, corporal punishments, Board examinations in Classes 1 to 8 in line with the shift to continuous and comprehensive evaluation (CCE), nor screening procedures, capitation fees and private tuitions.³⁹ Schools have been identified that need *pucca* buildings, new school buildings, extra classrooms, drinking water facilities and toilets, and work to this end is in progress. In order to support the learning process, schools are being equipped with NCERT science and maths kits, and UNICEF Meena material to all government and local authority-run schools. Two initiatives aim to build a student friendly learning environment in the schools: Building as Learning Aid (BaLA) initiative to facilitate children to learn in an enjoyable manner; and computer-aided learning (CAL) in around 400 MCD schools and all Delhi government schools. In terms of children with special needs, over

³⁷ Government of NCT Delhi, *An Approach to the 12th Five-Year Plan (2012-2017)*, New Delhi, 2012, Chapter 7: Education.

³⁸ Planning Unit Technical Support Group, *Strategies of Urban Deprived Children under SSA: AWP&B 2009-10*, SSA, MHRD, New Delhi, 2009, pp.9-11.

³⁹ Status of Implementation of RtE Act 2009 in States/UTs as on 15.03.2011, available at: <http://ssa.nic.in/rte/8Status..RTE.pdf/view>.

20,000 differently abled children enrolled in schools have been identified, assessed and a total of 6,132 received aid and appliances between 2006 and 2009 to facilitate their access to education. Additionally, 50 resource teachers having professional training in special education are to be deployed in 24 focus schools that will be developed around the concept of inclusive education.⁴⁰

As at 2009-10, there were 4,946 schools across Delhi NCT providing elementary education, of which 2,733 (55.3%) were government schools and 2,213 (44.7%) were private schools. Besides the State Directorate of Education and the very large private sector, three local bodies – the Municipal Corporation of Delhi (MCD),⁴¹ New Delhi Municipal Corporation (NDMC) and the Cantonment Board (CB) – manage pre-primary and primary government schools. The NDMC also manages some middle, secondary and senior secondary schools in its area. The Directorate of Education, however, also manages some composite elementary and secondary schools – Sarvodaya Vidyalayas – which have Classes 1 to 12. Around 63.0% of schools were *pucca* buildings, while 386 schools had no building. Over 90% of classrooms were reportedly in good condition. The vast majority of enrolled students (62.7%) attended government schools, indicating a greater number of enrolled students per government school. Conversely there were a greater number of teachers per private school as compared to teachers per government school.⁴² One method to meet the increasing demand for school education in the city is the operation of shift schools, where different schools share the same building in different shifts.

Of the total 94,636 teachers (97.2% regular teachers and 2.8% contract teachers) in Delhi NCT, only 9.7% were SCs and 2.8% were STs. This is significant especially with regard to SC teachers, given the 16.7% SC population in Delhi NCT and evidence that social distance between teachers and children is reflected in terms of pedagogical exchange in schools and biases or discrimination by the latter.⁴³ Overall, 5.1% of schools had a student: classroom ratio (SCR) that was greater than or equal to 60 students, while the average pupil: teacher ratio (PTR) was 40 in pre-primary and primary schools and 33 in middle schools.

All schools were reported to have drinking water facilities, while almost 90% had separate toilets for girls and 70.5% had ramps for children with physical disabilities. In contradiction of this data, however, at the third National Workshop cum Review Meeting on Urban

⁴⁰ *Sarva Shikshya Abhiyan, Delhi: An Introduction and Progress Made so Far*, Government of NCT of Delhi, New Delhi, 2009.

⁴¹ Note that MCD covers over 90% of the population of Delhi NCT and, therefore, runs the most primary schools of the three local authorities.

⁴² DISE, *Elementary Education in India: Where do we Stand? State Elementary Education Report Card - Delhi*, DISE 2009-10.

⁴³ Tsujita, Yuko, 'Deprivation of Education: A Study of Slum Children in Delhi, India', a background paper prepared for the Education for All Global Monitoring Report 2010, 2010/ED/EFA/MRT/PI/12, UNESCO, 2009, p.16.

Planning for 35 Million Plus Cities held in 2009, the Delhi government reported 100% coverage of schools in terms of separate toilets and ramps. In terms of educational entitlements, free textbooks and uniforms had been distributed in 2008-09 to the majority of government school students, while many less students had received free stationary.⁴⁴

However, as the CAG audit of the Delhi Directorate of Education in 2010-11 pointed out, there are a huge number of discrepancies still existing in many schools, not helped by the shortage of manpower in the Directorate and the unsatisfactory system of inspection of government schools. According to this report, the PTR in government schools actually varied from 10 to 276 in 2010-11, far beyond the RTE Act norms of 40. Moreover, 106 of the 160 schools inspected (66.3%) were upgraded without allocating qualified additional teachers. Further, classroom shortages were reported in 61 schools and the lack of playgrounds in 33 schools. Between 2008-09 and 2010-11, there were also substantial delays (up to half-way through the academic year) in the allocation of budgets for entitlements such as the uniform subsidy and the supply of free textbooks to students, as well as stationary subsidy for SC/OBC/Muslim students. Additionally, there were delays of up to two years in the appointment of special educators for children with special needs studying in government schools. Finally, the Vidyalaya Kalyan Samitis (VKS) to ensure community participation in the schools (now replaced by the School Management Committees) were not being formed on time or were not meeting regularly; and even when they were meeting, they were not discussing issues other than school expenditures.⁴⁵

Since the RtE Act came into force and the Delhi Commission for Protection of Child Rights was established, the Commission has deal with thousands of complaints ranging from denial of education to lack of infrastructural facilities in the schools. Of the cases coming to the Commission, involving around 12,000 children across Delhi, the main categories of cases in which the Commission has intervened so far are:

- Non-issuance of registration forms by recognised unaided private schools for admission of children belonging to the EWS category
- Lack of transparency in drawing lots for children belonging to the EWS category, to obtain admission in private schools
- Denial of benefits of admission and free education to children with special needs in private schools under the 25% EWS quota
- Corporal punishment of children in schools
- Lack of basic amenities and infrastructural facilities in schools, such as usable toilets, safe drinking water, sufficient classrooms, furniture for children, and so on.⁴⁶

⁴⁴ DISE, *Elementary Education in India: Where do we Stand? State Elementary Education Report Card - Delhi*, DISE 2009-10.

⁴⁵ Comptroller and Auditor-General, *Delhi NCT Audit (Civil and Commercial) 2010-11*, Government of India, New Delhi, 2011, Chapter 4: Report of Audit of Directorate of Education, Government of NCT Delhi.

⁴⁶ Delhi Commission for Protection of Child Rights website: www.delhichildrencommission.gov.in/rte.html

In terms of research on the implementation of RtE Act norms in Delhi, a study was conducted by APR partner organisations in 114 schools across 66 slums/areas of Delhi in 2010. Children or their guardians reported the following:

- Only 93 of the 114 schools (81.6%) had functional fans and lights in the classrooms.
- Only 92 of the 114 schools (80.7%) had playgrounds.
- 106 out of the 114 schools had drinking water facilities in the school. However, children in only 18 schools reported that an aqua-guard filter was installed to ensure potable drinking water.
- 108 of the 114 schools had toilets with water. Of these schools, 94 had separate toilets for boys, while 81 schools had separate toilets for girls. Only in 48 schools, however, were toilets cleaned everyday.
- While 112 schools provided midday meals to students, in only 77 schools (67.5%) did children report liking the taste of the midday meals.
- In only 57 schools (50.0%) did children receive sports equipment to play with in schools.
- Only 71 of the 114 schools (62.3%) have functioning libraries.
- In only 96 schools (84.2%) did teachers come regularly to teach the students, and in only 84 schools (73.7%) did the teachers sit for the entire period in the classrooms.
- In 106 of the 114 schools, children received free uniforms.
- In only 76 schools (66.7%) did the school call parents for Parent-Teacher Association (PTA) meetings, despite teachers reporting the existence of PTAs in 108 schools.

Interestingly, when teachers were asked the same questions, regarding the issues of availability of drinking water, libraries, health checkups, sports equipment and Parent-Teacher Associations, teachers consistently over-reported availability as compared to children or their guardians.

Another research in 2012 by APR partner organisations in 44 government schools across 20 slums/areas of Delhi also found that of the 348 school toilets inspected, 37% were unclean, 15% were reserved for staff only, 61% were cleaned only occasionally or two to three times in a month. A further 24% did not have in-washroom water supply, while 21% had infrastructure problems such as blocked sewage drains, etc. This was despite the Supreme Court directing toilets to be built, particularly for girls, in all government schools by the end of November 2011.⁴⁷

Additionally, it has been noted that the norms of provisioning of primary schools within 1 km, and upper primary schools within 2 km, of neighbourhoods does not adequately deal with supply side constraints in urban areas. This is due to the dense settlement structure

⁴⁷ The Hindu, 'All Govt. schools must have toilets by November-end', 19/10/2011, available at: www.thehindu.com/todays-paper/tp-national/all-govt-schools-must-have-toilets-by-novemberend/article2550270.ece

and social stratification in urban areas, where a child may have to cross busy roads or railway tracks to reach the nearby overcrowded school.⁴⁸

Delhi NCT Education Planning, Budgets and Schemes

Having looked at the current status of implementation of the RtE Act, how has the Delhi government responded in terms of education planning, budgetary allocations and schemes? Delhi NCT has separate city-specific education planning for urban children. In 2007-08, however, the Government of Delhi spent only 1.72% of its gross state domestic product on education. At the same time, the per capita expenditure on education in Delhi (Rs 1477) was much higher than the national average (Rs 968).⁴⁹ By 2011-2012, a total of Rs 5851 crore (plan and non-plan outlay) was being spent on the education sector, accounting for 16.91% of the Delhi NCT budget. Of the total plan outlay for education of Rs 1341 crores, 728 crores was the outlay for the Directorate of Education, which deals with school education, and Rs 220 crores was the outlay for MCD.⁵⁰ The share for the education sector in the 2012-13 Delhi NCT budget, however, declined to 16.11 percent. Most of the money was allocated for the construction school buildings, provision of free textbooks and uniform subsidies to students, including under the 25% free-ship quota in private schools, implementation of the RtE Act and SSA. The budget for the implementation of the RtE Act, in fact, has increased to Rs 50 crores in the 2012-13 budget, reflecting an increase of 233% from the allocation in 2011-12.⁵¹

Financial budgets, however, do not necessarily mean full expenditure towards education. For example, a total of Rs 6032.32 lakhs was allocated to Delhi city under SSA and NPEGEL in 2008-09, of which the reported expenditure was only Rs 4812.69 lakhs (79.8%).⁵² Similarly, the 2010-11 CAG audit report of the Delhi Directorate of Education noted that the plan expenditure on education for the years 2008-09 to 2010-11 consistently fell short of the revised budgets by an average of 12 percent. The CAG also reported poor budgeting practices in the Directorate and the distortion of budget provisions via re-appropriations between various heads of accounts. All this indicates a lack of well thought through budgeting for education in Delhi NCT.⁵³

⁴⁸ Y.P. Aggarwal and Chugh, Sunita, 'Learning Achievement of Slum Children in Delhi', National Institute of Education Planning and Administration, New Delhi, 2003, pp.10-11.

⁴⁹ Government of NCT Delhi, *Economic Survey of Delhi 2008-09*, New Delhi, 2009, p.179.

⁵⁰ Government of NCT Delhi, *Budget at a Glance 2011-12*, Finance Department, New Delhi, 2011.

⁵¹ Detailed Demands for Grants of Delhi NCT Government, 2011-12 and 2012-13, analysed in HAQ Centre for Child Rights, *Budget for Children in CM's 'Caring City': A Brief Analysis of the Delhi Budget 2012-13*, New Delhi, 2012.

⁵² From Planning Approval Board Minutes 2009-10, in Planning Unit Technical Support Group, *Status of Elementary Education in the Million Plus Cities*, SSA, MHRD, New Delhi, 2009.

⁵³ Comptroller and Auditor-General, *Delhi NCT Audit (Civil and Commercial) 2010-11*, Government of India, New Delhi, 2011, Chapter 4: Report of Audit of Directorate of Education, Government of NCT Delhi.

There are currently nine urban resource centres (URCs) running in the nine districts of Delhi NCT. Their purpose is to monitor the implementation of the RtE Act on the ground, not least issues of teacher absenteeism, requirements for infrastructure, repairing of classrooms, quality aspects like academic supervision and achievement levels of the students, teachers-students relationship, classroom processes, parents' participation and long- and short-term education plan formulation. These URCs also coordinate the work of 136 Cluster Resource Centres (CRCs), 63 in government schools, 68 in MCD schools, 4 in NDMC schools and 1 in a DCB school, in enhancing quality aspects and building relationships between the teachers and local communities.⁵⁴ Moreover, given the links between pre-primary education and enhanced access and retention in primary education, Delhi government currently operates 10,607 anganwadis, which provide pre-primary education for children.⁵⁵ The government also operates Gender Resource Centres that promote, *inter alia*, women's empowerment and literacy, including the promotion of girls' education and provision of facilities with linkages for school dropout girls to return to mainstream or open education.

The Delhi Directorate of Education states in its Citizen's Charter a vision of quality education for all, meaning 'free education to children from classes 1 to 12 irrespective of caste, colour, creed or religion'.⁵⁶ A number of schemes have been put into place aiming to ensure universal elementary education. Two of the most extensive are the centrally sponsored schemes Sarva Shikshya Abhiyan (SSA) and National Programme of Nutritional Support for Primary Education (Midday Meals scheme or MMS). **SSA** provides schools with grants to run special classes for out-of-school children in order to enable them to (re-)enter elementary education. It further supports residential and non-residential bridge courses, remedial courses, back to school camps, mobile schools and schools in worksites with high migrant populations. SSA also focuses on school infrastructure development in line with RtE Act requirements, thus allocating funds for the construction of additional classrooms, toilets and drinking water facilities in new schools, and the appointment of additional teachers.⁵⁷

MMS, by contrast, aims to encourage enrolment and attendance of especially poor children in education who might not otherwise receive a nutritious meal at home. Moreover, the scheme purportedly also encourages equality, in that children sitting together to eat should erode caste prejudices and class inequality.⁵⁸ Currently all children in Classes 1 to 8 in

⁵⁴ *Sarva Shikshya Abhiyan, Delhi: An Introduction and Progress Made so Far*, Government of NCT of Delhi, New Delhi, 2009.

⁵⁵ Government of NCT of Delhi, *Socio-Economic Profile of Delhi 2011-12*, Government of NCT Delhi, New Delhi, available at: <http://www.delhi.gov.in/wps/wcm/connect/ef2560804d191d12892d9d523c2731ed/Socio-Economic+Profile+2011-12.pdf?MOD=AJPERES&Imod=1756420931&CACHEID=ef2560804d191d12892d9d523c2731ed>.

⁵⁶ Directorate of Education, *Citizens' Charter*, Government of NCT Delhi, New Delhi, 2010.

⁵⁷ Planning Unit Technical Support Group, *Strategies of Urban Deprived Children under SSA: AWP&B 2009-10*, SSA, MHRD, New Delhi, 2009.

⁵⁸ See National Programme of Nutritional Support for Primary Education: Guidelines 2006.

government and aided schools receive midday meals prepared by outside agencies, with a reported total of 1.8 million benefitting from midday meals in 2011-12.⁵⁹ Quality issues, however, remain. In 2011, for example, complaints of dead lizards and worms in midday meals and otherwise contaminated food resulting in several children being hospitalised led to the withdrawal of contracts with several providers of midday meals.⁶⁰

In accordance with the RtE Rules, a number of entitlements are provided to school going children by different state departments – the Directorate of Education, Directorate of SC/ST/OBC/Minority Welfare, Department of Women and Child Development, Labour Department – as well as the MCD, NMDC, Delhi Jal Board and Delhi Building and Other Construction Workers Welfare Board. All children in classes 1 to 8 in Delhi government and aided schools, or into private schools under the 25% quota, receive **free textbooks**. An additional entitlement for all students from pre-primary to Class 12 in the aforementioned schools is an annual **subsidy for uniforms**: Rs 500 in Classes 1 to 5; Rs 700 in Classes 6 to 8. There is also Rs 30 given to all children studying in Class 8 towards the purchase of geometry boxes. Separately for girls, **sanitary napkins** are distributed to all girl students in Classes 6 to 12 in government and aided schools. In addition, scheduled caste, other backward class and minority students studying in Classes 6 to 8 and having a family income of up to Rs 2 lakhs per annum and have at least 70% attendance in schools receive Rs 450 per annum towards the purchase of **stationary**.

Separately, all children attending **MCD** primary schools receive free textbooks and one uniform, while shoes and jerseys are given to all children in Classes 1 and 3. Similarly, all children attending **NDMC** schools and its aided schools receive free textbooks from Classes 1 to 12, free stationary from Classes 1 to 5, free uniforms from classes 1 to 12, and free shoes and socks from Classes 1 to 5.

Financial assistance in the form of **scholarships** in all government, aided and local authority schools are provided to meritorious scheduled caste, other backward class and minority students studying in Classes 6 to 8, ranging from Rs 500 to 600 per annum depending on exam marks. Another scholarship introduced in 2011-12 provides scholarships of Rs 1000 per annum to scheduled caste and minority students studying in Classes 1 to 8, provided for the latter that their parental income does not exceed Rs 2 lakhs per annum. Additionally, a social welfare scheme for educationally backward minority students targets Muslim children whose parental income does not exceed Rs 2 lakhs per annum for receipt of annual

⁵⁹ Planning Department, *Socio-Economic Profile of Delhi 2011-12*, Government of NCT Delhi, New Delhi, available at: <http://www.delhi.gov.in/wps/wcm/connect/ef2560804d191d12892d9d523c2731ed/Socio-Economic+Profile+2011-12.pdf?MOD=AJPERES&Imod=1756420931&CACHEID=ef2560804d191d12892d9d523c2731ed>

⁶⁰ See Directorate of Education website, Government Orders regarding midday meals, available at: www.edudel.nic.in/welcome_folder/mid_day_meal_main.htm

education stipends of Rs 300 for primary school and Rs 400 for middle schools. Pre-matric scholarships of Rs 1000 per annum are also available for minority students in government schools who have secured 50% in exams and whose parental income does not exceed Rs 1 lakh per annum.

Stipends are provided to girls in *jhuggi jhopri* colonies as well to retain them in schools until they complete their education, and scholarships are given to all girls in Classes 1 to 5 in order to prevent dropouts from primary education in NDMC schools. A major scheme, though, is the MWCD's Ladli scheme, under which money is deposited into a bank account on the birth of a girl child in Delhi, who is resident in Delhi and whose parental income does not exceed Rs 1 lakh per annum. A further Rs 5000 is deposited into the bank account of each girl who gets admission in Classes 1, 6 and 9.

In terms of enhancing **education in Madarasas** for Muslim children, the Directorate of Education also operates a scheme to provide education in general science, maths and English to students of Class 5 studying in Madarasas, so that they can continue their education in government schools after completing their religious education. Additionally, the MHRD has introduced a voluntary scheme for providing quality education in Madarasas (SPQEM), under which financial assistance is provided to Madarasas to introduce science, maths, social studies, Hindi and English in their curriculum so that Muslim children can obtain quality education from Classes 1 to 12 linked to the National Institute of Open Schooling. Modernising Madarsa education is also one of the objectives of the ***Prime Minister's 15-point Programme for the Welfare of Minorities***. Under this programme, greater resources should be poured into recruiting Urdu language teachers in primary and upper primary schools where a number of Muslim children are enrolled, ensuring adequate schools in Muslim concentrated areas to enhance their access to education, improving education infrastructure and scholarship entitlements for Muslim children.

In addition, in recognition of the large number of **working children** in Delhi, a welfare scheme for working urban children aims to facilitate their (re-)entry into mainstream education in cases where they have never enrolled or dropped out of education. The scheme is implemented through NGOs and targets both children for (re-)entry into education, as well as parents and relatives of the children to counsel them into supporting their children's education.

Finally, the **children of construction workers** who are registered with the Delhi Building and Other Construction Workers Welfare Board receive Rs 100 per month as scholarships in Classes 1 to 8. Similarly, a scale of scholarships for Classes 6 to 12 ranging from Rs 500 to Rs 3000 are paid to **children of all Delhi Jal Board group 'C' and 'D' employees**, which includes permanent sewage workers, who have three years of regular service and complete 240 days

of work on the muster roll. Their children need to score at least 40% in their exams to be eligible for the scholarship.

Conclusion

The Delhi government has clearly recognised that the implications of the RtE Act are to reach the social groups of children who currently do not attend schools (regularly or ever), or dropout at the elementary education level. Its approach paper on education for the 12th Five-Year Plan spells out the need for all local authorities and the Delhi government to prepare a clear action plan to ensure the right to elementary education to all children aged 6 to 14 years within Delhi NCT. At the same time, the Directorate of Education recognises the need for a detailed assessment of all private schools operating on lands allocated at concessional rates in Delhi and to enforce the 25% reservation quota for children from disadvantaged and economically weaker sections, while also reimbursing private schools with their own land for admissions under that quota.⁶¹

The implementation of the Act, however, remains haphazard. Of particular concern is the lack of consistent and accurate data provided by the Delhi NCT government itself on the status of elementary education and schools. Notwithstanding this issue, the data presented above clearly indicate a number of serious issues with the education system as a whole. On the one hand, the supply-side constraints are numerous. They include the decline in education budgeting as a share of Delhi government's overall budget; lower expenditures than budgeted; delays in the disbursement of education funds; the lack of adequate school infrastructure as well as inequitable distribution/quality of school infrastructure; high PTR and SCR; the lack of adequate number of trained teachers especially from marginalised communities; the inefficient management of the education system; inadequate teacher preparedness for dealing with the diversity of learning needs especially in urban classrooms; poor school inspection systems; non-functional school management committees; and so on. On the other hand, there are a number of demand-side constraints coming from children, their parents and their communities.

The audits by the CAG and civil society organisations point to a number of gaps across the city, though there is little analysis of the implications for education access, retention and completion for specific groups of children. These audits, therefore, need to be urgently supplemented by 'equity and inclusion audits' on different children's access to education in the city. Along the lines of this latter audit, the following section of the report provides an in-depth analysis of the education status, barriers and opportunities for five specific groups of vulnerable and marginalised children across the city.

⁶¹ Government of NCT Delhi, *An Approach to the 12th Five-Year Plan (2012-2017)*, New Delhi, 2012, Chapter 7: Education.

Chapter 4

Right to Education for De-notified/ Nomadic Tribal Children

"I was admitted into 5th class in the school on the basis of my age (then 12 years), but I did not attend any class. I learnt from others who are students there about the teachers (beating other students) and the type of study in the school (i.e. the poor teaching), and so I didn't go. I was afraid to go and then felt if I was not going to learn anything, I need not go. I didn't think I could cope up with the studies. Instead, I go for shoe polishing work and otherwise roam around playing with my friends here... Still, when I see others going to school I feel very deep the wish that I could also go to school... I always feel the lack of education in my life. People can get a motorcycle without education, but I will not be able to get a car, a house and the opportunity to go to a good restaurant. I will not be able to understand what other people say."

Rohit, out-of-school boy, Singhi settlement, Rangpuri Pahari

"I am studying in 7th class in the government school. Due to Navshristi I got chance to go to school, while my older sisters did not.... I don't like my school as there are too many boys there. They sometimes tease us [girls] and push us onto each other. Even on our way to the school, boys tease and whistle at us, even chase us, so we come fast until our road. There is also a lot of traffic on the way to school. Right now I have been sick so I am not in school. But my teacher called me through my friends to ask me to come back to school. Otherwise, I am regularly going... One problem is that we did not get the textbooks so far [four months into the academic year], so I am searching for them in the bookshops as my teacher told me to buy. If we cannot understand what the teacher writes on the blackboard, we have to refer to the textbooks... I have no time to study at home, though, as after coming back I have to do household tasks and then go for training in a tailoring centre nearby."

Kusum, school-going Gosai girl, Nangloi II, A Block

4.1 The Context of the Children

Rohit and Kusum come from the Singhi and Gosai communities respectively, which are two different, endogamous groups that are considered as de-notified and nomadic tribes (herein DNT-NT). There are an estimated 200 to 300 such tribes across the country today, with an estimated population of around 60 million. Their status in Indian society and as citizens is complex and rooted in their history as much as their present. De-notified tribes were previously identified as criminal tribes by the British based a fallacious equation of caste and profession, and specifically the idea that certain nomadic caste communities were

professionally criminals.¹ The British thus passed the Criminal Tribes Act in 1871, curtailing these communities' freedom of movement and compelling them to regularly show their attendance at the local police stations. It was not until 1952 that a de-notification order was issued by the Indian government and they came to be known as de-notified tribes. Consequently, they were not considered as a separate group in 1950 when the schedules to the Constitution were prepared. Hence, some of these groups were included in the SC and ST schedules, some later have been listed as OBC, while still others fall outside all such lists despite their socio-economic under-development. The overall result, however, is that they remain an invisible community who often fall within the cracks of government development programmes and are unable to access the benefits of falling under the SC-ST-OBC lists.²

While the Indian Government constituted a National Commission for De-Notified, Nomadic and Semi-Nomadic Tribes (NCDNT) in 2003, which submitted a report in 2008 based on available data and the recommendations of various commissions, this report and its recommendations has not been tabled in Parliament to date. More recently, the National Advisory Council Working Group on De-notified and Nomadic Tribes, established in 2011, also drafted a series of recommendations to ensure social justice and development for these communities. Among its recommendations is the mainstreaming of DNT-NTs into ongoing programmes. In terms of education, this is spelt out as 'special efforts to impart education to these children through residential schools. A special drive is needed to enrol and retain girls in schools and hostels. NGOs running education awareness campaigns and vocational training centres for DNT-NTs should be provided with financial assistance.'³

In the meantime, while government commission reports fail to be discussed and recommendations finalised and implemented for the development and protection of DNT-NT communities, the stigma of criminality and severe discrimination has remained. This has led to their social isolation and often experiences of discrimination and exclusion. The Habitual Offenders Act, which replaced the Criminal Tribes Act, has helped to perpetuate the idea of branding communities as criminals, leading police in practice to often round up male members of these communities whenever crimes take place in their neighbourhoods. One negative effect of their socio-economic exclusion and insecurity of life, along with the lack of targeted development measures for these communities, has been on the right to education for their children.

¹ Bokil, Milind, 'De-notified and Nomadic Tribes: A Perspective', *Economic and Political Weekly* 37(2), 2002. These nomadic communities were broadly of four types: (i) pastoralists and hunter-gatherers; (ii) good and service nomads like blacksmiths, stone workers and salt carriers; (iii) entertainers like acrobats and snake charmers; and (iv) religious performers like devotional singers and astrologers.

² This has led some to call for DNT-NT communities to be given constitutional protection and privileges on similar lines to SCs and STs either by creating a third schedule or by amending the Constitution to add a supplementary list to the existing SC and ST schedules: see letter by Harising Rathod, MP (Lok Sabha), to Members of Parliament, 29-08-2005.

³ NAC Working Group on De-notified and Nomadic Tribes, Draft Recommendations, available at: http://nac.nic.in/press_releases/dnt_draft.pdf.

The National Commission to Review the Working of the Constitution noted in its 2002 report that “the de-notified tribes/communities have been wrongly stigmatized as crime prone and subjected to high handed treatment as well as exploitation by the representatives of law and order as well as by the general society... The continued plight of these groups of communities distributed in the list of scheduled castes, scheduled tribes and backward classes is an eloquent illustration of the failure of the machinery for planning, financial resources allocation and budgeting and administration in the country to seriously follow the mandate of the Constitution, including Article 46. The Commission recommends that the Ministry of Social Justice and Empowerment and the Ministry of Tribal Welfare should... strengthen the programmes for the economic development, *educational development*, generation of employment opportunities, social liberation and full rehabilitation of de-notified tribes [as well as nomadic tribes].”⁴

The two DNT-NT communities in the present study are both listed as scheduled caste. The 235 families from the Gosai (Natrana) community live in Nangloi Part II – Block A, a slum in West Delhi district. The total population is 1241 persons, in part due to many families having a large number of children. Of the total of 741 Gosai children, 278 are aged below 6 years, and 470 are aged 6 to 18 years.⁵ Most have come from Uttar Pradesh originally, while some have migrated from Gujarat and Mumbai.

By contrast, the Singhi community numbers only 60 families. They live in makeshift houses on panchayat land in Rangpuri Pahari, South West Delhi district. Of the 60 families, 43 are originally from Haryana and the remaining 17 are from Rajasthan. They officially fall under the scheduled caste Dhanuk category. There are a total of 257 people – 136 males and 121 females – in the settlement. Of these, 141 are children: 36 aged below 6 years, 93 aged 6 to 14 years (52 boys and 41 girls), and 12 children aged 15 to 18 years.⁶

History and Social Relations

Nangloi Part II area is part of a resettlement colony formed in the mid-1970s. People of different castes and religions were displaced from other slums in Delhi and brought together here, with the Gosais settling into two streets in the slum. Many of the Gosai families had migrated from Uttar Pradesh to Delhi in search of better employment opportunities outside of their traditional occupation of rearing buffaloes. A few community members also migrated from Gujarat and Mumbai to Delhi and ended up in this slum. In terms of inter-relationships with other communities and government officials, the community is extremely socially isolated. The Gosais are negatively viewed by most of the other communities in the area as initially they came into the area as beggars and their area

⁴ National Commission to Review the Working of the Constitution, *Review Report on the Working of the Constitution, Volume 1*, New Delhi, 2002, paras 10.12.1-10.12.2.

⁵ As per Navshristi baseline survey 2011.

⁶ As per BVD baseline survey 2012.

is seen as very dirty. Now they are also seen as sending their children to beg or work as hawkers while men sit at home and drink. The surrounding streets house mainly Muslim and some Sikh communities. Communal tensions between the Gosai community and Muslims have flared twice into violence in the area, the most recent being during Eid in 2012.⁷ Otherwise, the Gosais have little interaction with government officials outside of applications for various identity cards or welfare schemes, and only see the police whenever there are major fights among community members.

The Singhi settlement, by contrast, is not an authorised slum, though the families have been living on the land since 2002. Those families from Haryana were forced to shift from their villages after the police came and destroyed their houses in 1980. They then migrated to Delhi in search of work, eventually settling in the current Singhi settlement in 2002-03. Others from Rajasthan gradually migrated to the settlement for work as well. As they live on panchayat land, they have to contend with dominant caste Jats from the neighbouring Rangpuri village periodically warning the Singhis that they can easily take back the land for any purpose. The Delhi Development Authority (DDA) officials and the police also visit the settlement from time to time to warn them to shift from the land. Otherwise, the community is completely isolated and they have little contact with other communities living around them. In part this is also an attempt to preserve their culture from the influence of the majority communities living around them. Another part is also the negative attitudes that people have towards them, which makes them wary of social interactions.

Navshristi is the only organisation who has done any interventions with the Gosai community, working with them since 1994 after seeing the serious social and administrative challenges this community faced. Not least were their poor education levels. A survey Navshristi undertook revealed that only 28% of Gosais were literate and many children were out of school due to being denied admission for lack of birth certificates. Navshristi thus has focused its interventions on supporting and facilitating Gosai children's enrolment in the neighbourhood schools. Part of this is through organising non-formal education classes for children aged 6 to 16 years, bridge classes for dropout children aged 14 to 18 years, and remedial classes for school-going children in classes 1 to 8. The organisation has also promoted a children's group where children engage in activities to promote children's rights and other positive changes in their community. This aside, Navshristi also raises health awareness among the community, including the need for immunisation of their children.

Likewise, Bal Vikas Dhara (BVD) organisation also runs a small centre in the Singhi settlement, where children aged 5 to 13 years are collected together to learn some basic literacy. After about three months, this both helps the children to become motivated to

⁷ At the time, a Gosai boy apparently inappropriately touched a Muslim girl, and this led to communal violence flaring in the area. Finally, the MLA of the area has to intervene and negotiate peace among the communities.

enter into formal schooling, as well as gives them some confidence in education before they enter into the schools. In addition, since 2003-04 when they first started working with the Singhis, BVD has organised child rights groups among the adults, while the children have been organised into Muskaan Bal Manchis and Muskaan Bal Samitis. Through these two groups, the issues affecting children's rights are identified and the solutions discussed and implemented as a group. These include issues of getting children admitted into neighbourhood schools, access to scholarships for Singhi children, etc. The Muskaan Bal Samiti specifically focuses on theatre for education, with children formed into a small theatre group to do plays on education for the community. Where necessary, BVD also intervenes, especially to liaise with the schools to ensure Singhi children gain access to education and to monitor how the children fare in the schools.

Living Standards

As Nangloi slum is a resettlement colony, all families have basic amenities such as cement houses with electricity, water connections and toilets. There is a primary healthcare centre located nearby and an anganwadi located in a nearby street where around half the children aged below six years attend. There is a PDS shop close by, at which they buy their rations since all the families possess ration cards. However, mothers complained that recently they have been able to buy only wheat from the shop and not the other items due to the misappropriation of ration goods. Most adults and some children, however, mentioned that the main problem in their area is the frequent blockages in the sewer lines and the poorly maintained open drainage system. Despite their many complaints regarding the blocked sewers to the Delhi Jal Board, nothing has been done about this. During the rainy season, moreover, the area becomes water logged as the drainage system does not function well. This unhygienic living environment is also not helped by the fact that there is no rubbish disposal system in the slum, and so rubbish is thrown just outside the colony.

By contrast, the Singhi settlement is characterised by the complete absence of any basic amenities as a consequence of their residing on panchayat land. Their exclusion from civic services is compounded by their lack of any ID cards to show their residence status in Delhi: none have voter ID cards, ration cards, caste certificates, or birth certificates. All the families live in makeshift open houses constructed from scrap materials, which they mainly use to store their meagre possessions. They cook and sleep outside their houses, affording them little privacy. Many complain about the mosquitos and other insects in the evenings, due to the lack of toilet and sanitation facilities in the settlement and the use of the neighbouring area as a dumping ground for rubbish and surrounding bushes for their toilet needs. They also have to worry about snakes coming inside the settlement from the surrounding bushes, and the absence of any cover from the sun especially in the summers. Bathing and drinking water is obtained from the one water tap located around 400m away that they share with a slum. Water collection is thus a time-consuming task that especially girls engage in daily.

The only amenity they have in their settlement is illegal electricity connections, for which each house pays Rs 100 per month to the Electricity Department. In terms of medical facilities, their nearest hospital is the government hospital in Mahipalpur, around 0.5 km away. However, many do not trust the treatment received there and prefer to pay and visit private doctors in the area.

One striking difference between the two DNT-NT communities is the drinking habits of their men. While only a few Singhi men drink, Gosai men are known for their drinking. Their nearest liquor shop is located less than 1 km away and most Gosai men consume alcohol daily. Even a small percentage of boys also start drinking from when they are 13 to 15 years old. This drinking has implications for children both in terms of a disturbed family life – both women and children reported domestic violence – and also in terms of the lesser financial resources available in their families for their education. Out-of-school Gosai girls commented on this: *“In our caste women are not allowed to work while men have a drinking habit; neither they work nor do they allow women to work.”* Otherwise, out-of-school Singhi boys reported that they might gamble a little, but they do not drink, smoke, or do drugs like other boys in the nearby slums, and keep their distance from these boys.

Work and Economic Status

An interesting trend among both DNT-NT communities is that both are engaged in self-employment, which can be seen as another aspect of their continuing social isolation. None are working for others or engage in daily wage labour that would bring them into contact with workers from other communities and wider access to information such as on services in Delhi, including education services, or government programmes for the poor.

Almost all Gosai men and out-of-school boys from around 15 years of age earn their livelihood as hawkers, selling a wide range of items such as television and fridge covers, glassware, bed sheets, clocks, watches, etc. They travel both within the city as well as outside as far as Meerut, Ambala, Sonipat and Panipat, their profits being more from sales outside the city limits. Depending on the distance they cover, they will spend anywhere from three to eight hours walking about and hawking their goods. Male hawkers earn around Rs 150 to 200 per day from their sales, up to Rs 300 to 500 on a good day, and an average of around Rs 4000 to 6000 per month. Around 10 boys have also learnt to beat drums and sell their services for functions like marriages for Rs 900 or more per function (for three boys together). As far as older men are concerned, many engage in begging on Tuesdays and Saturdays in the name of the god Shani Maharaj, in keeping with their religio-cultural tradition as followers of Sai Baba. Some out-of-school boys also accompany them.

The patriarchal structure of the Gosai community is evident from the fact that no women or girls are allowed to work outside the home. All undertake household work only and this

tradition remains unquestioned among the community members, including children. As the community priest explained, *“Our forefathers were of the opinion that women in our family should not work outside; they should stay at home and take care of the household and children... There may be changes in society, but we continue this [tradition] today.”* The sole exception is widows, who are allowed to work so as to feed their children. Widows prepare garlands of lemon and green chili, which they sell on Saturdays by the temples. The remaining days they sell fruits by their houses or pack clocks for sale.

Many Singhi men and women, by contrast, continue to engage in their traditional occupations. Men make and sell Singhi medicine (made from animal bone) for relieving joint pains and clean ears, while women sell toys. With the growth of allopathic medicine, however, the demand for local Singhi medicines has fallen in recent years. Ear cleaning is thus becoming more central to their livelihood, and earns them between Rs 20 to Rs 50 per customer. Most men are able to earn around Rs 100 to 150 per day. Meanwhile, women earn around Rs 80 to 100 per day from selling toys. While previously they made these toys from clay, with the arrival of plastic toys in the markets, many have shifted to purchasing plastic toys and selling them on. Some 15 to 20 older women also beg for a living and receive between Rs 30 to 50 per day. On Saturdays, they beg for oil, raw food and cloth in the name of the god Shani, while on Thursday and Fridays they beg in the name of Baba Peer/Mazar. On other days, they beg from house for cloth and food. Overall, for adults, their basic per capita monthly income is around Rs 2000 to 4000 per month.

Given their vulnerable livelihood situation, most Singhi children aged 10 years and above are also working. Girls have followed their mothers into toy selling work and/or do household work while their mothers sell toys, and some boys are learning their traditional occupations of ear cleaning and Singhi medicine making and selling. Some girls, however, complained about being eve teased while working, while others mentioned how people question them as to their identity, their community and why they are not doing a ‘proper’ labour job. Hence, a few girls mentioned that they would prefer to do some type of home-based paid work like other Singhi female members in other parts of Delhi do for a living. Around 10 girls also join the adult women in begging for a living. This work, though it may sometimes yield better earnings than toy selling, they do not like as they know they are looked down upon or told they are not doing any hard work to earn money. As far as boys are concerned, livelihood opportunities are wider. Around 15 boys are now working as shoe polishers and earning around Rs 200 to 300 per day from this work. A few youth have also learnt drum beating for functions and they receive around Rs 2000 to 3000 per function for the group. Others also operate cycle rickshaws to earn around Rs 200 to 250 per day.

Linked to earning capacity is the issue of indebtedness, given the low income levels of both communities. Positively, in both communities small interest-free loans are obtained only among community members, as many are related to each other. Gosais also have various

community support systems, so that widows or widowers receive some financial support to run their families. They also have a committee to collectively save money, which, once a month, is then auctioned to whoever needs the money on loan. Many out-of-school boys mentioned their ability to save a little from their earnings through such committees.

Education Status

Among adults in the Gosai community, average male educational levels are up to 8th class, while for women it is almost no education. The community priest estimated that less than 10% of women have had some primary schooling. The highest education level among middle-aged men is 10th class for around five or six men, while only around five or seven women have passed 5th class. Poverty and/or family problems have been the main obstacles to men's education, while for women primarily early childhood marriages and strong gender seclusion norms have led to their illiteracy. This can be compared with the complete illiteracy among Singhi adults, male and female, none of whom have attended schools.

Looking at children in these two communities, among Gosai children, a total of 334 children – 182 boys and 152 girls aged 6 to 18 years – were in schools, while 132 children – 69 boys and 63 girls – were out of school in 2011. Dropouts from education remain high. The average dropout age for both girls and boys is 10 to 14 years, with many dropping out in 4th to 6th classes. Only around three to four children have studied as far as 10th class.⁸ As far as Singhi children are concerned, only recently in the last two years have some children started to attend schools after the interventions of BVD staff. There are currently 10 children enrolled in the primary school, mostly in classes 2 and 3, but only seven of these children are regularly attending. All the children interviewed had dropped out of school between 2nd and 5th classes, meaning that none so far had completed their primary education.

Renu, a 14-year-old girl from the Singhi settlement dropped out of school from 3rd class. Beforehand, she liked school because, in her words,

"I don't like the lifestyle of my community and the girls in my community being only in the home. When I was in school my thinking was that I would learn to read and write, and wear jeans and go to school. In the school I focused very much on my studies. I had one friend, Kalpana and we both used to talk in the school and help each other to study. But in the school a bad teacher came and she stopped children talking in the class. She was a Bihari and she was short tempered and would not accept the slightest noise in class. Several of us left the school together because of that teacher and the beatings and [verbal] abuse she gave... When we complained to the head teacher, the Bihar teacher said she was not beating us, and was nice to us in front of the head. Before that, we would make the excuse of the drinking water in the school not being good to go home soon and not return to classes in the afternoon. I also did not like the midday meals, as

⁸ Baseline survey by Navsrishti organisation in 2011.

they were not tasty with less salt and spice. There was also so much noise in the school, especially among children in the classroom.”

After dropping out, she has started to accompany her mother for selling toys in the mornings. She then spends her afternoons collecting water for the family and household works like cleaning and cooking, and looking after her younger siblings.

4.2 Children’s Enjoyment of the Right to Education

Out-of-school girls from the Gosai community were asked if they knew about the RtE Act and whether they thought this Act would benefit them. They replied “no”. When asked why not, they said, *“Just because the government says that all girls should be in school does not make this the reality. So many of us are not going to school.”* In other words, the creation of a progressive law alone does not ensure that the right to education is enjoyed by all children in reality. These girls’ statement is the starting point of inquiry into the myriad of factors at the community, school and personal levels that affect whether children from DNT-NT communities access, attend and complete elementary education.

4.2.1 Position of Children from the Context of their Families, Communities and Area Environment

The educational status of both Gosai and Singhi children is integrally related to the context of their families and communities. Out-of-school Gosai boys mentioned the ***economic compulsions*** behind their failure to enrol in or complete elementary education. Karan explained, *“No one was there in my family to earn. If I go to school then who will feed us? I have four sisters and two brothers. Something had to be done as my sisters cannot work; this is the custom of our caste. My older brother is not interested to work, so I had to start working.”* Like him, other out-of-school boys mentioned problems like their fathers not working or having fathers with bad drinking habits, which led them to drop out of school to start working to feed their families. *Deepak, another out-of-school Gosai boy mentioned that his father had kidney stones and his elder brother was already married with children of his own. Hence, while his mother advised him to continue studying, he dropped out of 7th class as he felt it was his ‘duty’ to bear the earning responsibility in his family.* As far as these out-of-school boys were concerned, their parents did not determine their dropping out or remaining in schools.

Moreover, some Singhi mothers admitted to a lack of awareness about education and the need to send their children to school, especially due to their stronger drive to work and earn a livelihood. *Nalini, a school-going Singhi girl, mentioned how she approached her mother so many times to let her go to school, but her mother was not aware of the value of education and so refused to let her go for a long time. Only now is Nalini in Class 3, even though she is*

11 years old. This lack of awareness about education, coupled with economic compulsions, also applied to those parents who did not stop their children from leaving school to work.

Coupled with economic compulsions is the **peer pressure on especially boys to drop out of school** in favour of work. Kala, a Singhi mother explained, *“I am telling my son to go to school, but my neighbour’s son is telling him ‘what is the benefit of studies and education? Come with me for shoe polishing instead.’ That boy is older than my son and even though my son was good in school and we gave him all school materials like books and pencils, he tore his uniform and said that he did not want to go to school anymore.”* Rohit, an out-of-school Singhi boy, similarly told of how, after Class 2 or 3, they felt so proud and feel like they know so much that they no longer need to go to school. They also like to play a lot and find it hard to concentrate on studies in the school. This feeling is compounded by other out-of-school boys teasing those boys who go to school. Rohit raises a key point as a first generation learner. For many Singhi boys, **schools just are unable to hold their interest**, in part due to the irregular and poor teaching that takes place in government schools (see next section). Moreover, both Singhi boys and girls also feel diffident to attend school on their own. Hence, if one decides to not attend school on a particular day, it often leads others to also skip school as well. In other words, emotional support as a collective is also key to retaining these children in a new social environment like schools.

Regarding the education of girls, in the Gosai community **gender discrimination** was clear. While families want their girls to study so that they can at least read the bus signs and move around after their marriages, parents do not want to educate their daughters too much out of the fear that they will then flee their homes. Thus girls are being married by the ages of 13 to 15 years with boys aged around 14 to 18 years from the community, thereby curtailing their ability to complete elementary education. Many out-of-school girls, for example, indicated their interest to continue their education, but said that their fathers or uncles would not allow them to re-enrol in schools. *Kusum, a school-going girl, was resigned when stating that while education is good in life, it is their luck that within such a young age they have to get married. According to her, “It is bad that in our caste we get married in childhood and later the gauna (when they actually start to live as husband and wife) is done.”* Additionally, even if enrolled in schools, they would not be able to study as they are given so many household works once home, or look after their younger siblings. This implies that civil society organisation interventions in this community necessarily must engage with male community leaders and male household heads, to be able to work towards gender equality in access to education in this community.

Similarly, though not as sharply delineated as in the case of Gosai girls, Singhi girls also face additional, specific hurdles to their education. Not least is the tendency to feel that teenage girls should not or need not be in school, or are required to look after the house or younger

siblings while their parents work. As previously mentioned, girls were also primarily responsible for collecting water each day for the family's needs. *Out-of-school girl Renu mentioned that her parents felt that as she is a teenager, she does not need to return to school. She is instead required to look after the home and also her younger siblings.* The pressure on teenage girls to drop out of education and remain at home was manifest in several other ways as well. *Jayshree mentioned that other people in their community pass negative comments on teenage girls who wear skirts (seen as meant for young girls only), the required uniform in their neighbourhood schools. She is also the only teenage girl to attend the special classes BVD organisation runs in the Singhi settlement; others don't come as people suspect the character of teenage girls who attend these classes.* Additionally, Singhi community traditions dictate that money is given by the groom's family to the bride's family. *Hence, Heena mentioned how her husband was not interested in his daughters' education because he only wants to get them married. He has even taken advances against the money that will come from one daughter's marriage, and now only after she separated from him has Heena been able to enrol her children in school.*

The **status of the community in Delhi** also had an impact on children's right to education. As both Singhi mothers and their community leader explained, they live in constant fear of the police coming and demolishing their houses. This acts as a disincentive for some parents to push their children to study in school. Their non-permanent settlement also means that they feel they have less social power to engage with the schools and teachers regarding their children's education. At the same time, being in a non-permanent settlement with few facilities and no decent housing means that children do not have quiet spaces at home in which to study. As Bhavani, a school-going Singhi girl described, *"Without a house it is difficult to study. The sunshine is often too bright and the wind is sometimes strong and while studying my papers will be flying here and there. Also my sisters and younger brother disturb me too much by making so much noise while I study."*

At the same time, the **status of the community in terms of their roots outside Delhi** mattered. Children from both communities also reported having their names struck off the school registers after they overstayed their visits to their native villages/states and did not return to Delhi for the start of the academic year. Some out-of-school Gosai boys reported forgetting to file leave applications, as a result of which their names were cut from the school registers.

When **parents** are mostly illiterate or not educated beyond the elementary school level, some see their **main role in education as to motivate their children** to study. Hari Lal from the Gosai community tells his children, *"Education is important in life. I am uneducated and therefore feel guilty. An illiterate person can only do labour work, while an educated child can become an officer and work for the betterment of society... If a child learns well then*

they can stand on their own two feet and no one will be required to manage their life as they can do all works independently.” He also saw the knock-on effect of education, in that if one child became educated, it should inspire 20 other children to join schools. Similarly, Singhi community leader Daulat Ram mentioned, “We are thinking that if our children study, then they will become knowledgeable and it will not be written on our foreheads that we belong to the lower level of society.” Gosai mothers also reiterated the point of decent jobs that came with education for their children. They said, “We say (to our children) if you do not want to study, then no problem. But at least pass up to 10th or 12th class so that you will be able to feed your children in future.”

“When anyone asks us whose children are going to school, then I reply yes. I feel very proud about that because my children are not doing any work. If they are getting an education it is very good for their future. For example, while living in Delhi, if any document comes to us, at least they will be able to read and write. Other children will not be able to do if they are out of school. Even we feel bad about children who are not going to school, who are just playing and wasting time. They should study and improve their future.”

Mothers from Singhi settlement

Coupled with motivation, some Singhi mothers also try to **monitor their children’s attendance in school**. Heena mentioned that she daily goes to the school during the lunch break to find out if her children are in school. Others push their children to attend school every day. Not many, however, admitted to asking their children about their studies when they returned home from school. This might be due to the lack of education among parents. Moreover, as some mothers explained, their children might choose not to share problems they face in the school with their parents in order to avoid being doubly blamed by both parents and teachers.

When children chose to drop out of school, however, some parents tried to push their children back into school. However, most mothers from both communities mentioned that they could not do anything if their children were not interested in education and the schools did not provide good education. From the children’s side, out-of-school Gosai girls also shared that some of their mothers also did not place much importance on education. Being without schooling themselves, they are also not so aware of the importance of educating their children. Culturally, the relative lack of importance currently placed on education also plays a part: out-of-school Singhi girls pointed out that it is not the customs of their community for girls to study beyond 5th class and so they have to follow this.

Gosai community leader Hari Lal has five children. He said, “I educated my eldest son up to 8th class, but then my father died and it was not a good time for the family (financially) and so my son dropped out of school to work. He was also told by his Headmaster that he was not

intelligent and had less brains. Of the others, two more children have not been educated, and I thought it was the will of god that they do not get educated and instead start working. Now the last two children are studying in classes 3 and 8.”

Community leadership in both communities is very strong, a trait that is common to many DNT-NT communities. Mostly the community panchayat or leader mediates disputes among the community members. Only Hari Lal, the Gosai temple priest, mentioned that they have discussed about education in their panchayat meetings. In his words, *“We talk about the need for education to make our children good human beings. We are older and have spent our lives, while at least our children should be educated and grow, as this will benefit our society.”*

At the same time, almost none of the mothers or children interviewed **knew about the existence of the RtE Act**. At the most, some Singhi mothers and their community leader had heard of the Act from discussions with BVD staff, but could not recall its provisions.

4.2.2 Position of Children from the Context of Schools

In terms of the **availability of education** within the neighbourhood, both DNT-NT communities have schools lying within the distance prescribed under the RtE Rules. Nangloi has a MCD primary school within 0.5 km of their block, and a government senior secondary school for Classes 6 to 12 located around 1.5 km away. These government schools run on a shift system, with girls attending school from 7.30 am to 12.30 pm, and boys from 1.00 to 6.00 pm. Nangloi Part I also has a private school with classes 1 to 12, though only one Gosai boy currently studies in this school. *Bharti, a Gosai mother, mentioned that she had enrolled her daughter into a private school for one year. However, as her daughter was not able to understand the teaching there and the school fees were too high, she was quickly withdrawn and placed in the government school.* Likewise, the Singhi settlement has a MCD primary school located 300m away. The government senior secondary school for classes 6 to 12 is located around 1.5 km away.

The availability of schools in the neighbourhood should be coupled with the **availability of adequate school infrastructure and personnel**. It is here, though, that the schools these children attend fell short. In the MCD primary school, Gosai girls reported that they carried their own drinking water to the school as the water tank did not have a cover and so was not so clean. The school toilets, moreover, were not regularly cleaned despite the high number of students. The girls reported that only three toilets were available to the total girl students’ population of over 1000! Primary school-going Gosai boys also reiterated the need for more toilets for the number of boy students in their school. In addition, in the MCD primary school the electricity and fan connections were not functioning well, while Class 1 students had to sit on the floor as there were not enough desks in their school. Even the

school blackboards were old and so children could not often read what teachers wrote on the boards. Otherwise, primary school-going boys reported that in their classrooms there are usually around 90 children, as some classes are taken in one room with combined classes like 4th and 5th class together. Each section in the primary school had between 40 and 60 students per teacher. By comparison, infrastructure facilities in the government senior secondary school seemed to be much better, with four water tanks in the school and clean toilets.

Similar problems applied in the MCD primary school that Singhi children attend, including the lack of a library in the school. Singhi mothers mentioned the inadequate number of teachers for the increasing admissions of students into the school from the nearby slum areas in the past few years. This leads to teachers not being able to monitor each child's studies or control so many children in the classes. Some children actually study outside the class due to the lack of space in the classrooms, or sit on sackcloth inside the classrooms while some only get to sit at desks. The children occasionally are required to bring drinking water from their homes to the school when water is not available for a few days at a time. Some boys, however, prefer to take water from home as they find the school water is not so clean. Otherwise, drinking water is not a major issue. What is more of a problem are the toilets, which are inadequate in number for the growing student population. School-going children complained that the toilets were very unclean and, therefore, many boys use the space behind the toilet when in need. On a positive note, new classrooms and toilet blocks are currently being constructed in the school.

On a positive note, school-going children from both Gosai and Singhi communities did not report any problems in terms of getting enrolled in schools, in part due to the support BVD staff gave in this regard. What was striking, however, was that many **children were not enrolled in the class appropriate to their age**. For example, children aged 5 to 8 years are currently in class 1, children aged 8 to 13 years are in class 3, and children aged 10 to 14 years are in class 5. This has to be viewed in light of the fact that the schools that these children live nearby have **no special classes** created to help out-of-school children gain admission into age-appropriate classes.

Given the proximity of the schools, especially the MCD primary schools, to the residence of the Gosai and Singhi communities, one would expect that issues of **physical access** to schooling would not be a problem. However, in Delhi kidnappings and gender violence are so common that even short distances cause anxiety among girls walking to and from schools. Singhi mothers recalled an incident where a man tried to kidnap a girl from a nearby community while she was walking to a shop in the neighbourhood, which makes them worry about their young daughters walking to school. Out-of-school Gosai girls shared this fear that their parents had, which formed one additional reason to keep them at home

especially once they reach their teenage years. In addition, Gosai children walk along busy roads with lots of traffic to reach their schools, which is an additional form of insecurity.

Another aspect of access to education is linked to how teachers deal with the irregular attendance of DNT-NT children in their schools. Renuka, a Singhi mother, had one complaint in this regard: the school threatened to cut the name of her grandson because of his irregular class attendance, without accepting that he was sick at home for 10 to 15 days. These threats made her grandson scared to go back to school. However, she repeatedly requested the school to allow him to continue his education, as she felt that after so much effort (from the family and BVD staff) to get him enrolled in the school, he should not miss out on this chance.

Financial accessibility to education is particularly significant in both DNT-NT communities, given their poor livelihood status. *The clearest example came from Abhay, an out-of-school Singhi boy, who mentioned that he was forced to drop out of primary school after there were a series of thefts and he lost his notebooks, pens and lunch box. While other children re-bought their school items, he could not afford to do so. He complained about the thefts to his teacher, but the school administration was not able to identify the culprit.* Aside from the absence of fees in government schools, Delhi RtE Rules provide a number of entitlements to children to promote their access to elementary education. Singhi children reported receiving textbooks, uniforms, scholarships, school bags, stationery and water bottles from their primary school, though the late arrival of these entitlements is a recurring problem. Moreover, as school-going Singhi boys pointed out, they only receive a subsidy for one uniform, but require at least two uniforms per year. This year only those children who were admitted before April 2012 have received their entitlements, with girls getting priority; those admitted to the school afterwards are still waiting for the money to be sanctioned to the school. Parents have visited the school many times, but are never told why some have not received the money while others have. Instead, they are told that the money is coming soon. The resulting difficulties for these families was noted by Heena, one mother: *“If they do not get the scholarship money, that is okay, but they should at least distribute the uniforms as we are poor people and I have six children in my home.”* A related problem is linked to the absence of birth and caste certificates for Singhi children. Either families do not have these certificates where their children were home-birthed, or due to the lack of a decent house with proper storage facilities rats have eaten these certificates. While schools no longer are supposed to ask for these certificates for admission purposes, they are required for scholarships as well as schemes like the Ladli scheme. Some Singhi mothers, moreover, admitted that poverty sometimes forced them to use part of the scholarship money for their families.

A similar trend was seen among the Gosai children, who receive subsidies for uniforms and shoes, but so far this year have not received anything. Scheduled caste scholarships,

however, were given to only those children who could produce caste certificates. In 2011, only 147 Gosai children had caste certificates, while only around 25% had birth certificates as a form of documentary evidence. Many families had not seen the use for these certificates until they started to enrol their children in schools. However, even if they did possess the requisite documents, some mothers complained that the scholarships have not been distributed this academic year (up to October) despite their applications. On inquiry, the school management explained to them that they have not yet received the money from the higher education authorities for these entitlements. In other years as well, the non-timely distribution of these entitlements caused difficulties for school-going children.

Financial accessibility to education is supposed to be further enhanced by the operation of the ***midday meals scheme*** in classes 1 to 8 in government schools. The enforcement of hygienic requirements for cooking midday meals, however, is questionable. Previously, Gosai children complained about the presence of dead insects and lizards in the meals, and enough complaints from the parents saw this rectified by the school. Still today, however, some children find small stones and insects in their midday meals, or that the rice is not boiled properly. However, when primary school-going boys once complained about this to their teacher, they were beaten and told that because they were sitting under the trees insects were falling into their meals. In addition to quality, the quantity of midday meals was reported to be a problem by Singhi mothers due to the high number of students in the primary school their children attend. Consequently, some mothers pack additional meals for their children.

Amit, a 12-year-old Gosai boy studying in 7th class in the government school, is the son of an 8th class educated father and illiterate mother. His mother encourages him to go to school, while his father always checks if he is going regularly. He gets up in the mornings and does his homework before going to school at 12.00 pm. There are supposed to be eight periods each day, but in effect he is taught only for six periods because the teachers are irregular in turning up to the classes. When the teachers teach, it is mostly the students being asked to copy down from the blackboard or their study guides into their notebooks, and complete any exercises as homework. If Amit does not understand anything, he asks his teachers. His teachers sometimes respond positively by clarifying his doubts, but sometimes also verbally abuse him. He mostly has problems in maths class only.

He would like to be a class monitor, but says only those students who study well get that position. He feels he is not learning well enough to be a monitor. He has both Hindu and Muslim friends and they play together in the school, but never visit each other's houses. This is especially so with his Muslim friends following the communal tensions in their area this year. Asked why he wants to get an education, he replied, "*Education is important for life. It makes us into gentlemen (shareef aadmi) with good habits, and helps us to get good jobs.*"

Beyond the availability and accessibility of education is the **acceptability** of such education, especially in terms of **quality**. Here major issues emerged. Heena, a Singhi mother, stated, *“Our children should at least get quality education. My daughter is going to school for the past two years and still does not know much... is not able to write well despite being sharp-minded.”* Both Gosai and Singhi girls and boys who attend or previously attended schools mentioned that teachers sometimes are late to classes, or do not turn up to teach, or only teach them for a few hours each day and mostly stop teaching after lunch. Gosai children added that some teachers even say they are coming, but continue sitting in the teacher’s room and chat into the class period. *Roshan, an out-of-school Singhi boy, recalled that his father admitted him in the local MCD school in 5th class, the age-appropriate class for him, but he found the teaching was not good. The teacher only made him copy in his notebook repeatedly what the teacher wrote on the blackboard and did not make the students understand what was being taught at all. So he dropped out and when a teacher came to ask him to return to school, he refused. In his words, “I dropped out as I felt so angry when I tried to read and write and could not do so.”*

Similarly, regarding the MCD primary school their children attend, Gosai mothers stated, *“[The teachers] only write on the blackboard; they never ask the children what they have done. The teachers also sit in class and gossip with each other; they do not bother about what the children are doing in class. When they do not ask the children, they will never know what the children have learnt... If our children get an education and understand things, only then will there be changes in their lives; when they do not get knowledge, then they do not change.”* Singhi mothers, who complained of comparably poor teaching methods, summed up, *“Admission into school is not enough. Our children are not learning much in school... The teacher should check our children’s notebooks and tell our children what is right and what is wrong; otherwise how will they learn?... They should pay more attention to those who are weaker in their studies, but they don’t and so our children don’t gain much knowledge.”* Out-of-school Gosai girls also confirmed this teaching trend as behind their disinterest in continuing schooling, though most said they had enjoyed learning new things. In their words, *“We don’t like that our teacher goes to the other class and doesn’t teach us. They just go and gossip with the other teachers. Even if the children are fighting with each other, the teachers is not bothered about it.”*

Moreover, when school-going Gosai boys asked questions in the class, the response from some teachers was to shout at them or even slap them. Other Gosai boys reported that while their teacher checked their notebooks, sometimes only he would correct their notebooks and at other times he would hit them with a ruler if they made mistakes. As for most Singhi girls attending school, they admitted to not understanding their lessons. However, they lack the self-confidence to ask questions to the teachers and also fear being beaten for not understanding the lesson. At the same time, they receive no extra help from

teachers despite their poor education levels in the class, in part due to the large numbers of children in each class for teachers to handle (see above). *Singhi boy Dikesh, for example, is studying in Class 3. He admitted that he often feels like crying because he does not understand what his teacher says in class. He is afraid of being beaten by his teacher because he cannot do his classwork or homework, and has experienced such beatings. So he does not speak at all in class. He once told his teacher that he cannot read and the teacher's reply was simply 'then don't study'! Consequently, he feels very helpless to study and is still illiterate.* This lack of self-confidence can be seen from the fact that Singhi children do not sit in the front rows in the class, but instead choose to sit in the middle or last rows.

The consequences were **poor learning outcomes** among the children. Anita, a Gosai mother complained, *"Our children go to school and when we ask them what they have learnt today or if they have homework, they keep silent. My son is in 5th class and will be promoted to 6th class. But if he doesn't know anything, how will he be able to study in 6th class?"* Similarly, primary school-going Singhi girls admitted that some of them still do not know how to read and write after two years of schooling, and only get cross marks in their notebooks. Importantly, Gosai mothers pointed out a fundamental **paradox in the no retention rule** when combined with poor quality education. Soni explained, *"My daughter is in 3rd class. Sometimes her teacher says that she doesn't know how to hold a pencil (i.e. how to write). So my question is, if my daughter doesn't know how to hold a pencil, then why did they promote her to 3rd class?"* In other words, the no retention norm in schools where quality teaching is not taking place acts as a disincentive to marginalised families to push their children to complete elementary education. As Lata, a Gosai mother, said, *"I have a girl who dropped out in 6th class. I asked her to drop out as she was promoted to 6th class, but she is not able to read. If she cannot read, then why should I send her to school?"* Similarly, out-of-school boys expressed their need for quality education, to learn enough to make changes in their lives. In its absence, many easily dropped out of primary or middle schooling.

Only a few school-going Gosai girls mentioned how their teachers try to motivate them to study hard for the exams, or reminded them that studying was for their own good and that they would grow if they studied well. For many, though, the poor quality of teaching and use of corporal punishment by teachers are important school-based hurdles to their completing their education.

Gosai mothers, however, were very clear that if a child does not know anything, then **teachers bore the responsibility** for this. However, they experienced teachers instead blaming them as well as their children for their children's poor learning outcomes. Some mothers were actually told by teachers to teach their children at home or give them private tuition. Others had to listen to complaints about their children not attending school regularly or not studying well. Ganga, one mother, however, replied to a teacher who was

blaming her child by saying, *“If my child runs away from school, you should tell us and we will punish our child. But you should also teach well. You write down on the blackboard and then just sit down and do not tell the children grammar. Then how can they learn? Only writing on a blackboard does not mean that they will learn!”*

Similarly, despite being illiterate, these mothers were able to clearly articulate the type of teaching they wanted for their children: *“The teacher should ask the children questions... They should give homework, and whatever home they give should be checked by them... Children should be taught in different ways such as reading out loud the lessons or having exercises on the lesson, so that children can understand well... If our child does not study well, the teachers should call us and say what has happened and ask how the child can be taught. If the teacher does not do this, it will be impossible for our children to be educated.”*

Consequently, out-of-school Singhi boys shared that they would have liked to have gone to private schools as they felt that only there could they get quality teaching that retained their interest in education. Otherwise, parents like Hari Lal from the Gosai community mentioned that they thought their children needed private tuition classes. School-going Singhi girls expressed the same wish for private tuition classes within their settlement. This was particularly felt to be the solution to compensate for both the poor teaching in schools, as well as uneducated parents’ inability to support their children academically. At the same time, Gosai mothers like Santosh pointed out, *“If we have no educated person in our families and we have a very low income, how can we afford the private tuition fees of Rs 200 or more per month for each child? We have a problem just to feed our children, so how can we afford this? I thought that wherever I could get free education, there I would educate my children.”* Her last words are especially significant because they expose the complex reality of providing ‘free’ education in government schools; that is, without ensuring quality education that leads to positive learning outcomes among children, ‘free education’ becomes a misnomer as parents either are forced to pay for their children’s education through supplementary tuition classes, or witness their children remain uneducated.

Another important aspect of education acceptability is the absence of **corporal punishment by teachers** as per RtE Act norms. However, for both Gosai and Singhi children, corporal punishment is one of the primary reasons for irregular attendance or dropping out from schooling alongside, and often linked to, the poor quality education. They are being beaten for mistakes like coming late to class, or fighting with other children, or simply for making a mistake in the lesson. School-going Singhi girls mentioned how they are beaten if they make any mistake in the lessons or misread or miswrote something in class; they are beaten perhaps two or three times a month for such reasons. *Pooja, an out-of-school Gosai girl, got into a fight with another student in 4th class and both slapped each other. The other student, though, complained about this to her teacher and Pooja was beaten. The next day*

when Pooja came to school, her own teacher also beat her. She said, “My father then asked if I was willing to continue studying or not [in primary school], and I said that my teacher beats me and so I am leaving the school.” School-going Gosai boys also mentioned their teachers abusing them if they do not come to school clean, or come late, or come after a long absence from the school. The abuse sometimes goes along the lines of ‘only when you get money do you come to school’. This indicates the teachers’ perceptions of these children as greedy and taking from the school, not as children entitled to help to pursue their education. Not surprisingly, children fear some teachers who often beat them. Most mothers, however, did not complain about these beatings, as they felt that if they approached the teachers like they did over their children’s low learning levels, the teachers would only blame them for their children’s mistakes.

Sunita, a Gosai mother, mentioned that when she complained to a teacher at the MCD primary school who had beaten her child studying in 5th class so badly as to injure the child’s ear, the teacher merely blamed the child for not knowing how to write. At least in this case, other teachers gathered and rebuked the teacher for beating the child so badly, but afterwards nothing changed in the classes.

Parents’ participation in the schools is very low, in part due to the fact that most parents have little or no education. Hari Lal from the Gosai community stated, “If we have any requirement like the distribution of scholarships, then I visit the school. When they do not call, then there is no need to go.” While he acknowledged that the teaching is poor in the school, he does not feel he can complain about this to the school: in his words, “What can I do alone? Children come back from the school and complain that the teacher came to the class, gave some work and then started gossiping and doing other work, that there is no good teaching in the school. But what can an illiterate person do about this issue? An educated person has knowledge about these things and so he can act.” At the most, Gosai mothers enter the schools to talk to teachers about their children’s learning, or to complain about corporal punishment, or to inquire about the status of scholarships and other entitlements due to the children. They feel that the teachers in the senior secondary school speak better to them than the teachers in the MCD primary school. As far as Singhi mothers are concerned, only a few have actually visited the MCD primary school that their children attend to inquire about their children’s academic progress or about delays in the disbursement of scholarships. None have the confidence to approach the principal of the school, and instead meet with teachers who they felt do not accord them much respect. A BVD staff member also confirmed that except for one outspoken Singhi mother, most are not treated like parents of other communities who visit the school regarding their children’s education.

Finally, under the RtE Act and Rules, schools are supposed to formulate **strategies to bring out-of-school children in the neighbourhood back into education**. As far as both DNT-NT

communities are concerned, these strategies seem non-existent. There are no special classes in their schools to help re-integrate dropout or never-enrolled children aged 6 to 14 years into elementary education. Even when children took the initiative to try to re-enrol in the schools, they were denied admission. *For instance, Akash, an out-of-school Gosai boy, mentioned that his Pandit teacher beat him so badly that he decided to drop out of school. Later when he went again to try to re-enrol in the school, the same teacher refused to re-admit him and said that he would no longer be allowed back into school. Another Gosai boy Deepak mentioned that after he dropped out, his school teachers approached him during the examination time and suggested that he at least sit his exams for 7th class and then drop out, so that they could award him a school-leaving certificate. No efforts, however, were made to encourage him to return to school and complete his education.*

4.2.3 Position of Children as regards Education, RtE Equity and Inclusion norms

Given the obstacles Gosai and Singhi children face in their families, communities and the schools they attend, how do they view education, their participation in the schools and the changes required to ensure their equitable access to and inclusion in education?

Children's views on education are mixed. At one end, some school-going Singhi boys showed their disconnect from the schools and education system: they are not able to tell the names of their teachers and even school friends. What they enjoy in school is the ability to write their names and read something from books. Other Singhi girls mentioned that education would bring a good job, house and family. Jayshree, whose parents have separated and who had to drop out of 3rd class to help her mother look after the household, stated, *"I am dreaming every day of going back to school... With education we can get knowledge of many things like if my husband divorces me in future, I could take legal action against him. I would know how to approach police and the women's commission... By education we can tell our views confidently, read any documents and stand up to any type of atrocity."* Gosai boys, however, felt that there is no need to complete their schooling because even after getting an education, they will not get any good jobs. This is not based on experience as such, but an assumption that can be linked to their social isolation and the fact that very few boys so far have made it up to even 10th class.

In terms of their participation in schools, both Gosai and Singhi students have never been given any **leadership role** in the schools, such as being appointed as class monitors. Instead, the monitors are appointed on the basis of being good in studies and all are from other communities. These monitors, however, mimic the teachers in terms of disciplining Gosai girls and Singhi boys in the classes via beatings, or otherwise show favouritism only to those children from their own communities. Singhi boys added that as the monitor is seen to support the teacher in teaching by collecting the notebooks, maintaining discipline in class,

etc., the teachers will then not intervene to stop the monitors from overstepping their responsibilities in beating other students.

On a more positive note, Gosai and Singhi boys, as well as Singhi girls, enjoy participating in **extra-curricular activities** like sports and dance in their schools, while Gosai girls mentioned feeling very shy or afraid to participate in especially activities outside the school. Moreover, despite the social isolation of the Gosai and Singhi communities, many school-going children mentioned that they have formed **friendships with children from different communities**. This implies that at least in this urban setting their caste identity and background is not a limiting factor for them, and that schools may play an important role in helping these children to overcome their social isolation. At the same time, school-going Singhi children do not interact with their friends outside the school and their friends do not visit them in their settlement. Their parents are especially cautious of boys from their neighbouring slums, some of whom bunk school regularly and take drugs, though so far these children have not made any impression on Singhi boys.

Many children expressed that they are not being **discriminated against** in the schools. School-going Gosai girls alone said that they are sometimes told by the other students that they belong to another community and do not know how to learn. Bhavani, a school-going Singhi girl, also mentioned having the same thing told to her by a teacher (see below). *Naina, a school-going Gosai girl, mentioned that a Muslim girl in her class told her she belonged with the 'other' community and could not sit next to her. This upset Naina and their teacher then intervened and advised them to sit together and not show any kind of discrimination against each other.* Like this, one of the girls' Hindi teachers is noted for always encouraging the girls to mix together while sitting in this class. Hence, with the almost absence of group activities in classroom teacher-learning processes, these small initiatives by teachers are important to help dismantle social barriers among children in the schools. Needless to say, however, much more can be done in schools.

Bhavani, a 12-year-old Singhi girl, is currently enrolled in 5th class and loves studying. She wants to study hard and become a doctor. She talks of her Hindi teacher who she likes very much as he treats the children with love and does not beat them. She was studying two years ago in 3rd class, but there was a teacher there who used to beat her with a stick. She went back to Rajasthan at that time to attend her sister's marriage and when she returned two months later, the school refused to take her back. She then started going to the centre run by BVD organisation to help her transition back into schooling. However, when she went to the school to re-enrol, the teacher humiliated her and told her to give up the idea of studying in school. He also called her 'buffalo' and said it was pointless to teach her. She felt scared to return to school, but BVD staff intervened to apprise the principal of the teacher's behaviour. Once the principal assured her that such an incident would not happen again, Bhavani re-enrolled in school.

It should also be noted, however, that especially school-going Gosai boys have picked up extremely prejudicial attitudes against Muslims primarily due to the communal tensions that have flared in Nangloi area at least twice, the most recent in 2012. Even boys with Muslim friends do not take meals with them, only with their Hindu friends. Others, however, were more vocal in sharing their prejudiced ideas of Muslims based on Muslim family arrangements and eating habits. Their Gosai community leader, moreover, has told the boys not to make friends with Muslims after the recent communal tensions, and even gone as far as to fine a Gosai boy who spoke to a Muslim boy.

Finally, children were asked what would help them to remain in school and complete at least their elementary education. With regard to re-joining school, almost all the out-of-school Gosai girls said that they prefer to join the non-formal education centre run by Navshristi in their area. They want to be at least literate, and feel that this centre provides good education to at least be able to read and write. Out-of-school Singhi girls likewise showed their interest to study special classes within their community like non-formal education. *Jayshree, though older than most Singhi children attending the special classes conducted by BVD organisation to help children enrol in formal schooling, tries to attend as much as possible. She now knows at least how to write her name and is interesting in learning whatever she can.* Bhavani, a school-going Singhi girl, added that she liked studying most in school where it was a better environment to study than in her home in the temporary settlement. She implied the need for a quiet place in which to study and do homework. School-going Singhi boys, by contrast, mentioned that if the teacher gives them special classes without beatings and more activity-based learning using games and other methods, they will feel more at ease in going to school. *For example, boys cited one teacher who taught them Hindi, English and maths by using games, singing songs, telling jokes as well as learning from books, which they enjoy.* Especially as first generation learners from communities with little or no touch with formal education, these children need education to be made interesting to them in order to retain them in schools.

4.3 Conclusion

Both Singhi and Gosai children live in vulnerable circumstances. Whether in a temporary settlement or recognised resettlement slum, they remain socially isolated and live in poverty. Most are only completing their primary school education, if that, before dropping out from school. Many children are working, whether outside or inside their homes, and economic compulsions to work play a major role in deciding their education levels. Gender discrimination, moreover, further lessens the chance that girls will complete their elementary education. At the same time, community leadership on education is only now starting to emerge. Awareness levels about the value of education for their children, however, still war with the need for children to work or for girls to be secluded once they reach their teenage years. This is compounded by the context of the schools these children

attend, which feed into the low perceptions and prospects DNT-NT children have regarding the completion of at least elementary schooling. While obstacles related to the availability and economic accessibility of education are present, a stronger determinant is the poor quality of teaching in the government schools. Overall, teaching this first generation of learners is made unfriendly and unable to retain the interest of these children.

Despite all this, DNT-NT children on the whole are positive about education and the changes it can make in their lives. Only Gosai boys question their ability to get good jobs after education, with no role models in the community to show them the opportunities that education can bring to their lives. More positively, most children have mixed friendships, which indicate the vital space schools provide for social inclusion and interactions to break down social barriers. A few children, however, reported lingering discrimination in schools, as well as the negative impact that communal tensions have on the perceptions of (Gosai) children. These are serious issues that remain to be addressed by schools in a systematic manner. The children then suggested a number of interventions that are required on their behalf, ranging from educational support or remedial classes in their localities, to action to end corporal punishment in schools, to the promotion of activity-based learning among teachers to make learning enjoyable for these first-generation learners. Their experiences of education so far and suggestions then need to frame long-term, holistic interventions with these children and their communities.

Chapter 5

Right to Education for Muslim Children

"I dropped out of 5th class when my mother was sick and I took over all the household work like making food, washing clothes, cleaning the house, etc. I wanted to continue studying, but my father refused to let me do so. This was mainly because at the time my brother was wrongly accused of theft and his name was cut from the school register. My teacher Mrs Lakshmi then punished me in relation to the alleged theft by cutting off my hair and beating me. This made my father angry and he then withdrew me from school... I still want to study even though over six years have now passed since I was in school. My father says that if all this had not happened to us children, he would have let me study up to 10th or 12th class."

Salma, out-of-school girl, Goyala Dairy slum

"I don't like that the teachers in my school don't teach in a way that makes us understand and the principal gives us punishment. I don't like that the children fight and abuse each other. We also don't have water in the school, as the girls finish it in their shift, and the toilets are dirty. My mother forces me to go to school. She tells me to become a doctor and make our name shine. But in the school the teacher cut down my marks. I calculated my individual marks before the results came out, but my report card mentioned less marks. Everyone says that the teachers cut down the marks of Muslim students... Our class teacher is a Hindu and he beats us very much. I made a complaint about my marks, but he said that this will happen only."

Saif, school-going boy, G-Block basti, Sunder Nagri

5.1 The Context of the Children

Salma and Saif are Muslims, part of a community which represents nearly 13% of the Indian population and constitutes the largest minority in the country. Muslims are also the fastest urbanising community compared to other religious communities, with high rates of migration to the cities. Yet little data is available on their socio-economic status, including their enjoyment of the right to education.¹ What is known is that high poverty levels – higher than the Indian population overall – are partially to blame for the low levels of education among Muslims.² The 2006 Sachar Committee report noted that the condition among Muslims with regard to school education is one of "grave concern". This is both in terms of both the lower levels of education attained and the low quality of such education.³

¹ Note that DISE data or MHRD statistics provide little or no disaggregated education data along socio-religious lines. Only from the 2001 Census onwards have wider indicators been given along religious lines outside of population numbers.

² Abu Dhabi Gallup Center, *Muslims in India: Confident in Democracy despite Economic and Educational Challenges*, available at: http://www.gallup.com/poll/157079/muslims-india-confident-democracy-despite-economic-educational-challenges.aspx?utm_source=tagrss&utm_medium=rss&utm_campaign=syndication.

³ Prime Minister's High Level Committee, *Social, Economic and Educational Status of the Muslim Community of India: A Report*, Government of India, New Delhi, 2006, pp.50 & 84.

This finding is confirmed in the case of Delhi NCT, which has a large Muslim population that lags behind in the areas of literacy and education.⁴ The 2001 Census reported the literacy rate among Indian Muslims as 59.1%, far below the national average (65.1%). Muslim women had a much lower literacy rate (41%) than Muslim men (55%). In urban areas, the gap between the literacy levels of Muslims (70.1%) and the national average was 11 percent. According to the NSSO 2007-08 round, Muslims have the highest proportion of illiterates of any religious community, on par with SC/STs and higher than the OBCs. In terms of educational attainment, 18% of Muslim men and 15.4% of Muslim women were merely literate (without formal schooling). Furthermore, an estimated 20.7% of Muslim children were out of school. Looking at retention in education, almost one-third of Muslims (34.5% for men and 31.9% for women) had dropped out before completing their schooling.

This continuing high dropout rate is due to several factors, including: their concentration in low wage employment, limiting access to education; poor quality government school education; lack of security, leading Muslims to move into localities with a dearth of educational infrastructure; and discrimination. A study of socio-psychological perceptions of fairness noted low perceptions of fairness among Muslims especially in the area of education, much lower than those of Hindus and Christians.⁵ Moreover, rates of access, retention and completion of education for Muslim girls are much lower than for Muslim boys, and in fact have fallen sharply relative to the all-India average after the decade of the 1990s. Muslim women thus count as among the most illiterate groups in Indian society (47.3% illiterate), their status only comparable to SC/ST women (53.2%).⁶

Very few studies exist specifically inquiring into the conditions of Muslims among the urban poor. A study in 2004 among 525 Muslim households in Delhi slums revealed the following:

- 51.5% of household heads were illiterate
- 50.4% reported that their children attended poor quality primary schools
- 72.8% of households had no parent-teacher interactions
- Only 52.4% were satisfied with the quality of education that their children received.⁷

Against this background, Muslims living in two different districts of Delhi were chosen for the present study. Goyala Dairy slum lies in South-West Delhi district, a district with a low percentage of Muslim population (4.5% as per 2001 Census). G-Block in Sunder Nagri, by contrast, lies in North-East Delhi district, which is home to the second highest population of Muslims (28.5% as per 2001 Census) in Delhi NCT. What these two districts have in common

⁴ Delhi NCT Government, *State of Governance: Delhi Citizens' Handbook 2009*, New Delhi, 2009, p.252.

⁵ "Identity-based discrimination challenges Indian Muslims, notes Stanford Seminar", *India America Today online news*, published 26.05.2012, available at: www.indiaamericatoday.com/article/identity-based-discrimination-challenges-indian-muslims-notes-stanford-seminar.

⁶ NSSO, *Education in India, 2007-08: Participation and Expenditure*, 64th Round, Government of India, 2010.

⁷ M.V. Bijulal, *City Slums and the Marginalised*, Indian Social Institute, New Delhi, 2004.

is fluctuating enrolments of Muslim girls in schools and also high levels of dropouts from upper primary schooling among Muslim girls: in 2006-07 a considerable number of dropouts were noted in North-East district, and the same trend in 2008-09 in South-West district.⁸

The Muslims of Goyala Dairy slum number 155 households, or 42% of the total households in the slum. Within each household, however, are often several families. Population-wise, therefore, there are around 2000 persons in the slum, of whom around 1000 are Muslims. There are 380 Muslim children aged up to 18 years, with 296 children in the age group 6 to 18 years.⁹ The Muslims belong primarily to the Rangrez caste, which traditionally practised the occupation of dyeing cloth and is considered as one of the lower castes within the Muslim community. Within their community, there are two groups, Barailly and Devbandi, based on different religious practices and their different mosques. The other main community in the slum are scheduled caste Hindus who live in a separate part of the slum and are daily wage labourers.

In comparison, a much larger Muslim population of around 3000 families inhabits G-Block (E-57) *jhuggi basti* (slum) in Sunder Nagri resettlement colony. The resettlement colony itself is one of the largest in Delhi, with close to 1 lakh population spread across 11 blocks, most of whom engage in low wage labour. Both Muslims and Hindus reside in the colony. Muslims belong to the Julaha (Ansari) and Mansoori castes, whose traditional occupations relate to weaving and dyeing cloth respectively. The majority are the Ansaris who have migrated from Uttar Pradesh. As far as Hindus in the colony are concerned, the majority are Kolis. In terms of the number of children, the Muslim community leader estimated approximately 2000 of the 6000 Muslim children in the age group 6 to 14 years.

History and Social Relations

For the past 30 years the Goyala Dairy Muslims have resided on land owned mostly by the Delhi Development Authority (DDA) next to Goyala dairy farm, with some families having been given land by the dairy farmers on which to live. Their area is classified as an unrecognised slum. Most Rangrez Muslims migrated to the area from Uttar Pradesh, while the small populations of Neelgar, Ansari, Sayyed and Pathan Muslim castes living in the slum came from Uttar Pradesh, Bihar, Jharkhand and Madhya Pradesh. Years ago Muslim men came to the area with their families to work in the dairy farms. They undertook all sorts of work for the Jat and Gujjar dairy farm owners, like milking the buffaloes, clearing away cow dung, driving tractors, or selling fuel made from dried cow dung. Gradually, as work died in the dairies for the growing Muslim population, they shifted into daily wage labour work or started petty businesses.

⁸ Wali, Amira, *Muslim Minority Girls in Delhi: An Analytical Study of their Enrolment in Elementary Education, some reflections based on the DISE data*, NEUPA, New Delhi, 2009.

⁹ As per Ahasas baseline survey 2011.

As for the Sunder Nagri Muslims, some shifted to this resettlement colony after being displaced during the government's Clean Delhi Drive in 1975-76. Following this, some of their relatives migrated to the colony in search of work, while more people moved into the colony from neighbouring areas and from the failing farms surrounding Delhi. Their area is also known as *khaddiyon wali basti*, as they originally worked as low wage labourers in the loom mills. From this work, they then branched out into different forms of self-employment. Only some own the land on which they have built their houses, while others want the land now to be allotted to them.

In terms of interrelations with other communities, Muslims in both areas reported little interaction with the Hindu communities alongside whom they live. Goyala Dairy Muslims stated that there have been no disputes between the communities in the slum, with their only contact with the Hindu residents coming via their work. At the same time, informal discussions with the Hindu residents revealed the exclusion and negative stereotyping that they practise towards the Muslims – that Muslims have too many children, are not interested in educating their children, want children to work and earn money, are thieves and liars, etc. Goyala Dairy Muslims also have little interactions with government officials and police. Aside from local elected representatives at least helping them to get electricity connections and roads laid in the slum, police harass them and ask for bribes whenever they try to build new houses or sink new bore wells in their unauthorised slum area.

In Sunder Nagri colony, however, political parties have sought to polarise the two religious communities living there. Hence, on several occasions communal tensions have flared. On key Hindu festivals the RSS and VHP, both fundamentalist Hindu organisations, have stirred Hindus in the area to intentionally move in the Muslim area and around the mosque shouting violent slogans. In response, the Muslim community has also started to organise a huge rally on the occasion of Muharram to show the community's strength. This situation is not helped by the frequent arrests police carry out with Muslim male youth on any pretence like thefts in the area, done to harass the community by demanding bribes for the release of the youth. Otherwise, their meetings with local elected representatives such as the MLA are on a needs basis like for signatures on scheme applications or on identity documents.

Another difference lies in interactions with non-government organisations. As far as Goyala Dairy Muslims are concerned, only Ahasas organisation has worked with them for the past three years. Ahasas focuses on child rights issues by forming children and women into groups to facilitate their active engagement on issues such as education. This includes interventions with schools to ensure the admission of children into age-appropriate classes and to take up cases of corporal punishment, physical and mental abuse by teachers. Ahasas

also addresses issues of child malnutrition through strengthening the government's Integrated Child Development Services (ICDS) programme in the area.

In Sunder Nagri, by contrast, around 16 NGOs currently offer services related to education, community health, skills development, access to government schemes and women's empowerment. As a result, the colony residents are much more aware of services available to them and whom to approach for any particular problems they face. For Muslims in particular, however, there are only two organisations working in G-Block. One is Basic Foundation, which focuses on education support for all children in the colony. This involves help for children from disadvantaged and economically weaker sections like the G-Block Muslim children to access private schools under the 25% free-ship quota. Basic Foundation also runs an enrolment campaign in general and remedial classes to support weaker students in their studies. The second organisation is St Stephen's. It runs tuition classes for school students under its child-to-child programme, by which children tutor other children. It also operates the community health centre in the Block.

Living Standards

Living in an unrecognised slum means that the Goyala Dairy Muslims lack most of the basic amenities provided to recognised slums. All except a few do not have water connections or toilets in their semi-*pucca* houses. Instead, they use the pay-and-use common toilet in the area. Each family also pays Rs 100 per month for bore water, relying on the several families with bore wells and pumps to draw water. This ground water is used for all purposes except drinking. Drinking water instead comes in a tanker once a week. All the households have managed to get electricity connections, but there are no sewerage connections in the slum. This, combined with the lack of rubbish disposal facilities, makes the drains full and the slum less clean.

In terms of other basic services, there is a healthcare sub-centre, PDS shop, bank and police station located around 1.5 to 2 km away from the slum. There are also two anganwadis within 1 km of the slum, catering to young children below the age of 6 years. Many mothers, however, mentioned that they did not send their children to the nearest anganwadi. They consider it as still too far away from their houses and children have to cross a water-logged and rubbish filled area to reach the anganwadi. Hence, only around 15 Muslim children currently attend the anganwadi. Finally, there are no liquor shops in the area and few drinking problems among Muslims, with out-of-school boys estimating that only around 5% of Muslim men drink. Otherwise, there is a community hall currently being used as a shelter for homeless people and many Hindu men drink and gamble there.

As Sunder Nagri is a resettlement colony, there are more facilities available within the area than in Goyala Dairy slum. However, both areas, but especially Sunder Nagri, are

characterised by crowded living conditions that make studying and playing hard for Muslim children. Moreover, while basic services like sanitation, water supply and electricity are available in the colony, the standards vary according to the type of accommodation. Most Muslims live in *kutcha* or semi-*pucca* one-room houses where water supply and electricity provisioning is much more intermittent. Their Block has open sewers that are often blocked and there is one Delhi Jal Board tap supplying water for approximately every 25 families. While a few have toilets in their homes, many families rely on the pay-and-use common toilet in their block.

In terms of healthcare services, there is a community healthcare centre in G-Block and around 30 pharmacies in the colony on which most people rely for basic medicine. The government hospital located 3 km away is always overcrowded and unable to cover the healthcare needs of the large population in the colony. The community healthcare centre, however, is linked to St Stephen's private hospital, and patients are referred to this hospital from the centre in case of serious illnesses for free medical treatment. There is also an *anganwadi* in G-Block, though children receive only food there, and the colony has banks and *crèches*. The nearest police station, ration shop and government offices are located within 2 km of the colony. While no liquor shops operate in Sunder Nagri colony, there are several DNT-NT Sansi families who make and sell local liquor from their homes after paying regular bribes to the police. Both Hindu and Muslim men and boys above 16 years of age purchase alcohol from these families.

Work and Economic Status

With the demise of dairy farm work, Goyala Dairy Muslim men have shifted into a number of low wage labour works such as construction work, carpentry, factory work, driving and tailoring. The average daily wage for men is between Rs 150 and 300, or around Rs 4500 to 7000 per month, but the work availability fluctuates depending on the season. To supplement the poor wages that men receive, an estimated 2% of Muslim women also work as domestic workers, factory workers or collecting and selling dried cow dung as fuel. Women's daily wages vary between Rs 60 per day in factories, to Rs 200 to 300 per house per month as domestic workers. Children help their families financially as well, especially those who have never enrolled in schools or dropped out from school. Boys engage in driving, trades like furniture making, selling fruits in the colony, running small grocery shops, etc. By doing so, they earn around Rs 200 to 400 per day. In comparison, Muslim girls engage mostly in household work, while some also undertake home-based work like embroidering clothes on a piece-rate basis. For this work, they earn on average only Rs 20 per day. Only around 8 to 10 families, however, have BPL cards, while around 100 families possess ration cards. Others have deposited their ration cards to get shifted to the BPL category, but have yet to receive back their cards after several months. For loans, then, the

community turns to each other or to an organisation that helps the women to take out larger loans as a group.

Similarly, from work at the looms, Muslim men from Sunder Nagri have moved into small self-employment such as selling fish, chickens, vegetables and fruits, operating cycle rickshaws, tailoring and scrap dealing. Some are factory workers as well. Their average monthly income is around Rs 3500 to 5000. Boys either help their fathers with this work, if they are not attending school, or else work in carpenter or automobile service shops. On a positive note, some out-of-school boys stated that their families are proud of them as they are now working in different trades and are seen to have better jobs than their fathers. Muslim women, in contrast, are engaged in home-based paid work such as embroidery, sticking *bindis* on sheets for sale, or making incense sticks. For this work, they earn on average Rs 1000 to 1500 per month. Girls who are out of school often help their mothers with these works, as well as take on household tasks. Employment in low remunerative work ensures that around 2000 of the 3000 Muslim families have BPL cards. Indebtedness, though, is low as they operate a community loan system so that interest-free loans are available from each other; otherwise, they take out loans from wealthier community members.

Education Status

The education level among Goyala Dairy Muslim men is between Classes 5 to 8, while only a few have passed Class 10. For Muslim women, their education levels are up to Classes 5 or 6 at the most, while only a few have completed elementary education and none have passed Class 10. The majority of women, however, are illiterate. A positive development is that all children today go to school. Most in the age group 6 to 14 years are currently in school, with only around 10 to 15 children in that age group working for a living. On average, though, many girls are dropping out of school from classes 5 or 6, while boys are dropping out between classes 6 and 10.

In Sunder Nagri, a similar pattern applies. Most adult Muslim men have completed only as far as elementary education, if that. Only around 15 men have completed classes 9 or 10. Adult Muslim women, however, have only been educated as far as primary school, if that. Only around 10 women have completed 10th class. This is outweighed, though, by the large number of illiterate adults, especially women but also men, in the community. At the same time, almost all adults are Urdu literate due to their religious education. Again, what is encouraging is that the majority of Muslim children today have spent some time in school. However, most girls are dropping out after completing class 5 or before completing class 8, while many boys are dropping out after completing class 8.

5.2 Children's Enjoyment of the Right to Education

The context of the two Muslim communities, as described above, is one of a poor livelihood and living conditions. These have a number of repercussions in terms of children's access to education when viewed from the angle of their families and communities, of the schools these children attend, and the perceptions of the children themselves.

5.2.1 Position of Children from the Context of their Families and Communities

While Muslim children are encouraged to study by their families, many teenage children engage in small petty trade and other income-generating activities instead of schooling. Behind this trend are **economic compulsions**, given the low socio-economic levels of most Muslim families in both areas. Out-of-school boys from Goyala Dairy slum said that they mostly dropped out of school because their fathers were alone working and they had several younger siblings at home. Similarly, the oldest boys in families from Sunder Nagri left school from anywhere between 1st and 9th class to join their fathers in working to support the family. Often their failure in exams, coupled with their acclimatisation to work gradually through working in their summer holidays, prompted the boys to drop out of school. The oldest girls, by contrast, often are placed in charge of household works. Interestingly, girls from that area did not term their home-based work as work to support the family, but rather as work to 'pass the time'. This could imply a subtle hierarchy that retains work outside the home as of more serious value, or that retaining women's seclusion within the home away from outside influence is part of defining cultured women (*tehjeeb wali*) in the community. Low earnings, moreover, translated into many children not having access to private tuition classes in Goyala Dairy, while for Sunder Nagri Muslims this was possible only due to the low-cost tuition classes by St Stephen's. At the same time, as will be seen in the next section, problems of transfers from a private school led a number of Muslim children from Goyala Dairy to drop out from school and start working from 15 years of age.

The Sachar Committee report noted a common belief that Muslim parents feel that education is not important for girls and that it may instil a wrong set of values, and that girls are withdrawn from schools at an early age to marry them off. This study, like that report's findings, reveals a more **complex set of issues behind the low educational status of Muslim girls**. Muslim mothers in both areas want their daughters to be educated, but admitted that they are withdrawn from school once they are above 15 years old. Several factors, however, lead to this decision. A primary reason is fear for the physical security of teenage girls travelling to and from the schools, given the prevalence of eve teasing by boys and men along the way and especially at the school gates. Wider security issues, moreover, also affect girls' education. Roshni, a girl from Sunder Nagri who never enrolled in school, said, "*I never went to school because at the time my father was ill and my elder brother was arrested by the police under a false case. I wanted to study, but in such an unsafe atmosphere, my father did not want me to go to school.*" Another factor behind girls' lower

education levels related to problems in the admissions and school transfer process especially for those girls who had been enrolled under a non-formal education stream in a private school (see next section). A linked factor is then the early marriage of many Muslim girls starting from 15-16 years of age, or girls dropping out at this age to look after their younger siblings. Sunder Nagri mothers also mentioned that their worry about their daughters entering into love affairs with boys at that age also prompted them to withdraw the girls from school. The resulting seclusion of girls within the home, however, means that girls perform more household works and rarely move in public spaces anymore. Even those girls who do attend school have to balance household work alongside their studies, something that their brothers do not have to do as much, if at all.

Mothers and community representatives were asked whether they felt that **Madarsa education** was enough for their children, or whether they equally require formal school education. The Sachar Committee report dispelled the misconception that Muslims parents are adverse to mainstream education and prefer their children to attend Madarasas. This study again confirmed that report's findings. Goyala Dairy Muslim mothers are clear that their children should also go to mainstream schools. They emphasised that only education would enable their children to be intelligent, literate and get decent jobs that enable them to move up in life. The Maulvi at the local mosque similarly feels that children need regular school education in addition to the religious education he imparts. They have accordingly tried to accommodate the Madarsa timings with the school timings. The main concern of mothers, however, is regarding the poor quality of government school education. Hence, they expressed the desire to send their children to English medium schools so that their children might find good jobs, for example in government service. At the same time, however, they stated that even with private school education, **discrimination against Muslims** means that it will still be very difficult for their children to get jobs in government service. Their concern remains over the fact that Muslims are often not able to access government schemes on par with other socio-religious groups in the country, with adverse effects for their children. One example is access to the Ladli scheme for their daughters. Only some knew of this scheme, and even those who had applied had not received any confirmation of their girls' inclusion under the scheme.

The concern of mothers for their children was evident from the fact that in both areas mothers mentioned the **efforts they took to monitor their children's education**, despite their little or no education background. Goyala Dairy women check with their children about what is discussed in school. Some are also able to gauge how their children are being taught in schools: in their words, *"We see their notebooks and what they are studying. So we know that they have no homework. The teachers are simply writing on the blackboard and students are copying into their notebooks. Children who are intelligent are able to copy as well as understand what is being written. Some of our children in primary school still do not*

know how to write their names or even read books.” At the same time, the low education levels among parents means that parents are not in a position to check their children’s studies or help them to study.

Community leadership on education is mixed across the two areas. The Muslim community leader in Sunder Nagri openly admitted that less importance is placed on education for their children over other issues in their meetings. At the same time, the Maulvi in Goyala Dairy slum said that he also encourages the families to educate their children.

Awareness about the RtE Act, similarly, is missing on a large scale in both areas. Goyala Dairy Muslim mothers mentioned that they only know about the 25% free-ship quota in private schools because they have seen advertisements on television. However, until now they have not been able to see any child in their community access this facility. In comparison, it is due to direct interventions by Basic Foundation that small numbers of Muslim children from Sunder Nagri colony have started to be enrolled in private schools. Sunder Nagri mothers, however, have no knowledge of the RtE Act.

5.2.2 Position of Children from the Context of Schools

Under the RtE Act, ***schools should be available*** to children within their neighbourhood. As far as Goyala Dairy Muslim children are concerned, they have a MCD primary school and government middle school located within 1 km of their slum, while the nearest government senior secondary school (classes 6 to 12) lies at a distance of around 2.5 km. In the larger Sunder Nagri colony, the MCD primary school is located in the adjacent block to where the Muslims live. There are also two government schools located 1 km away: one is a middle school (classes 6 to 8) and adjacent to this is a senior secondary school (classes 6 to 12). Furthermore, two private schools lie within 1.5 km of the colony, at which Basic Foundation has helped several children from Sunder Nagri to become enrolled under the 25% free-ship quota.

Accompanying the availability of schools should be the ***availability of adequate school infrastructure and personnel***. However, schools fall short here, especially those in Sunder Nagri area. For example, the government boys middle school that Sunder Nagri Muslim boys attend has only nine classrooms for the total 920 students, and only 250 desks in those classrooms. Students are therefore forced to sit on the floor, which are covered by dirty and torn carpets, or even have some of their classes outside since there are not enough classrooms for every class. Because this is a shift school, moreover, school-going boys complained that often they do not get drinking water by their afternoon shift as it is all used up by girls in the morning. The dirty toilets also force them to use the space behind the toilets for their toilet needs. School-going girls also had a similar complaint to make about the toilets, while they added that their drinking water tank is unclean and, therefore, the

water undrinkable. Many girls instead bring water from their homes to drink in school, and some even bring separate water for using if they need to go to the toilet while in school. There is also a shortage of teachers in the school for the student number.

Likewise, the senior secondary school in the area currently has problems: it has a student: teacher ratio of 80 to 85 students per teacher; the dirty toilets force the boys to use the open space behind the toilet block; and the girls sometimes cross to the middle school to take water since they do not have drinking water facilities in their school. Out-of-school girls similarly discussed about the dirty drinking water and dirty toilets that could be smelt even in the classrooms in the Sunder Nagri MCD primary school. As a result, they either used the space just outside the toilet commodes, or tried to wait until after school to go to the toilet. Furthermore, the classrooms have no fans for the students, only for where the teacher sat. One mother also shared how ceiling fans in one school have fallen on the students several times. *Overall, the situation is so bad that Muslim mothers in Sunder Nagri stated that they do not want scholarship money; it would be better to spend this money on improving the schools.* In comparison, only school-going girls from Goyala Dairy slum mentioned the dirty toilets they have to put up with in schools, while both girls and boys mentioned the unfiltered (and hence, unclean) ground water used as drinking water in the schools. It should also be noted that in schools in both areas there are few or no Muslim teachers.

Physical accessibility to school is also a major issue for Muslim girls and boys. Out-of-school girls from Sunder Nagri colony mentioned three problems in travelling the small distances to their local schools. One is eve teasing along the way as well as in front of the school from boys, both Hindu and Muslim, in the form of words, throwing stones at the girls, trying to stop the girls from passing, or trying to make girls fall down. Second is teenage boys and girls eloping after meeting outside the schools, which has the effect of making parents distrust girls and stop their schooling. Third is the heavy road traffic as they walk to school, posing constant danger to them. Girls therefore get caught in a dilemma, as if they complain about the eve teasing to their parents, the response is to withdraw them from school out of fear of their daughters being dishonoured. School-going girls from Goyala Dairy slum similarly reported the problem of having to negotiate heavy traffic on their way to and from the schools. Their mothers added their fear for their children's safety in a city where kidnappings are commonly reported. They also emphasised the lack of accountability of the school with regard to eve teasing by boys: teachers do not care what happens to children outside the school, even at the school gates. Hence, they will not take any action to discipline boys against eve teasing as girl students leave the school after their shift ends. Gulshan, a mother, stated, *"I am uneducated and so I wanted to educate by girl until at least graduation. But I had to ask my girl to stop her education at 10th class only because of problems like eve teasing and the unresponsive behaviour of teachers."* Mothers from this

slum, therefore, are of the opinion that the solution is to stop shift schools and to ensure that boys and girls study in separate schools during the same hours of day.

However, one school-going girl from Sunder Nagri did mention that her school now has a female counsellor who has spoken to the girls about eve teasing and told them to talk to her if they face any problems. What this shows is the lack of information flow between parents and the counsellor or teachers to know of the services being offered in the school. Otherwise, school-going boys from the same area also mentioned that they too feel unsecure in travelling to and from school. In their case, other school-going boys who fight with them also harass them by throwing stones at them or threatening the boys on the way to school. Boys in Goyala Dairy slum also added the difficulty caused by the shift school system, under which they have to travel in the hot midday sun to school and walk back home in the dark cold during the winters.

Accessibility to schools also depends on children receiving **admission to schools** and being able to **transfer from one school to another**. It is here that issues arose for many Muslim children from Goyala Dairy slum. One issue is that several years ago a private senior secondary school obtained land from the Delhi Development Authority to establish a Non-Formal Education Centre. They scouted for children in the area and started to bring these Muslim children to the Education Centre located around 8 km away by bus. Parents agreed to send their children as at the time there was no MCD primary school located nearby their slum. The type of education that was imparted in the Education Centre, however, was of questionable quality. Children were all taught together, though they were notionally admitted into different classes. The children were kept separate from the children enrolled in formal education in the school, and often were taught outside under the trees or even on the stairs. Only during the school vacations would the children enter into the classrooms. Furthermore, only around two years later were the parents informed that their children would not be given transfer certificates, allowing them to enrol in formal schools, unless they completed 10th class in the Education Centre and were good enough in their studies to continue through formal education. In other words, parents and children had not been informed at the outset of the implications of enrolling children in non-formal education and this education did not aim to integrate children into the formal education system. On learning of this, most parents slowly withdrew their children from the Education Centre from '5th class'. The school buses then stopped coming to their slum. Much later, people from the Education Centre visited Goyala Dairy slum once more to ask the parents to send their children back to the school. By then, however, many children had started to work and so parents did not send their children back to the Centre.

Other parents who then tried to get their children enrolled in formal schools after a stint of non-formal education in the Education Centre faced a number of hurdles. Many schools refused to admit these children, something that should not happen now under the RtE Act.

Parveen, one mother, stated that her child had studied until 2nd class in the private school's Education Centre. Despite this, she had to give her child private tuition and then let her sit an admission test before the local school gave her child admission. Significantly, the local school noted that the child knew nothing despite two years of non-formal education. Another mother, Shabna, was able to persuade a local school to give her child admission by explaining how the private school refused to provide transfer certificates. The school then decided to admit her child with the remark that the child was not studying in any school and had migrated from a village.

Another issue is that now that these children attend formal schools in their neighbourhood, many children lack birth certificates and some schools still insist on such documents to grant admission into the schools. A similar problem also was noted by Sunder Nagri Muslim mothers, where children in their community have been denied admission into schools due to a lack of any proof of residence or children's birth certificates. Mothers in the colony described how only if they go to the school prior to the summer vacation can they enrol their children with an affidavit; if they go after the vacation, the school demands all types of certificates. This is despite the RtE Act stating that no child should be denied admission due to a lack of documents.

Ifran, a boy from Goyala Dairy slum who studies in 10th class, had to persevere in order to continue his schooling. He was enrolled in the non-formal education conducted by the private school's Education Centre until 6th class. At that time, he discontinued this education. The private school did not give him a transfer certificate, but instead gave him a piece of paper with his marks and class. This paper, despite the assurances of the school, did not prove useful. Hence, he eventually sat a test to enter into the government senior secondary school near his slum.

Looking at **financial accessibility** to schooling, no parents or children raised the issue of having to pay school fees in government schools. School-going children from Sunder Nagri receive entitlements like minority scholarships, free textbooks, money for purchasing uniforms, shoes, geometry or pencil boxes, and menstrual pads (girls from class 6 onwards). For children from Goyala Dairy slum, scholarships, textbooks, uniform and stationary subsidies and midday meals apply. On the other hand, a number of problems emerged related to access to entitlements. Some children from both areas noted that their lack of caste certificates meant that they did not receive scholarships. Their parents face great difficulties to get the required documents attested by the government officials in order to obtain the caste certificates. Those girls in schools also mentioned that they never receive the textbooks on time, but must instead wait until after the first term exams are over for the books. Likewise, the scholarship money often arrives late into the academic year, forcing the students to purchase the necessary school items themselves. In the case of school-going children from Goyala Dairy slum, while for three years they have applied for scholarships,

this year only a few have received the money. Yasmeen, one mother, said, *“My daughter is in 4th class and till today I have not received a single rupee as a scholarship for her. My son is in 5th class and only this year received Rs 1000 as a scholarship. I have filled the forms for them every year, but the teacher always tells me that there is some mistake and that’s why my children don’t receive their scholarships. The education office is in another area and we are not educated to know how to approach officials in this regard.”*

Moreover, the mothers in both areas felt that slight discrimination is practised against their children. Goyala Dairy mothers mentioned that other caste children receive their scholarship money while they are constantly told to wait despite duly filling up the application forms. The school tells some parents who ask that the scholarships are only for children who excel in their studies (i.e. meritorious students), not for everyone. Others are simply asked to refill the forms and wait. They also shared that the minority scholarships are not available for all children in their families, but only for one or two children. In the case of Sunder Nagri mothers, some shared that when they go to sign the register for the scholarship money, some teachers snidely remark, ‘See how these Muslim women rush to school to receive the scholarship money’. One mother also told of how the teacher takes a small amount of the scholarship money away for himself.

The **provisioning of midday meals** to all children is another aspect of financial accessibility of education. The quantity and quality of the meals, however, is questionable in many cases, according to Muslim children. School-going boys in Sunder Nagri reported that their teacher tastes the food before serving and several times has found the food to be spoilt or to smell bad. Sometimes, if there is inadequate food, biscuit packets are additionally distributed to the children and sometimes not. The local MCD primary school also serves an inadequate quantity of midday meals, according to out-of-school girls.

Muslim mothers from Goyala Dairy slum emphasised that they want good quality education for their children. At the same time, the poor have little other choice except to send their children to government schools. In their words, “The poor also want their children to get good quality education, but there is no education in the government schools. In spite of hoping for good education in these schools, our children go to school, puts their bags in class and start playing in the playground while the teachers do their own business like gossiping or attending meetings. Meanwhile, there is no education for our children happening in these schools and our children don’t know how to read.” One woman added, “Yesterday I went to school and saw the teachers busy having their tea. They were sending children to bring biscuits for them. Neither the teachers nor the children were in class.”

In terms of **acceptability of education**, children and mothers mentioned multiple issues of concern. A major issue concerned the **quality of teaching** in government schools. School-going boys from Sunder Nagri explained the mixed teaching in their schools: *“The teachers*

don't explain to us the lessons; they only write on the blackboards... Our teacher asks us to read out loud from the textbook, and then explains and writes on the board.... Our teacher asks us to buy the refresher or subject guide to work from that... Our teachers regularly come to classes late, and after a few periods the teachers don't come to our class." Similarly, Firoza, a school-going girl from Goyala Dairy slum, mentioned how teachers merely expect the students to copy down notes from the blackboard. There are no group activities nor reading from books. Other children from the slum mentioned how sometimes classes are dropped where teachers are not available or are busy with other work, and it is common for teachers to arrive late to the classes. School-going girls from Sunder Nagri likewise shared that some of their teachers come to their classes only halfway through the periods and sometimes do not teach them at all. If the teachers have other non-academic works to attend to, they call other teachers who may or may not choose to teach the girls. Farah, one of the girls, said, *"My Sanskrit teacher comes to class and puts all her stuff on her desk, and then goes out of the class and starts talking on her cell phone. She doesn't care about the class, but just lets us do whatever we want."* Other girls reported how some of their teachers ask them to write down in their notebooks the lesson and learn it to repeat to the teacher the next day. When students are not able to do so due to a lack of understanding, they are then beaten the next day.

Ahmad, from Goyala Dairy slum, dropped out of school in class 9. He had completed his primary schooling in Delhi before returning to his village for three years. There, he continued his education in a Madarsa that combined religious with formal education and where, according to him, the teachers taught well all the subjects. His family, however, was forced by economic hardship to return to Delhi. On his return, he was admitted into 9th class in the nearby senior secondary school, but quickly dropped out as he experienced that the teachers do not teach well and only ask the students to learn by copying down notes from the blackboard.

Compounding the frequent complaints of poor teaching in schools, school-going boys from Sunder Nagri informed that when they ask some of their teachers' questions, they are told not to ask them and to instead look at their subject guides or to simply copy from the blackboard without question. The girls pointed out another problem related to the lack of any connection to some of their teachers: some teachers use the class monitors they appoint as a buffer between them and the students, even getting the monitors to tell other students which sections of the subject guides to study. The girls therefore do not feel comfortable to speak directly to the teachers and instead ask each other or the class monitor questions if they do not understand the lesson. Only school-going girls from Goyala Dairy slum mentioned that some of their teachers ask more questions to students who are poorer in their studies, in order to help them understand better.

The effects of poor teaching are seen in terms of **poor learning outcomes**. Mothers from Goyala Dairy slum noted that their children studying in 5th class are still unable to write their names. Out-of-school boys from Sunder Nagri pointed out the difficulties they face to transition from elementary education to secondary school where examinations are instituted for the first time. According to them, after 8th class, students enter into a new school with different teaching methods and less monitoring of the students' studies. With teachers not teaching well nor attending all the teaching periods regularly, the result is that it is rare for any of them to pass 9th class. These boys went so far as to point out their feeling that the government school management and teachers are not interested in them in terms of what they are doing and where they are going: for example, they are free to leave the school and there is little effort to ensure that they attend all their classes.

Another problem shared by *Nafeesa, a mother from Sunder Nagri related to one teacher in the government senior secondary school, who repeatedly failed her daughter along with 24 other Muslim girls. The teacher had actually asked her daughter and others for bribes of Rs 500 each to promote them to 10th class. When she refused to pay, she was failed three times. The girls then approached the local MLA about this, and he inquired into the matter with the school. After this, all the girls were passed, but the teacher later scolded them for taking this matter to the MLA.* Other mothers from the colony also felt that the teachers do not want Muslim children to become something in their lives: the example they gave was how some children who receive less marks than Muslim children are being promoted to the next class while Muslim children are being failed.

Given the poor quality of teaching in the government schools and the lack of responsibility taken by teachers for the poor learning outcomes of children, Muslim families who can afford **private tuition** provide this for their children. Goyala Dairy children have some members of their community who provide private tuition classes for a few younger students; they charge between Rs 100 to 400 per month depending on the class. Without this, as the ASHA worker pointed out, their children would not be able to read and write. As far as Sunder Nagri children are concerned, they often make up for the poor quality of teaching by attending the St Stephen's tuition classes. There, students who are poorer in their studies are given more time and the tuition fees are only Rs 15 per student per month. School-going boys also reported that the tuition teachers there encourage and motivate them to study and 'become something in life', 'make their family name shine'.

Muslim mothers from Sunder Nagri colony argued, "What is the use of government schools if we then spend money on private tuition classes? The teachers don't understand their responsibilities; they don't give adequate attention to the children.... They just tell us to arrange private tuition classes for our children." One mother then shared, "My daughter's teacher

harshly told me, 'You have to arrange tuition for your daughter as she is weak in studies, and I can't teach her; otherwise, remove your child from the school.'"

Another aspect of education acceptability is the incorporation of content **appropriate** to the students' cultural, linguistic and social backgrounds. This is especially applicable to Muslim children, given the sizeable Muslim population in the country. In this regard, one teacher mentioned that there is insufficient time for the teachers to complete the curriculum and so it is not possible to discuss other issues and to deal with the different learning needs of different children. More positively, however, school-going girls from Sunder Nagri stated that some of their teachers teach in the classes that all are equal before the law irrespective of religion and that all should be treated equally irrespective of their religion. *Simran, one girl from the colony, also spoke of the counsellor that comes to her class once a week and talks about the Muslim religion, teaching the girls how to live with respect and asking the girls to share any problems that they face in the school.*

Moreover, no Muslim children in either area have the option to attend **Urdu medium** schools, even in spite of Sunder Nagri's large Muslim population. The 2006 Sachar Committee report noted that "as for language options in local schools, many Muslims often face harassment and ridicule in school related to their Urdu language; few schools in India accommodate an education provided in this language." This persists despite Article 350A of the Constitution, which stipulates that every state and local authority will endeavour to provide adequate facilities for instruction in the mother tongue in primary schooling for children belonging to linguistic minority groups. In the middle and senior secondary schools that Sunder Nagri Muslim children attend, for example, the majority are Muslim students, as much as 80% of the student population. While the schools are Hindi medium, Urdu is taught only as an optional language subject. This allows the Muslim children to at least receive some Urdu language teaching, even if it is as a language subject, but does not fulfil their entitlement to elementary education in their mother tongue.

A final aspect of education acceptability is the absence of **corporal punishment or any form of physical and mental abuse in schools**. School-going children from Sunder Nagri reported their fear of corporal punishment from some of their teachers, while their mothers shared that some children become so angry after being beaten in school that they drop out. School-going boys from the colony who go in search of teachers who are supposed to teach their periods reported, *"If we find out the teacher he says 'I know it is my period' and beats us. Or else he said to go and he will come in ten minutes. He beats us with a stick. Some other teachers slap us or give punishments like standing or sitting in difficult positions."* One boy reported on an unusual teaching method adopted by his maths teacher: *"He asks us to solve a problem and those children who can't solve it are slapped by students who solve the problem. The teacher says that in this way these children will be reminded that they were*

slapped by other children only.” In the schools that Goyala Dairy Muslim boys attend, beatings are commonly meted out for failure to complete homework or misbehaviour in class. Contrast this with what Roshanara, a school-going girl from Sunder Nagri, mentioned of how her class teacher and some other teachers ask the girls about their dreams and to focus on their studies and become intelligent to take decisions. One of her teachers also tells the students to ask questions if anyone does not understand the lesson.

Parents’ participation in schooling raises a number of issues. One is the availability of formal spaces for parents to engage with the schools. Mothers from Goyala Dairy slum mentioned that they are not able to contact the principal directly and only recently has the Parent-Teacher Association (PTA) been started in the school. Their main interactions with the school, therefore, are to inquire about scholarships and engage directly with teachers about the learning results of their children, school entitlements or any complaints against their children. Meanwhile, parent-teacher meetings in the government boys and girls middle schools that Sunder Nagri Muslim children attend are arranged once per month, though mothers complained of often not being invited to the meetings. Mostly Muslim women rather than men turn up to the meetings and generally take a greater interest in ensuring the education of both their sons and daughters. Fathers, according to the women, are too busy working long hours to earn the family livelihood to be able to spare much time for education issues. A second issue is that Sunder Nagri mothers felt that they are not treated well in the school and invited to engage with the school; for example, when they attend the PTA meetings, they are merely told things like to send their children to school dressed neatly. Other mothers have heard the teachers say that Muslim children will not study as their mothers are all illiterate. Goyala Dairy slum mothers also raised a third issue, namely that their lack of education hinders their ability to participate in the schools. *For example, Sharukh’s mother was called up to the school but then had to send her daughter in her stead. The issue was that the father’s name was spelt wrong and had to be corrected, but her mother was illiterate and so could not correct the mistake.*

The value of having active parents in the equivalent of School Management Committees was seen in the case of Aamir Ansari from Sunder Nagri, who is currently on one of these committees in a government middle school. He mentioned that he has raised with the local MLA the issue of afternoon shift boys gathering at the school gates and teasing the girls as they leave their morning shift. Arrangements were thereafter made for a police van to be present at the gate when the school change happens. Interestingly, school-going girls do not know of the presence of the police for their security. Their continual mention of eve teasing at the gates implies that the police van is either no longer there, or is not active in stopping this harassment. At the same time, Aamir Ansari also pointed out that most decisions in the school committee are taken by the teachers and not the parents. Moreover, he sees that

there is a need to make parents more aware of their role in the school through such committees in order to ensure their greater participation.

Aside from parental participation in school is also the factor of school interactions with the local community, especially in terms of their **duty to undertake social mapping** of children in the neighbourhood and create **special classes for children out of school**, such as bridge courses. This should be coupled with efforts to reintegrate the children back into schools. No such special classes, however, exist in or nearby both Muslim areas under the study. Moreover, as out-of-school girls from Sunder Nagri pointed, it was their friends and not the teachers who urged them to return to school once they dropped out. At most, the teachers might tell the girls' friends to call the girls to come back to the school, but no other efforts are made to encourage Muslim girls to continue their schooling.

5.2.3 Position of Children as regards Education, RtE Equity and Inclusion norms

Despite all the above problems associated with access to education, Muslim children from both areas are very clear that formal education is necessary for them. Out-of-school girls from Goyala Dairy slum distinguished between illiterate and literate girls/women; the latter would find it easy to bear the responsibilities of their families and would be able to teach their children well. Even if they later separated from their husbands, they could earn and look after their families. In other words, while a major focus for girls was on their gender role in future, they also are aware of the greater individual autonomy that education provides. A similar awareness was apparent from the statement of Gulbahar, an out-of-girl from Sunder Nagri: she that if she were educated, she would then motivate other girls to get an education, as with education came the opportunity to go outside the home. Out-of-school boys from Goyala Dairy slum added that an educated child would get a good job and would be aware of all that was going on in the world. In a similar manner, out-of-school girls from Sunder Nagri mentioned that with education they would be able to read newspapers to know about what is happening, and that it was good to be known by others as an educated person.

Taslina, a girl attending 8th class from Sunder Nagri, mentioned that she has to be in school by 7.30 am, which she does not like; at least the school should start at 8.00 am. Still she goes as her parents and neighbour constantly motivate her by saying that if she studies, she will be able to do something with her life and her future will be secure. Her teachers also encourage the students to share their dreams and motivate them to study well and take independent decisions. The teachers teach them from the textbooks, do some question and answers, and then write down homework based on questions in the refreshers or subject guides. Students who have trouble understanding the lessons either ask the class monitors, or else directly approach the teachers. She also studies Urdu as a separate subject in a class that is all Muslims, but has both Muslim and Hindu friends.

Leadership positions in the schools are mostly occupied by non-Muslims, though some Muslim children who have good grades reported receiving such opportunities. At the same time, one boy from Goyala Dairy slum, who is currently a houseboy (*sadan*) in the school, mentioned how difficult it was to deal with quarrelsome school boys and to maintain discipline. It is perhaps due to this that monitors are chosen in the government boys middle school near Sunder Nagri based not on their marks, but on their ability to handle (i.e. control) the other students. As Saif, a school-going boy put it, the teachers choose boys who beat other students a lot to be the monitors. School-going girls also mentioned that their monitors beat them or deny them permission to leave the class to drink water, to which the teachers do not respond. Mothers from the colony also told that if they complain about their children being beaten by the monitors, the teachers merely say that they know nothing about it.

On a positive note, most school-going children mentioned their participation or at least the option to participate in **extra-curricular activities** such as sports, cultural activities, speeches, dances, etc. All such activities and school celebrations are secular. Only Taslima, a school-going girl from Sunder Nagri, reported that only children who are close to the teachers get to know about the other activities taking place in school. Hence, she notices that her class monitor informs only her friends about these extra-curricular activities.

In terms of **interrelations with other students in the schools**, while gender divisions are fairly clear – boys are friends with boys and girls friends with girls only – children mentioned that they have friends from different religious communities and even visit each other's houses. Importantly, this trend is noticeably less among out-of-school children, revealing the important inclusive space that schools provide for interrelating with other communities. *Saif, a school-going boy from Sunder Nagri, was the only boy interviewed who mentioned how he has mixed friends in school but does not invite his Hindu friends to his home nor visit their homes; he declined to mention the reason for this.* At the same time, school-going boys from both areas, when asked about any **discrimination in the school**, mentioned how Hindu boys tease them by using words and names associated with their religion, which they dislike. In the case of the boys from Goyala Dairy slum, their mostly Hindu teachers, instead of stopping such language, respond by telling the Muslim boys to ignore the words and not to cause an argument.

Finally, what **changes did these children want in their communities and schools** that would enhance their enjoyment of the right to education? Looking first to changes at the community level, all the out-of-school girls from both areas are willing to return to school. However, girls from Goyala Dairy slum need Ahasas staff to intervene with their fathers and persuade them to allow them to return to school and ignore what others might say of this.

Sunder Nagri girls also mentioned that someone would have to first convince their parents to allow them to continue their education. By contrast, out-of-school boys from the same area emphasised the need to make up for the fact that they are not taught Urdu in schools by converting the shelter home in their area into a space for teaching children Urdu. The alternative they proposed was to open a Madarsa in that building, in which children would learn both formal and religious education in Urdu, Hindi and English. In the much larger Sunder Nagri area, Muslim children are more concerned about changing the noisy atmosphere and crowded space in their homes that make it difficult for them to concentrate on their studies. They also mentioned the need for adequate water taps and more hygienic living conditions, so as to minimise their tendency to fall sick easily.

In terms of changes at the school level, Muslim children from Sunder Nagri want their teachers to teach properly and for basic facilities like clean toilets, drinking water, desks and fans to be made available to them. They also want scholarships to be distributed on time and for eve teasing to stop, while boys also mentioned the need for a library and computer classes in their school. These Muslim boys have an important suggestion to make. They explained about how teenage boys from 6th class upwards in the schools often fight with each other and try to establish their dominance and strength over others. It goes so far that boys form into small groups, boys from higher classes like to show their dominance over boys from younger classes, and teachers are even a little afraid of the older boys in the schools. Hence, they felt, teachers need to come up with strategies to tackle these problems, including how to engage with students better inside and outside classes and to even suspend boys who engage in violent acts. One thing that they felt would help would be for their teachers to regularly attend classes and to regularly monitor the attendance and learning of all students. Moreover, the principal should be strict and inspect the classes to check whether teachers are teaching. Another thing would be to have a guard in their school to stop boys from leaving the school whenever they want.

5.3 Conclusion

The relative education deprivation of Muslim children compared to other socio-religious groups “calls for a significant policy shift, in the recognition of the problem and in devising corrective measures, as well as in the allocation of resources.”¹⁰ In doing so, there are a number of factors specific to this community that must be taken account, in addition to general factors like poor quality teaching in government schools, persistent use of corporal punishment and lack of adequate school infrastructure and personnel. One point is that there are a myriad of factors behind why Muslims girls continue to experience low education levels that need to be explored in depth: not least are factors like eve teasing while travelling to and from schools; wider security factors where Muslim youth continue to

¹⁰ Prime Minister’s High Level Committee, *Social, Economic and Educational Status of the Muslim Community of India: A Report*, Government of India, New Delhi, 2006, p.50.

targeted by police; problems of school transfers such as Goyala Dairy girls faced; and the practice of child marriages. A second point is that both parents and children are clear that Muslim children require both formal school education and Madarsa (religious) education for them to develop and have better futures. What they lack, however, is often access to Urdu medium schools for their children, as seen in this study. Some children also mentioned that they have to endure religious-based teasing from Hindu boys in school, which they dislike and which is inadequately addressed by teachers. This is all in addition to social contexts which are often unfriendly and fraught with communal tension and poverty, complicating access to education. Each of these factors needs to be addressed through interlinked strategies to support Muslim children to enjoy their right to education.

Chapter 6

Right to Education for Waste Picker Children

"I wake up early in the morning and go for waste picking at 4.00 or 5.00 am and come back at 6.00 am. After having breakfast I again go for waste picking at 8.00 am until around 9.00 or 10.00 am. At 12.00 pm I go to my (government senior secondary) school. When I come back from school after 6.00 pm, I then go to take water, which sometimes takes around three hours of waiting in the queue. If we reach early it takes less time and if we reach late it takes around three hours... At night I only get around one hour for my studies."

Rahul, 6th class student, Rangpuri Pahari Extension slum

"I was studying until 3rd class in the (MCD primary) school. I liked going to school as I was having many friends in school... Only I felt bad as the teachers and other students would call us (waste picker children) bad names and sometimes the other students would beat us. Still, I saw children coming from school and reading, and that's why I wanted to go to school... Then I went to my village because my grandmother was sick. When I came back one month later (than the start of school year), my teacher told me that my name was cut from the school register and to go back home. My mother went to the school, but the teacher shooed us away and said I was no longer on the school register."

Afsana, out-of-school girl, Ghazipur slum

6.1 The Context of the Children

Rahul and Afsana reside in Rangpuri Pahari Extension slum in South West Delhi district and Ghazipur slum in East Delhi district respectively. They form part of a community of waste pickers in Delhi who number around 70,000 people and pick up around 9 to 15% of all the city's waste daily.¹ Their slums have some common and distinct features. Both are on the outskirts of Delhi, with Ghazipur slum distinguished by the towering Ghazipur landfill site located less than half a kilometre away. Both slums have both Muslim and Hindu migrant populations who reside in different areas of the slums.

While both slums exist on public land, Rangpuri Pahari Extension is an un-notified slum. The slum is commonly known as 'kabari basti' after the main occupation of the community; i.e. waste collection, segregation and sales. The total population is 1669 persons, of which 853 are males and 816 are females. Of the 425 households, 292 are Hindus (68.7%), while 133 households are Muslims (31.3%). Among the Hindus, most of whom have come from Bihar and Uttar Pradesh, scheduled castes are the majority (240 households of different castes like Chamar, Mochi, Ravami, Musahar, Valmiki), while the remainder are OBCs (32

¹ Chintan Environment Research and Action Group, *Space for Waste Planning for the Informal Recycling Sector*, New Delhi, 2003, p.1.

households, mostly Ahir), scheduled tribes (15 households) and general category (15%). Muslims are primarily from the Dhuniya, Sheikh and Pathan castes. The child population is 394 boys and 388 girls. Of these children, 345 are aged below 6 years (44.1%), 368 are aged 6 to 14 years (47.1%), and 69 are aged 15 to 18 years (8.8%).² In terms of occupation, primarily the SC Hindus and Muslims engage in waste picking. Most other slum residents work as daily wage labourers.

Ghazipur, by contrast, is a regularised (notified) slum. As at 2011, it consisted of 414 households and a total population of 1925 persons. Most Muslim families are from West Bengal, while the majority of Hindus have come from Bihar and some from Uttar Pradesh. Muslims, primarily from the Sheikh caste, form the majority in the slum, representing around 80% of the population. Among the Hindus, the majority are scheduled caste Kewats, Chamars and Dhobis. The total number of children is 1116, of which 536 are boys and 580 are girls. Age-wise, there are 390 children aged below 6 years (35%), 548 children aged 6 to 14 years (49%), and 178 children aged 15-18 years (16%).³ In terms of occupation, around 90% of Muslims in the slum are waste pickers, while 90% of Hindus are engaged in daily wage labour works. Less than 10% of Muslims have shifted into other wage labour works like factory labour, operating cycle rickshaws, work in the nearby meat market (among men), or home-based piece-rate embroidery work (among women).

History and Social Relations

Rangpuri Pahari Extension slum slowly arose from 2000. Hindu families migrated from Bihar and Uttar Pradesh, while Muslim families came from West Bengal and Assam. The majority came to the city in search of work. Those from Assam also shifted to find greater security of life, given the communal tensions, Maoist attacks and constant *bandhs* in their state. Bihari scheduled castes also migrated to escape the exploitation of their labour in the agricultural fields by 'upper' castes. Many arrived in the city before 2000 and lived as tenants in other slums. However, Delhi development planning has led to mass evictions and the resettlement of many slums on the outskirts of the city. It is estimated that only around 20% of those relocated were allocated alternative housing plots.⁴ Many slum residents, including those now living in Rangpuri Pahari Extension, saw their homes demolished several times and were forced to find new areas to live each time. As they lived in rental accommodation, they did not receive any rehabilitation measures as per the Delhi slum relocation policy. In this manner, slowly Rangpuri Pahari slum was established as a slum for waste pickers.

² As per BVD baseline survey, 2012.

³ As per ASOJ baseline survey, 2011.

⁴ See Hazards Centre, *Fact-Finding Report on the Eviction and Resettlement Process in Delhi*, New Delhi 2007. Moreover, as Sujita from Rangpuri Pahari slum noted, scheduled castes were also discriminated against when it came to rehabilitation measures, in that those who could establish permanent residence proof were allocated 18 sq.ft plots on the outskirts of the city, while dominant caste Jats received land up to the amount lost in more centrally placed residential areas.

The Rangpuri Pahari waste pickers insist that the land is government land earmarked for airport development. However, dominant caste Jats from the nearby Rangpuri village have encroached on the land and become the *de facto* landlords. Hence, all the waste pickers rent sections of the slum, or godowns, from the Jats. They cannot protest against the Jat control over the land, as they are afraid that it will lead to their being evicted from the land. This makes housing and security of tenure a continuing concern in the community, with none owning any proof of residence in Delhi. Moreover, attempts to obtain such proof are always obstructed by the Jats, who wish to retain their socio-economic power in the area.

Their social relations within the slum, while cordial across communities, are matched by their social isolation vis-à-vis the outside world. At the same time, waste pickers have been targeted by the police many times in the past ten years whenever thefts occur in the area. The police would beat up the arrested men and then demand bribes in order to release them. This negative stereotyping of the community as thieves, leading to several arrests, prompted BVD organisation to mobilise the community to openly protest against the police targeting of the community. Eventually, therefore, these police practices have died down.

Ghazipur slum, by contrast, was established around 30 to 35 years ago. Many Muslims families from villages in West Bengal migrated to the outskirts of Delhi city in search of work. They left behind relatives, to whom they send back regular monetary remittances. Many first lived in Seemapuri slum in Delhi, around 10 km away. Only as their families grew in size and the rents increased in that slum did they move further out to Ghazipur slum and build houses for themselves. Ghazipur area itself is divided into three: Ghazipur flats, which were created as part of the government's slum resettlement measures; Ghazipur dairy, where mostly Gujjars operate small dairy farm businesses; and Ghazipur slum, where the majority of migrants with no proof of permanent residence and no influence to obtain resettlement flats, live.

In terms of social relations within the slum, while cordial, interviews with informal Hindu leaders who are not engaged in waste picking showed negative stereotypes and biases against the Muslim waste pickers. Comments about Muslims having multiple wives and too many children were also linked with the idea of them being outsiders: as one Hindu leader noted, *"One NGO has helped the Bengalis get ration cards, but we 'Indians' do not have these cards."* This points to the potential divisions generated or amplified within poor slum communities where NGO interventions target certain groups alone.

This aside, relations with men in the neighbouring Ghazipur dairy farm and surrounding areas are marred by instances of eve teasing and sexual harassment of women from the slum. There is also one influential Gujjar man in the dairy farm area who dominates the area, including the slum, and has good relations with the police. The police have previously

come into this slum mainly whenever serious fights or thefts occurred in the slum. In August 2012, however, the police raided the slum in the early morning hours and arrested 11 Muslim men on the allegation that they were illegal Bangladeshi migrants. The police then demanded a Rs 1000 bribe for the release of each man. Some suspect that the Gujjars were behind this, as they anticipate that if the landfill site is closed soon as planned, then the cost of land in the area will rise.

Finally, in both slums the residents have little knowledge or interaction with the local MLAs or government officials in their areas. At most, their main interactions are with the different NGOs which have different interventions in the slums. BVD organisation has been working in Rangpuri Pahari slum since 2000. The main focus of their work is to mainstream children, especially out-of-school children, into formal education and to monitor their participation in schools to ensure retention in education. They also organise children's clubs, bringing the children together in the slum for different activities such as street plays and discussions primarily on issues of education and health. Two separate Bal Panchayats then specifically focus on the needs and obstacles that school-going children encounter, and try to collectively devise solutions. In addition, adults in the community, especially women, have been facilitated to form two child rights groups. BVD staff members capacitate these groups on issues of child rights and help them to resolve problems in the slum. Aside from this, BVD also supports the health work of the two local anganwadis, including child vaccinations.

In comparison, three organisations currently work in Ghazipur slum. Association for Social Justice and Research (ASOJ) has been working in the slum for the past year, identifying issues of concern among the community and facilitating action, such as supporting the community to apply for an anganwadi in their slum. In terms of education, ASOJ helps waste pickers to enrol their children in the local schools, and also takes up issues such as the non-release of subsidies meant for uniforms to the children, or bad cases of corporal punishment of children in schools. Chintan and Aroh organisations are running non-formal education centres nearby the slum that impart basic literacy to children. Chintan has a specific focus on promoting the work rights of waste pickers, to ensure that they get basic documents and services, including education. Chintan thus holds community meetings to discuss any problems waste pickers face, and has helped them to enrol their children in schools.

Living Standards

Both slums are characterised by an unhygienic and unhealthy living environment, with mud lanes or paths between houses and mounds of solid waste piled in between *kutchra* houses constructed from mud, plastic sheets, hardboard, etc. As Ms Kamla, ASOJ director notes, *"This community provides the services of cleanliness to a major part of Delhi and yet they themselves live very unhygienic and unsafe lives."* Inside the houses, possessions are minimal and the rooms are kept extremely clean and neat. In Ghazipur, two to three

families share one house, with partitions built for each family unit. The living arrangements in Rangpuri Pahari, by contrast, revolve around waste picking work. Therefore, in each godown one family lives on one side, while on another side live sometimes two or three labourers who work alongside the family in segregating the collected waste. Depending on the size of the godown, they pay a monthly rent of Rs 2000 to 3000 have constructed their own houses. Otherwise, rooms in the slum are rented out for Rs 500 to 1000 per month. The godowns act as homes as well as storage places for the solid waste collected. Currently there are around 250 small godowns and 12 larger storehouses for waste in the slum.

Neither slum has proper drainage and sewage systems. None of the houses in Ghazipur and only 20% of the houses in Rangpuri Pahari, belonging mostly to those not engaged in waste picking, have toilets. Instead, people use the bushes nearby. For Ghazipur women and girls this is particularly a problem as the bushes are located near the guarded landfill site and the security guards there sometimes chase them away when they go to the toilet. In both slums, water for bathing and other purposes comes from a single borewell located just outside the slums. While water supply is therefore constant, the single connection means that drawing water daily often involves people having to queue for long periods of time to fill their pots of water. For drinking water, the Ghazipur slum residents travel to access the water tanker that comes periodically to the nearby Ghazipur dairy farm area. Meanwhile, the Rangpuri Pahari slum residents either use the bore well water for drinking purposes, or purchase water from the nearby drinking water processing plant.

Both slums also have electricity connections, though this is only temporary in the case of Rangpuri Pahari slum due to its un-notified status. Ghazipur slum residents have obtained electricity connections and meters. However, despite most families only having one light, one fan and a television, their current electricity bills are excessively high, at over Rs 3000 for two months. This implies that they are overcharged for their meagre use of electricity, for which lack of information and influence to challenge the bills is an issue. Twice fires have swept through the slum, the last time as a result of the faulty electricity connections, destroying the homes and possessions of the residents.

In terms of other facilities, people from Rangpuri Pahari slum travel 2 km to Mahipalpur village to visit the medical dispensary there or visit a local private doctor, while more serious illnesses require them to travel around 12 km to the Safdarjung government hospital. Most other facilities such as banks and police stations are available only in Mahipalpur. Ghazipur slum residents are even more isolated in that there is only the medical dispensary located in Ghazipur village, while the overcrowded primary healthcare centre and maternity centre is located 5 km away. Consequently most of the slum residents visit a few private doctors around their area for any medical needs, and many pregnant women still give birth in their homes with the help of untrained midwives. Otherwise, banks and other facilities are

located beyond Ghazipur dairy, on the main road. Anganwadis are located outside both the slums at a distance of 1 km, which prevents the slum residents from accessing them. Mothers mentioned the need for an anganwadi inside their slums, though the main problem is the lack of space. The link between anganwadis and children's education was clarified in informal discussions in Ghazipur slum. Parents mentioned that without an anganwadi, they need their older daughters to stay at home and look after their younger siblings while they work as waste pickers. If they had an anganwadi in the slum, however, they felt that this would help children become familiar with being away from their families and the children would gain some skills and become prepared to enter into the schools.

Despite their poor living conditions and low remunerative work for the majority, however, no family within Ghazipur slum has a BPL card, while some families have received ration cards in recent years with the help of Chintan organisation. In Rangpuri Pahari slum, most families do not own ration cards, as they are unable to obtain any ID that requires proof of residence in Delhi. Likewise, only a few people in both slums have caste certificates.

Work and Economic Status

In both Rangpuri Pahari and Ghazipur slums, waste picking is an occupation for both adults and children. Most have fallen into this work only on arrival in the city, by seeing other relatives or others doing this work. Interestingly, urban migration has led to a change in gender roles in the case of Muslim women from Ghazipur slum. Whereas in their villages they did not work and, as one woman Salima explained, 'would have felt ashamed to do work that is also done by men', in the city women and men work side by side. Though some recognise that it is not dignified work, waste picking is one of the few works in urban areas that require no initial capital investments. Moreover, with the increasing consumerism in cities, waste collection and recycling is a growing industry. Many links in the process rely on this informal sector of waste pickers. People who work as waste pickers earn between Rs 2,000 to 30,000 per month, depending on whether they are waste pickers or waste storehouse owners. Child labourers earn around Rs 4000 to 5000 per month.

In a rapidly urbanising city like Delhi, solid waste management becomes an increasing concern of the civic authorities. Thousands of families work in the informal sector collecting, segregating, trading and recycling solid waste. In March 2007, the Comptroller Auditor General's performance audit of waste management in India highlighted the lack of recognition of the informal sector. Only 17% of sampled states recognised the vital role of waste pickers. Not only was solid waste management being poorly handled due to non-compliance with existing rules, but rules and policies that refer to the informal sector were not being monitored or implemented. Behind this is the non-understanding by policy makers of the quantum of work done by the informal sector to keep Indian cities clean, and the importance of their work in the process. In Delhi, while the NDMC has included waste pickers in door-to-door waste collection,

the three new Municipal Corporations have contracted out waste collection to private companies, thus displacing waste pickers and waste traders.

Chintan, *Failing the Grade*, New Delhi, 2011, pp.5-7

In Rangpuri Pahari slum, a range of waste picking is done. Many people collect waste from homes in different neighbourhoods in the mornings. A few also go to a government landfill site to collect waste. Others also buy dry waste like newspapers and scrap metal from houses, while yet others collect waste from public rubbish bins and off the streets. All the household non-recyclable waste is dumped in an area nearby the slum, while the dry waste is brought into the godowns and storehouses for segregation. Some scheduled castes have over time managed to join together to form small companies that pool together resources to buy the waste from others in the slum and have it segregated in their storehouses. Those in the small companies employ labourers to do the waste segregation and bundling work for them and can earn up to Rs 30,000 per month as they sell on the waste to different recycling companies. Others work separately as individual families, segregating the waste in their godowns and then selling it onto the sewage stores. Their family monthly incomes are much lower, around Rs 5000 to 8000 per month. Women have very defined works in this process. They work in the sewage storehouses where they segregate or bundle the waste. Their daily wage is Rs 120, whereas men earn around Rs 250 per day for collecting and selling on the segregated waste. Girls receive around Rs 3600 per month for waste segregation. A smaller number of women whose husbands engage in waste picking are working as domestic workers in nearby bungalows and earning Rs 2000 to 3000 per month.

In Ghazipur slum, different to Rangpuri Pahari slum, only one person collects household waste from the houses in Ghazipur dairy farm. All others collect waste from the Ghazipur landfill. Every morning at around 8.00 am adults and many children head up to the landfill to collect waste materials. If children go to school in the morning, then after school they go to the landfill. Importantly, this work is illegal, in that by government order no one is allowed to enter into the landfill site and the MCD posts guards at the site. There are safety issues as lorries constantly dump rubbish and there is always the danger of rubbish sliding down the landfill, poisonous materials, harsh heat especially in summer and other health hazards. At the same time, it is well-known that several thousand families sustain their livelihoods through waste collecting from this landfill. For each visit, bribes of Rs 10 per person are paid to the guards. Once the rubbish is brought down to the slum, it is segregated and then sold onto the waste stores. Many then return to the landfill after lunch to collect waste once more, while others take the night shift. On average, a family works around 15 to 17 days collecting waste materials and then a further 5 days segregating the materials. While adults earn around Rs 3500 per month, children earn around Rs 50 to 100 per day. Most of the waste store owners are from Ghazipur dairy or outside areas, though a few of the long-term

residents in the slum have managed to work their way up from waste picking to operating small stores. They then sell the waste to recycling companies.

In both slums, therefore, daily life revolves around waste collection and selling onto the waste stores. These stores also are the primary source of loans when required by members of the community for any marriages, medical expenses, etc. In Rangpuri Pahari slum, loans from the company managers within the slum are given without interest, but the amount is recovered in the form of a lower rate of payment per waste bundle. By contrast, only in emergencies do the Ghazipur slum residents approach the Gujjars from the dairy farm for loans on high interest. Very few of the Muslim residents have bank accounts, but they have established savings 'committees' by which they save money on a monthly basis.

Despite what would seem like a hard livelihood option, scheduled caste community leaders in Rangpuri Pahari slum also pointed out that compared to life back in the villages in Bihar, at least now their community children are getting educated. They also distinguished the benefits of city life in terms of being able to wear and eat the same as dominant castes. In other words, the hard lifestyle and lack of dignity commonly associated with their occupation of waste picking is compensated at least in part by the relative anonymity of the city and the dignity they can claim in their personal lives.

Education Status

The educational status among adults in both slums is similar, though Rangpuri Pahari recorded slightly better adult education levels. In 2012, among adults in Rangpuri Pahari slum, 331 had primary education, 218 had middle school education, and 16 only had high school and higher secondary education. There were two adult men who had completed an undergraduate degree in the slum. In other words, the majority had some level of elementary education. That left around 36% of adults as illiterate. By contrast, in Ghazipur slum, the majority of adults are illiterate, especially women, or have achieved only primary education. One of the Hindu leaders there estimated the percentage of women with some education at only around 5 percent. In both areas, adult women are more likely to be illiterate than adult men, reflecting the gender biases in education access.

As far as children are concerned, Rangpuri Pahari slum also recorded a larger percentage of children in school than out of school. Taking those children of school-going age in that slum, 68.9% were in school and 31.1% were out of school. Boys formed 55%, and girls 45%, of school-going children. By contrast, in 2011 only 39% of Ghazipur slum children aged over 6 years were in schools, out of which boys formed 58% and girls formed 42 percent. There were also a number of children who had never enrolled in education. Currently most school-going children in both slums study in primary schools, while around 15 students study in senior secondary schools. The majority of children in both slums, however, are engaged in

waste picking whether in or out of school. Moreover, the average dropout age of children is around 10 to 12 years, mostly from primary school or just after completion of primary school. Only a few children are remaining in school until age 14 to 15 years. Almost all, after dropping out, start waste collecting work.

6.2 Children's Enjoyment of the Right to Education

6.2.1 Position of Children from the Context of their Families and Communities

The above context already suggests a number of barriers that the children of waste pickers face in enjoying their right to education. In both slums, awareness among parents engaged in waste picking about the need to educate their children has grown particularly after the interventions of NGOs in the areas. In part some of this interest is pragmatic; as one community leader in Rangpuri Pahari pointed out, educated children can support the family livelihood by checking the calculations on waste bundles sold to the waste stores. Some mothers in Ghazipur slum also see the need for their children to have basic education in order to be able to sign their names and read bus signs, practical things necessary to survive in the city. Mothers in Rangpuri Pahari slum further mentioned how education can lead their children to have better lives and earn enough money to live in good houses.

At the same time, multiple barriers exist at the community level, which continue to prevent children's access to education. One major barrier is the ***economic status of the families***. Most families have migrated to Delhi to work and eke out a better livelihood for themselves. Many also regularly remit money back to family members in their villages. Consequently, economic necessity pushes their focus more on earning enough money than on ensuring their children's education. As some mothers from Ghazipur slum put it, *"When we struggle for food daily, how can we think education is necessary?... We think of getting enough money to care for our children before we think about educating them."*

Children are also influenced by this economic imperative, and often decide on their own, without their parents' interference or comment, to engage in waste picking. Peer group pressure also ensures that children seek out work over education. *For example, 14-year-old Sahib from Ghazipur slum recounted how he migrated from Uttar Pradesh with his parents when he was 4 years old. He soon formed friendships with other boys in the slum and they encouraged him to join them in collecting waste from the landfill site. When his parents then asked him to enrol in school, he refused as he was then more interested to work and earn money.* Otherwise, for important festivals such as Eid Al-Fitr, Ghazipur slum children will often absent themselves from the school to work and earn enough money for the festival.

This drive to work and earn a livelihood among both parents and children makes NGO education interventions especially difficult. Many children who are helped to enrol in schools subsequently do not regularly attend or drop out after a period of time. Some

children in Rangpuri Pahari slum even admitted to skipping school and instead going to collect waste without the knowledge of their parents. Boys there, in particular, tend to do this and use the money they earn to buy snacks, alcohol or cigarettes, or to gamble. School-going boys from Ghazipur slum explained their collecting waste after school by stating, *“We like to go to the school, but we feel hungry and so need some money to buy snacks. The food at home gets finished quickly, and they how will we control our hunger?”* Abdul added, *“I use my earnings from the waste collection to eat and spend the rest to buy some study materials.”* Otherwise, even while attending school many children will also collect waste. This is facilitated by the shift system operative in Delhi schools, leaving half a day open for children to work as well. Saiba Beevi, whose children have dropped out of school to work despite her protests, had one suggestion as to how to arrest this trend: *“If you start a tuition centre in this slum, it will help. Many children are going to school now and when they come from the landfill they don’t feel like studying. But if you could give tuition classes inside the slum itself, I think students would at least come and study for one hour.”*

As previously mentioned, migration for work also has another aspect, that of ***paying off debts*** incurred while living in the villages. For Rangpuri Pahari waste pickers, this creates an even stronger incentive for children to discontinue the education they started in villages in favour of waste picking work in Delhi.

Golu, a 14-year-old out-of-school boy from Rangpuri Pahari slum, dropped out of school after 3rd class three years ago as his family migrated from Bihar to Delhi in search of work to pay off their family debts. His father does some labour work at the airport, while his mother segregates waste material for a living. His uncle put pressure on the family to bring Golu to the city to work in order to help pay off the debts.

Golu stated, *“I cover Rangpuri Street nos. 15 and 16, collecting rubbish. I mostly go alone and pull a rickshaw to collect the rubbish from the houses there. Only for the past three months my friend has been accompanying me. I go in the morning at 6.00 am and come back with the dry waste by around 11.00 am or 12.00 pm. I then have to fill water from the nearby tap for our house. I charge Rs 30 per month for each of the nine houses I collect rubbish from, and give that money to my mother.”*

On average, he earn around Rs 5000 per month from segregating and selling dry waste materials. He does not like the work as, in his words, *“it is filthy and unhygienic”*. Sometimes he injures his hands from handling the waste materials or falls ill. However, unlike other boys he knows who do the same work, he has not yet got any skin diseases. He expressed his willingness to go back to school, though he added that he would not be able to attend before 2.00 pm as he has to work until then. He wants to see his family debts paid off soon.

Otherwise, migration, coupled with the difficulties of enrolling children in schools in Delhi (see next section), ensures that children who studied in village schools will not make the transition to education in urban schools.

As far as girls are concerned, the economic pressure to work and help their families eke a livelihood ensures that many engage in waste collection and/or segregation. Only a few girls in Rangpuri Pahari slum have moved into other types of work like domestic work. However, Lakshmi pointed to the exploitation of child labour there: *“I used to work in a kothi (bungalow) in Tilak Nagar but stayed there only for one month. I used to clean all the vessels, sweep and dust four rooms, but was only paid Rs 500 for this work. So my mother stopped my doing this work and brought me back home.”* Otherwise, almost all girls bear the additional responsibility of taking care of younger siblings and doing household work. At the same time, mothers in the slum pointed out how girls are more serious about their studies than boys and more regular to attend tuition classes. The fact that most mothers work places additional pressure on girls to help around the house, even at the cost of their education. As a result, many girls to drop out from school after completing their primary education alone.

This trend is further supported by the phenomenon of ***child marriages*** among girls in Ghazipur slum. Girls there are married at the ages of around 15 to 16 years. Mothers explained, *“If we don’t marry them off then, they will run away and get married at the age of 13 or 14 years without our permission.”* In part, this pressure for child marriages arises from the nature of the work children do. Boys from different areas like Seemapuri also come to Ghazipur landfill for work and, therefore, girls have an opportunity to mingle with boys. Several girls have run away with boys who they have met up in the landfill. At the same time, girls in the slum find their lives much more circumscribed than boys. Out-of-school girls shared that often they hear negative comments made about them within their community that they are bad or uncultured, that other girls should not play with them lest they also get spoiled. Bad or vulgar comments especially apply whenever girls are found talking to boys who they consider to be just like brothers. This tendency to doubt girls and circumscribe their lives may also be a factor behind the lack of attention given to their education and push towards early marriages.

Further key gender concerns that affect girls’ access to school education include issues of security while accessing schools (see next section) as well as issues of gender sensitivity. The latter is evident from the case of *Mumtaz Beevi’s daughter in Ghazipur slum, who recently dropped out of school. Her daughter has stopped attending because she does not want to wear the skirt that is the school uniform due to being tall for her age and men passing comments on her attire as she walks to school. She also mentioned that the boys in school pick on bigger girls like her.*

Migration into cities also introduces another factor that affects retention in schools. In both slums, ***during the summer vacations children often return to their native villages***. They may not know the start of the next academic year in schools, or may stay on longer than the vacation period in their villages. On their return to the schools, they then either find their names removed from the school registers, or parents assume that the child is no longer enrolled. Several children in Ghazipur slum indicated that this was the reason for their dropping out of school, and none had felt they could challenge the school's decision.

Withdrawal from schooling aside, ***irregular attendance in schools*** is also a major issue among the children of waste pickers. A number of these children frequently fall sick due to their unhygienic living or working conditions. Children collect waste without using any gloves or masks and, therefore, often get rashes and skin allergies that cause them to stay away from school. Boys in Ghazipur slum also find it hard to concentrate on their studies as there are so many mosquitoes and flies in the slum. Their school attendance is also affected by the lack of basic amenities in the slum: boys often have to collect water for the family daily from the one water supply point. This can consume several hours in the afternoon and, like waste collecting work, shortens the time available for children to study at home. Fear of beatings from teachers should they come to school without completing their homework then ensures irregular school attendance. Electricity, moreover, is a continuing problem. In Rangpuri Pahari slum, constant electricity cuts in the evenings ensure that children cannot study much at home. Rahul stated, *"When electricity is not there, I make a temporary arrangement through batteries and a light bulb so that I can complete my studies. I sit in the jhuggi where we store things on a bench and study."* Additionally, overcrowded small houses do not provide children with a quiet atmosphere conducive to study.

Discussions with mothers and children in both slums revealed that especially ***fathers do not give much emphasis on education*** over the economic necessity to work. In most families in Rangpuri Pahari children noted that it was their fathers and not their mothers who took the final decision as regards whether they would attend or continue attending schools. *Ajay, for example, is physically disabled and, despite being of school-going age, is still attending the local anganwadi. He mentioned that his father does not give time to enrol him in school, and tells him that there is not enough money to enrol him in school.* Many fathers also do not give money regularly to support their children's education and several question mothers who spend their earnings on their children's education.

In both areas, the ***low education levels of parents*** also play a part in the relative lack of importance given to education and the inability of parents to help their children with their studies. Children instead have to rely on the study guides and their friends, private tuition classes, or more educated relatives if available. Parental illiteracy or education in village

primary schools, as well as social isolation in the city, also places them at a disadvantage in that they then do not have information on the process to access education in urban areas. Discussions with families in Ghazipur slum revealed that they are not clear about the difference between schools run by the government or NGOs and how enrolments should operate. Similarly, several out-of-school girls in Rangpuri Pahari slum noted how their non-awareness about the schools meant that they lost their chance to access education.

Mothers, moreover, often have little influence over their children when it comes to their pursuing an education. In both slums mothers said they often do not know if and why children stop attending schools. Education-related talk between mothers and children are very little, especially with boys. Some mothers in Ghazipur slum responded that neither showing concern for their children's education, nor scolding or even beating their children seems to affect their children's irregular attendance in school. As Mumtaz Beevi noted, *"We don't tell our children to go to the landfill site. But even if we tied up our children at home, they won't stop going there in order to earn some money."* Moreover, given the high rate of illiteracy among women in both slums, they shared that even if they ask their children about school and what they learnt, they would not be able to understand. Instead, some mothers in Ghazipur slum adopt the technique of asking their children about the midday meals as a way of checking that their children have remained in school that day.

At the same time, several mothers on both slums try to at least motivate their children to stay in schools. Fatima Beevi from Ghazipur slum said, *"I have explained to my son that he needs to study for a better future. I give him pocket money and also have promised him a bicycle and mobile phone if he completes his schooling. I have explained that life is not good without an education. I also try to ensure that all his books and other school needs are met. Rather than sending him to the local tuition centre, I send him to a slight more expensive centre as I am trying my best to keep him in the school."* In a similar manner, Anil, a 12-year-old school-going boy from Rangpuri Pahari slum, mentioned how his parents are not educated but always check on his studies and ask him to complete his homework. He also gets help with his homework from the slightly educated labourers who stay in their godown.

The **easy availability of alcohol** in both slums compounds the problem. While there is no official liquor shop in Rangpuri Pahari slum, one male resident illegally sells alcohol by giving a regular monthly bribe to the police. Local alcohol costs just Rs 20 to 30 per quarter bottle, and thus is easily purchased by many men and even boys from all different communities in the slum. In Ghazipur slum itself a liquor shop is located, and there are shops in Ghazipur farm as well. Mothers in both slums mentioned that alcohol consumption leads to daily fights and beatings from their husbands, which they acknowledged as disturbing their children's studies. Alcohol consumption, drug taking and tobacco chewing are also an issue among boys as well. Out-of-school boys from Rangpuri Pahari slum freely discussed how

they purchase alcohol from the illegal shop by saying they are buying for their fathers. Often this will be true, but boys as young as 11 to 14 years will also drink and chew tobacco without the knowledge of their parents.

Community leadership initiatives on education, moreover, are missing. In Rangpuri Pahari slum, both Hindu and Muslim community representatives have never taken up any issue of children's education. Both men, moreover, had no **knowledge of the RtE Act**, with NGO trainings on the Act being confined to women in the slum. As far as some mothers are concerned who know about the RtE Act, this does not put them in a position to be able to negotiate their children's rights in the schools. In the case of Ghazipur slum, the lack of leadership among the majority Muslim waste pickers means that there are no community governance mechanisms to ensure children's right to education. Even the new Maulvi who regularly visits the Muslim families and leads the prayers at the mosque under construction in the slum does not talk about children's education. Moreover, only a few mothers have heard about the RtE Act from advertisements on the television.

6.2.2 Position of Children from the Context of Schools

Looking first at the **availability of schools** within the neighbourhood of both slums, MCD primary schools are located within 1 km of the slums, and in Ghazipur dairy area respectively. For classes 6 to 12, Rangpuri Pahari children travel to the government senior secondary school located around 1 km away. In the case of Ghazipur children, they travel to the government senior secondary school located around 2 km away. While two private primary schools are also located within the neighbourhood of Rangpuri Pahari slum, no children of waste pickers attend these schools due to the high school fees required for admission into these schools. Parents also lack awareness of the RtE Act provision of 25% reservation in admissions into Class 1 in private schools.

In term of the **availability of adequate school infrastructure and personnel**, children pointed out a number of problems. One is the lack of clean drinking water facilities in the schools. Children from Rangpuri Pahari slum stated that in their schools there are insufficient drinking water taps for the number of students. Children thus carry their own water bottles to school to avoid the long queues for water, and also because the tap water smells bad. School-going boys also added that the water tank is never cleaned and is kept open sometimes, so once a monkey fell into the tank. When children notified the teacher, instead of cleaning the tank the monkey was simply removed. In the case of Ghazipur slum school-going students, the primary school teachers have asked them to bring their own water bottles to the school as there is a problem of monkeys congregating around the drinking water taps.

Another problem is the lack of adequate and clean toilet facilities for the children. According to students from Rangpuri Pahari slum attending primary school, while separate girls and boys toilets are there, they are not cleaned regularly and are very dirty. As for the government senior secondary school, the toilets in the boys and girls toilet blocks are inadequate for the number of students. Additionally, these toilets are not cleaned regularly and remain dirty much of the time. Hence, girls are forced to go to the toilet behind the toilet block itself, while boys use the corners of school ground. For girl students, this is especially problematic during their menstrual period. Hence, despite the Delhi government providing girls with sanitary pads, the poor maintenance of toilets causes them to take leave from school during their menstrual period and thereby disrupts their studies.

Additionally, Rangpuri Pahari slum girls and boys attending the senior secondary school complained about the lack of adequate desks and benches in their classrooms, which results in some having to sit on mats on the ground. Even then, sometimes there are not enough mats and then they get dirty sitting on the floor. Fans are also inadequate for the number of students in the classrooms, making it difficult to study in the summers. This is compounded by the roof over the classrooms, which leaks during the rainy season.

Finally, the ***student-teacher ratio*** in some of their classes was around 80 to 100 students per teacher, much higher than the Delhi average and the RtE Act norms. The serious implications that school-going girls observed are that the teachers are not able to help them when they have difficulties understanding the lessons. A similarly high student-teacher ratio was also observed in the senior secondary school that some Ghazipur children attend: in 7th class, for example, there are currently 84 students. There are also not enough desks for all the students, and so Ghazipur boys often end up sitting on mats on the floor.

Physical access to education is likewise characterised by a number of barriers, especially for girls. The location of their slums on the outskirts of the city and often close to major roads means that children have to travel along or cross roads with heavy traffic to reach the schools. Many school-going girls also mentioned that they felt insecure while walking to and from school. Rangpuri Pahari girls have heard of instances of kidnapping of girls in the nearby areas and also face eve teasing from boys and men as they travel to the senior secondary school. Boys especially congregate outside the school gate for the second shift in the school and harass the girls as they exit the school. Their mothers, therefore, often accompany the girls to and from the schools to ensure their safety. When they are not able to pick up their children from schools due to work, however, they worry for their daughters' safety. The fear of kidnappings is so strong that some parents have even refused to enrol their daughters in Delhi schools. In Ghazipur slum, girls shared about eve teasing and sexual harassment from bigger boys sitting along the roadsides.

Notably, eve teasing was not only confined to outside the school. Ghazipur girls attend co-ed primary and senior secondary schools. They shared how some boys tease the girls in classes or send them love letters or even beat them up. Out-of-school girls in both slums therefore felt the only solution was for them to return to the villages, perceived to be much safer, if they wanted an education. Another alternative proposed by school-going girls from Rangpuri Pahari slum is school buses to safely transport them to and from the schools. School-going girls from Ghazipur slum also talked of the need for separate the shifts for boys and girls. One response from BVD organisation to the insecurity of life that girls face in the slum has been to organise self-defence classes for them.

Mufsida, a mother in Rangpuri Pahari slum, recounted how her daughter dropped out of school for one year when she was around 9 years old, as she has the bad experience of being accosted by a man on a scooter as she was returning home from school one day. The man caught hold of her hair and tried to pull her to his scooter, but she screamed and luckily a teacher saw this and rescued her. After this, her daughter was so scared to go to school and it took a lot of persuasion from Mufsida before she returned to school.

Another barrier to accessing education is **administrative problems**: despite section 14 of the RtE Act stipulating that no children shall be denied admission due to lack of age proof such as a birth certificate, this was a common problem encountered when parents went to enrol their children in schools. Around 70% of Ghazipur children of school-going age do not have birth certificates, while Rangpuri Pahari slum had a similar trend, indicated by the 37% of children aged below 6 years who do not possess birth certificates. This situation has been exacerbated in Ghazipur slum by the fire in early 2012, which destroyed many families' documents. Hence, new enrolments in school this year were particularly difficult. Most scheduled caste children of waste pickers in Rangpuri Pahari slum, moreover, do not have the requisite caste certificates issued from Delhi. Parents also lack information and also feel unable to question school management over this issue. *Rekha, a mother in that slum, shared how she could not get her son enrolled in any formal school when they came to Delhi as they could not produce his birth certificate or caste certificate. Instead, he studied for some time in 3rd class through a mobile school van operated by an NGO. The children would be taught along the roadside as there was no space to teach them. However, this van only came to the area for some days before it stopped, and thereafter her son stopped his education.* It therefore has required outside interventions by ASOJ and BVD staff in both slums to overcome the administrative hurdles to school enrolments.

The **non-enrolment of children in age appropriate classes** also impacts on their retention in schools. In Rangpuri Pahari slum, some girls have been denied admission to schools due to their being either younger or older than the age appropriate for the class in which they were seeking admission. *For example, Chandra mentioned how her daughter was refused*

admission into the primary school several times because she was allegedly two months younger than the appropriate admission age. She was told to come back again and again, and finally her daughter was enrolled only after BVD staff intervened with the school. Children's late enrolment in primary education is often due to their parents' lack of knowledge about school admission procedures or lack of interest to enrol their children. In the case of Afsana, her mother enrolled her in Class 1 only when she was 8 years old as no one was going to school in her place and her father was not interested to send her to school. It was only due to her mother's efforts that she was admitted, but she later faced teasing from other students for being the biggest girl in the class. Conversely, when some girls were admitted into lower classes despite being older than the prescribed age for that class, they found themselves unable to cope with being the oldest in the class and tended to drop out from school. A third situation also arises where older boys in co-ed classes dominate the classes and pick fights with the younger children, leading some younger children to eventually drop out of school.

Sahib, a 14-year-old boy from Ghazipur slum, has never been enrolled in any school. His mother said she was not aware about education as she is illiterate and her village in Uttar Pradesh did not have any schools nearby. Eventually when Sahib was 9 years old, his mother obtained information about the schools nearby and decided to try to enrol him in Class 1 in the MCD primary school. However, Sahib felt too shy to go to school since he was much older than the other children. Instead, he continued to work collecting waste materials until the start of 2012 when the fire broke out in the slum in the middle of the night. In the panic, Sahib also ran but fell along the way and both his legs were broken as a part of a burning hut fell on top of him. His family took him to a hospital and he had both his legs operated on, an operation that was luckily paid for by the trust that runs the hospital. Still he is not able to walk freely today, including walking up the landfill to collect waste materials. Instead, he remains in the slum and recently started helping his father in their petty shop. Sahib is now keen to somehow get an education. He is particularly interested in learning Urdu and would like to be enrolled in an educational institution that teaches the language. He said he is even ready to join a residential school if it teaches Urdu.

The lack of certificates also has an impact in terms of **economic access to education**. While certain entitlements are given to all children throughout their elementary education, there are additional costs which are required to be met, such as the purchase of stationary. Children in Rangpuri Pahari slum reported receiving free textbooks and uniform subsidies alone, while children in Ghazipur slum reported receiving scholarships in addition to textbooks and uniform subsidies. However, in order to obtain scholarships, a caste community certificate is required. While many scheduled caste children in Rangpuri Pahari slum have caste certificates in their home villages, these are not applicable in Delhi. Moreover, the process to apply for a caste certificate in Delhi is complicated by many rules and requires, among other things, proof of residence in Delhi. For tenants in slums, this

proof is not possible to produce where many also do not possess ration cards. Consequently, only a few girls have been able to avail of the Delhi government's Ladli scheme on providing the requisite documents, and only a few boys have been able to obtain scheduled caste scholarships. Similarly in Ghazipur slum, almost no girl has availed of the Ladli scheme due to their inability to produce birth certificates. At the same time, free textbooks are not always distributed on time, nor do all students receive all the required textbooks. *Amit, a school-going boy from Rangpuri Pahari slum, noted that once his teacher openly told him not to rely on the government and to instead buy his own textbooks.* Moreover, other boys mentioned that if they happen to be on leave on the day that the textbooks get distributed, they get abused by the teachers and told to buy their own books.

Economic access to elementary education is also supposed to be facilitated by the **midday meals** provided to students in schools. The enforcement of hygiene norms while cooking midday meals, however, is questionable. One girl student from Rangpuri Pahari recounted how she found a dead lizard in the midday meal. School-going boys also mentioned that the midday meals are often not properly cooked or are spoiled. Only in the government senior secondary school was the principal personally checking the quality of the midday meals.

In terms of the **acceptability of education**, specifically **quality education** that ensures the basic learning needs of children are met, huge gaps remain in the government schools that the children in both slums attend. This proves to be a huge disincentive to completing elementary education. Both mothers and children in Rangpuri Pahari slum mentioned the absence of regular teaching in especially the government senior secondary school: teachers sometimes do not come to class or arrive late to classes. Consequently, some children have taken the decision to drop out from this school. By contrast, teacher attendance in the MCD schools is more regular, though the classes stop if the class teacher is on leave. However, primary school-going girls from this slum and boys from Ghazipur slum noted that the teachers often ask them to just copy down from the blackboard into their notebooks, with little attention paid to whether children understand the lessons. Primary school-going boys from Rangpuri Pahari slum added that they are never encouraged to read out loud or given any tests. In the senior secondary school, therefore, girl students from Rangpuri Pahari slum totally depended on the subject guides to understand the classes. Some teachers just ask them to write out chapters from their textbooks into their notebooks, and so the students require the guides in order to help understand the subjects being taught.

Only mothers in Ghazipur slum, who have migrated from West Bengal, raised the issue of the **medium of instruction** for their children. According to them, their children are not so comfortable in Hindi, especially those who have shifted to the city from West Bengal. The lack of Urdu medium schools nearby, therefore, is an issue for children in this slum.

Moreover, children from both slums are often **actively discouraged from asking questions** in the classes. Rangpuri Pahari students reported that some teachers are even rude to the students who ask them questions, so that students do not ask questions again and simply sit without understanding the subject. *Satish, a 6th class student, mentioned that one of his teachers scolded him for asking a question by saying, 'you don't read and write, and so that's why you come here and ask question!' He often relies on his friends for help in understanding the lessons.* Other boys mentioned that teachers often spend more time completing their registers and give less priority to answering the children's questions. Similarly for Ghazipur school-going children, teaching is of poor quality. School-going girls mentioned how teachers might arrive in class on time, but sometimes give them assignments like writing and then go out to their office. In addition, when students asked questions of the teachers, they get scolded with words like: 'How much should I have to try to make you understand?!' *Sachin recounted how his teacher scolded him once for asking questions and told him to study by himself. Even in 3rd class he is still not able to read Hindi.*

At the same time, Rangpuri Pahari school-going boys also cited several teachers they considered to be good for the following reasons: such teachers patiently explain the lessons and repeat themselves until the children understand; ask them to read out loud in class; patiently solve tough questions on the board with the children; motivate them to read and study at home; and discipline any boys who disrupt the class; only beat boys who abuse others or otherwise misbehave. Likewise, *Abdullah from Ghazipur slum, studying in 4th class, appreciated his teacher for motivating him to regularly attend school. She says she will not promote him to the higher classes unless he is regular in his school attendance. Aakash from Rangpuri Pahari slum recalled his teacher motivating him to regularly study by saying that if he did not study hard, he would 'remain in the dirt of waste picking'.*

The overall lack of quality education has implications in terms of economic access to education. Mothers from Rangpuri Pahari slum told that many of their children going to government schools also attended private tuition classes outside. Mothers work to pay for these tuition classes – around Rs 300 or 400 per month per child – because they see themselves as unable to give the necessary academic support to their children, and because they assessed the learning outcomes in government schools as sub-standard. By contrast, fewer school-going children from Ghazipur slum attend private tuition classes.

As regards **corporal punishment by teachers**, children in both slums reported liberal use of corporal punishment in the schools they attend/ed. Afsana from Ghazipur slum, when asked why she dropped out in 5th class, stated, *"They teach nothing but they beat me for small mistakes... without teaching properly they tell us to write something and do homework, but how can we do it? The teacher would just set us some work and then leave the classroom, after which some Hindu boys in our class would beat us and pull our hair. When I complained*

to the teacher about this, she responded by beating us with a stick and doing nothing to the boys!” Many Ghazipur boys likewise cited beatings from teachers as behind their dropping out of school. As Mukhtar put it, “*whenever the teachers hear our village name, they beat us.*” Likewise, for school-going boys from Rangpuri Pahari slum, teachers whom they considered as bad teachers were those who beat them for the slightest fault or verbally abuse them and put them down in the class. They mentioned that if they cannot solve a problem at home and show this in class, some teachers will beat them without helping them to understand the lesson. Not only teachers, but also the principal of the primary school at which Ghazipur slum children attend, often verbally abuses and beats the students.

As far as **parents’ participation in the school** was concerned, this is minimal. At the most, parents enter into the schools to enrol their children or to sign any documents like scholarship forms. Waste picker parents are never called for any meetings with the teachers to discuss their children’s learning levels. At the same time, parents also feel hesitant to approach the school management or teachers, who they feel look down on them. Firoja Beevi, a mother in Ghazipur slum provided evidence for this: “*When our jhuggis were burnt down, we went to the school to ask for a uniform for our children. The school management then told us, ‘Do you want everything? Do you want me to cook for you, to give water so you can bathe, because your children are not taking baths...’*” In other words, there is underlying discrimination against economically marginalised groups such as waste pickers, who are viewed as merely demanding things from the schools for free.

Finally, the **strategies that neighbourhood schools employ to bring out-of-school children back into education** are non-existent as far as the children of waste pickers are concerned. There are no special classes being operated for out-of-school children in the area, and often teachers are not concerned enough or otherwise lack the time to follow up on children who stop attending classes. *Afsana, an out-of-school from Ghazipur slum, for instance, mentioned that no one from the school tried to follow up with her as to the reasons why she was dropping out of school, nor to encourage her re-enrolment in the school.* Otherwise, when children expressed willingness to be re-enrolled in schools, some teachers either refuse to re-admit the children or push the burden onto the children to catch up in order to return to school. *Aliya, an out-of-school girl in the same slum, mentioned that she once tried to get re-enrolled in the government school. She went with her mother and a NGO staff member to the school, but the teacher informed that first she would need to attend tuition classes before she could be re-admitted.* Moreover, there is still a tendency on the part of teachers to blame parents for children’s non-attendance at schools. The ways that teachers express this to parents often hurts their dignity, making the school an unwelcoming environment for parents as well.

6.2.3 Position of Children as regards Education, RtE Equity and Inclusion norms

When school-going girls in Rangpuri Pahari slum were asked to describe what came into their minds when they thought of schooling, many spoke of the positive aspect of learning. Along with this, however, they also mentioned feeling angry. One thing that made them angry was the constant humiliation and discrimination they face in schools. When it comes to equitable participation in schooling, equitable education outcomes and inclusion in education for children of waste pickers, schools and the school environment fall far short.

All children both in and out of school understand the value of education. Children spoke of education giving them the ability to get a good job, to go anywhere, to learn good language, to become something better in life, and so on. Girls from Ghazipur slum also mentioned that nowadays bridegrooms are also looking for educated brides to marry. The contrast between educated and non-educated children was made stark by Zakir and Pappu, two out-of-school boys from Ghazipur and Rangpuri Pahari slums respectively. Zakir responded to a question asking about his ambitions for the future by saying, *“We don’t have dreams like that since we are slum people. Even if we dream, what would be the use of that? How will we achieve our dreams without studying? We need education for everything. Without it, all our life will be in this slum only.”* Pappu, then pointed out, *“An educated person will have a job, while an illiterate person will do waste picking and scrap work. This is the main difference.”*

Children’s Aspirations

“I like to study because my parents are having a dream to get me educated well and for me to get a good job. I also want to become something better in life, and so I study and go to tuition as well.” – Saima, school-going girl from Ghazipur slum

“What attracts me about education is that through education we get knowledge, and we will be successful by getting an education. So we will be able to leave waste picking and do other work like opening a factory.” – Anil, school-going boy, Rangpuri Pahari slum

“I study to get dignity. If I get educated, then no one will abuse me; instead, they will speak to me with respect.” – Abdul, school-going boy from Ghazipur slum

At the same time, the stigma attached to waste picking affects their interactions in the school with teachers and with other children. As Aamir, an out-of-school boy from Rangpuri Pahari stated, *“Everyone, whoever sees us, says, ‘look at that waste picker.’ This is dirty work and full of disrespect.”* On the whole, girls were more reluctant than boys to share about the **discrimination they face in the schools**. School-going girls from Rangpuri Pahari slum also admitted that they sometimes lie and say that they come from a nearby slum where families

do not engage in waste picking, in order to avoid any humiliation of being looked down upon as waste pickers.

As far as relationships with other children were concerned, the children of waste pickers are socially isolated. Very few have friends outside of their slum, though within the slum boys mentioned having both Muslim and Hindu friends. Some out-of-school boys from Ghazipur slum also admitted to hiding their identity whenever they are outside the slum, telling people they are from the dairy farm instead so that they do not have to feel ashamed. School-going children from Ghazipur slum noted three groups of children in their schools: those from the Ghazipur DDA flats, those from Ghazipur dairy farm, and themselves. Children from Ghazipur flats, the most socio-economically better off of the three groups of children, make the boys from Ghazipur slum sit at the back of the classroom while they sit at the front in the senior secondary school. As 12-year-old Sachin noted, this makes it hard for them to see the blackboard and talk to their teachers. Otherwise, the Hindu boys from the flats abuse and beat up the Muslim boys from the slum on a regular basis. Some school-going girls from the same slum also get beaten up by the boys from the flats. These girls mentioned how other children call them 'waste pickers', 'Bengalis', 'slum dwellers', 'you live in the landfill only' ... and do not talk or mingle with them inside the class. They also said that they know that the parents of children from both the flats and the dairy farm advise their children not to mingle with them in the school. Midday meals, therefore, are segregated as children from the slum do not sit and eat with children from the flats. In this situation, some out-of-school boys suggested that the government needs to start a school in their slum for their children, as one way to help them to study in a good environment.

Likewise, school-going boys from Rangpuri Pahari slum mentioned that they do not like the bullying and fighting they endure in the senior secondary school. Since their slum is commonly known as 'kabari basti', or 'waste picker slum', they face humiliation from other students who make nasty comments or jokes about them related to their family's work, or abuse them by calling them 'waste pickers'. *According to Anand, a school-going boy from this slum, once two boys abused him by saying, 'you take money from our homes (for waste collecting) and because of us only you are able to eat.'* The response of several boys to this abuse and humiliation is to fight with the other students.

Most teachers, moreover, fail to address discrimination among students in their schools in a constructive way. By far the most common teacher response, noted by children from Ghazipur slum, is for the teachers to beat them. *Abdul, studying in 4th class, mentioned how last year he fought with a boy from the flats who was abusing him while they were drinking water from the school taps. Then the teacher beat both the boys... Abdul said, "We don't mix with the kids from the flats, as they say, 'these slum dwellers are dirty, living in mud'. Only the kids from the dairy farm sit with us."* He later commented that the teacher's response to

any such fights is always with beatings that show to the children the teacher's discriminatory attitudes: "The teachers will beat us both, but they will not beat them (flats kids) like they beat us. They beat us more." Consequently, he likes little about the school, except the classes where teachers do not beat the children. If not beatings, then girls mentioned that teachers simply told them to ignore the other students who abused them, thereby failing to redress the problem and to promote inclusive attitudes in the schools.

Raju, a school-going boy from Rangpuri Pahari slum, however, had a more positive example to share. Once when another boy in his class called him a 'waste picker', his teacher scolded the boy by saying, 'What does it matter if he goes for waste picking? Still he is coming regularly to study. See how he attends school every day and he does not absent himself from school. If you speak to him like this again, I will beat you.' The threat of corporal punishment aside, this was the only example children provided of teachers trying to address abuse and discrimination against them.

More than this, **teachers practise their own forms of discrimination** or lack of understanding of these children's lives. *Mustafa from Ghazipur slum, who studies in 4th class, mentioned how he took leave for five days during Eid. When he came back to the school, he was beaten by his teacher. Mothers in the same slum also mentioned that the principal of the school also refers to their children as Bangladeshis; in other words, refers to them as outsiders and non-Indians. In the same slum, Ahmad dropped out of school in 8th class. He had been told by the teachers that he had passed, but after the summer vacations his teacher told him that he had failed by two marks. He felt angry as they had not told him this beforehand, and so he approached the principal. While the principal responded positively, when he approached the 9th class teacher and showed the revised mark list with his name, the teacher refused to accept his admission. According to Ahmad, this teacher is a dominant caste Hindu and very anti-Muslim. Whenever the children fight, he first asks the children's names and on hearing those with Muslim names, beats them without inquiring into who did something wrong to start the fight.*

Mothers in Ghazipur slum are well aware of the discrimination being practised against their children in the schools, but feel helpless to intervene. They know that the teachers do not care for Muslim Bengali children and treat them differently from Hindu, Hindi-speaking students. More than this, the attitude of both teachers and even one school principal is that these children are slum dwellers who only come to school to get money. This attitude was confirmed by school-going boys from Rangpuri Pahari slum, whose teachers deride them for 'relying on the government for everything'. Other derogatory and discriminatory comments teachers have made to them include: 'what will you anyway become after getting an education?' or 'your parents only send you to school to have food and take money from the government for your studies'. In other words, instead of encouraging and supporting these

children to remain in education, some teachers seem intent on humiliating them and ensuring that the right to education for all remains an unfulfilled dream.

In terms of *leadership roles*, not surprisingly these children are rarely made class monitors. In the senior secondary school in Ghazipur, mostly children from the flats become the monitors. Even children like Abdul from Ghazipur slum do not want to become monitors, as they feel that if they try to do this work well, the students from the flats will only beat them.

At least in terms of sports and other *extra-curricular activities*, school-going girls from Ghazipur slum actively participate. Only school-going boys from there complained about the lack of adequate sports equipment and play materials in the school. In Rangpuri Pahari slum, however, children noted that they are not asked to participate in extra-curricular activities. *Keshav, a school-going boy, explained that not only are children often unaware of extra-curricular activities in the school, but also "if we participate in activities like competitions and make a mistake, the teachers will just beat us. At least they should make us understand once or twice first."* At the same time, some boys hesitate to participate due to lower self-esteem and the lack of motivation from teachers to join such activities.

Finally, what are some of the changes that children of waste pickers wanted to see in their schools and neighbourhoods? In the schools children want the appointment of good teachers who do not beat them. Boys also mentioned that only one class should be run in each classroom and adequate space should be there for the number of students in the school. Reshma from Ghazipur slum, who dropped out of school in 3rd class, replied to the question of what she would like to change in her school by saying: *"I want teachers not to use their mobile phones in the school. They come into the classroom and then after sitting down it just chat away on their phones."* Importantly, children did not mention changes to their living conditions, implying their inability to yet imagine life outside of waste collection.

6.3 Conclusion

In both Rangpuri Pahari and Ghazipur slums, children shared a number of challenges to their access, retention, participation and completion of elementary education. Not least is the poor economic level of their families. As Shyam, an out-of-school boy from Rangpuri Pahari pointed out, *"While study is important, we need some arrangements – money, books and clothes – so that we can concentrate on our studies."* What he referred to was not just scholarships and other entitlements, but also economic stability in the family as crucial to these children being able to concentrate on and complete their education. The most common reasons for dropouts among boys were compulsions to work, corporal punishment from teachers, and the discriminatory attitudes of teachers and other children. For girls, discrimination and gender violence in the school, as well as eve teasing and sexual

harassment while travelling to and from the school, were the most cited reasons for dropping out of schools.

These children and their communities shared a number of obstacles arising from their socio-economic context beyond poverty as well, such as the difficulties of studying in their crowded houses, their irregular attendance due to frequently falling ill, linked to their unhygienic living and working conditions, and the frequent drinking and domestic violence in their homes. Girls in particular had additional burdens of household tasks and looking after their younger siblings, while they were often married at a young age. All these factors led most girls to never complete even primary schooling. These factors are compounded by a number of barriers that operate in their schools. The most frequently cited were discrimination linked primarily to their occupation (and religious identity in the case of Ghazipur slum children), the poor quality of teaching in the government schools they attend, schools continuing to ask for proof of age documents for admissions, and liberal use of corporal punishment by teachers. They thereby raise a number of serious challenges state and civil society organisations face to bring these children into formal education.

Chapter 7

Right to Education for Children of Construction Workers

“In the mornings I cook food with my mother and sister. After they go to work I start cleaning, washing clothes and cooking lunch. The rest of the time I sit and play on the footpath, or I sleep. Whenever I get a newspaper I read it. I can read as I studied up to 3rd class in school back in my village. I dropped out because we had to come to Delhi to work as our family is in debt. We spent around Rs 1 lakh for both my sisters’ marriages. Then after a few months one sister died of jaundice, despite receiving treatment. A Rajput also encroached on our land, and so my father filed a case and has spent around Rs 1 lakh for this. So we approached a moneylender... Whenever I see other children going to school, I also want to go. I miss my school days, my teacher and my friends.”

Asha, out-of-school girl, temporary camp by PWD office, Sangam Vihar

“I am in 8th class in the government senior secondary school near here. At school some of the teachers are not coming so regularly to our classes, so we manage and study by ourselves. Still, many other students in my class are not able to read Hindi well. I know because I take private tuition classes after school every day. I can manage Hindi, but other subjects like maths, English and science I can’t understand without this additional help... Sometimes the students ask questions to the teacher, but the teacher shouts at us, ‘how many times I have to repeat to make you understand?!..”

Suman, school-going girl, Rajasthani colony

7.1 The Context of the Children

Asha and Suman lead very different lives, despite the fact that their parents work in the construction industry. Asha lives in a temporary camp set up next to the PWD office in Sangam Vihar on the outskirts of South Delhi district, to which she and her parents migrated a few months back for work. They will stay a few more months for work before they return to their home village in Madhya Pradesh. Suman, by contrast, is settled in West Delhi district and lives with her family in an unauthorised colony. The contrast between migrant construction workers and construction workers permanently settled in Delhi forms a central theme in this chapter. The vulnerabilities that the children of these two types of workers face are very different when it comes to enjoying their right to education, and yet a common factor is that both groups of children are not completing their school education.

Rajasthani colony is named after the number of people who migrated from Rajasthan and settled in the colony years ago. There are around 200 households in the colony, many of whom are engaged in some form of work related to the construction industry. The majority, over 75%, have come from Rajasthan, though smaller communities of people from Bihar, Haryana and Uttar Pradesh live there as well. The colony is a mixed caste colony, with Balai, Julaha, Bambhi, Valmiki, Raigar, Meghwal, Chamar, Sansi (de-notified tribe), Ahir, Baniya, Jat

and Brahmin castes resident. The majority are the scheduled caste Balais and Raigars from Rajasthan. In terms of population, each household comprises two or three families living together as one joint household and, therefore, the total population is approximately 5000 persons. Around 3000 are children aged up to 18 years.

By contrast, the temporary construction worker camp on government land next to the Sangam Vihar PWD site (herein referred to as temporary CW camp) currently consists of only 17 families. All are engaged by the Public Works Department (PWD) through contractors (Thakidars) to work on road construction. The number of families, however, is constantly changing as families migrate at different times to and from their villages to the camp. Presently, nine families are scheduled caste Ahirvar, five are scheduled tribe Sahariya and Rajgond (Gond), three are Rajputs and one is Lohad (sub-group of OBC Viswakarma). The majority have migrated from Madhya Pradesh, while a few are from Uttar Pradesh. There are 35 children living in the camp, none of whom are attending schools in Delhi. Nine of the children are below 6 years of age, while 10 children – eight boys and two girls – are aged 6 to 14 years, and 11 children are aged 15 to 18 years.

History and Social Relations

The history of the two groups of construction workers is very different. Across Delhi there are a number of settled colonies where construction workers live today. Rajasthani Colony is a settled colony of around 50 years, but is not an authorised colony. In the 1950s-60s some people migrated here from Rajasthan to do quarrying (stone breaking) work in what was then a village. As more arrived, the colony was eventually established and came to be known as Rajasthani colony. In the 1970s, the stone quarrying work ended, but by then people were settled into the colony. At that time, the land was owned by Ramjas Foundation, and so people paid the Foundation rent to settle in plots in the colony. It was only later, after 2000, that the Delhi Development Authority took over ownership of the land. Since then, the community representative, Udit Singh, has been trying to get the colony authorised. They have provisional certificates showing ownership of the house plots, but need the authorisation in order to be able to apply for basic amenities for their colony.

The areas surrounding Rajasthani colony, however, are authorised colonies and are relatively better off. Many Punjabis live nearby, but they have little interaction with them. At most, several women from Rajasthani colony do domestic work in the nearby Punjabi houses. Similarly, they have little contact with government and police officials. Otherwise, interaction with civil society organisations is confined to Labour Education and Development Society (LEDS), which recently started working in the colony. LEDS has been working since 2000 for the implementation of the *Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996*. The main focus of LEDS work in the colony is to raise awareness about their entitlements under the Delhi Building and Other

Construction Workers Welfare Board. This includes helping adults engaged in construction work to register with the Board and school-going children to access scholarships.

As far as the migrant construction workers in temporary CW camp are concerned, the impermanency of their lives sets them apart. They alternate between spending roughly two to six months working in Delhi and then returning to their villages in Tikamgarh and Gwalior districts of Madhya Pradesh and Jhansi district of Uttar Pradesh – i.e. the Bundelkhand region of India, one of the most under-developed areas in India – to do farming. Most have been forced to migrate to Delhi due to one or both of the following major reasons: continual drought in their home regions in Madhya Pradesh, affecting agricultural work; and falling into debt. While in drought prone regions in Madhya Pradesh the MGNREGA work guarantee scheme operates, an Ahirvar mason-cum-supervisor, Rajiv, mentioned that in his village the OBC village panchayat president provides MGNREGA work only to his close relatives. Moreover, even if they (scheduled castes) get work under the scheme, only one adult member in a household is paid Rs 122 per day, which is not enough to run a family. Hence, this situation forces them to leave their villages in search of better paid work in the cities. Many came for the first time to Delhi around eight years ago. They were brought to the city by the contractors hailing from their respective states and have lived in temporary camps and worked in different parts of the city. While the majority bring their children with them to the city, some leave their children behind in the villages with relatives. The latter children, then, have an opportunity to continue their education uninterrupted.

Given their temporary status in the city and lifestyle, unsurprisingly these families are completely isolated in the city. They do not know or interact with any nearby communities or government officials, except for the contractors and the Delhi PWD officials on work matters. Nor have civil society organisations entered the camp and undertaken any interventions with the workers and children. Out-of-school boys admitted that they feel uncomfortable to talk to people from other communities in Delhi since they are outsiders. In saying so, they reveal how they view Delhi solely as a workplace and themselves as not residents who are entitled to certain services such as education. This includes demanding basic amenities from the PWD Department for whom they work. Moreover, even among these construction workers, caste/tribe divisions limit their interactions. Each community lives in a separate section of the small camp and they do not visit each other's areas. The other communities, moreover, tend to look down on the Adivasis.

Living Standards

The living standards in both areas are poor, though the families staying in Rajasthani colony have greater access to facilities due to their central city location and permanent residence status. Nonetheless, a major consequence of being an unauthorised colony is that basic civic amenities are not provided to the Rajasthani colony residents. The road through the colony

is not well maintained and so during the rainy season, there is a lot of water logging. Overflowing sewage due to poorly maintained gutters is an additional problem. All have electricity connections, though electricity cuts are fairly common. Drinking water, however, is a major problem. The municipal corporation water is very hard water that should be used only for washing purposes, and even this sometimes does not come regularly. However, drinking water tankers come to the area irregularly, sometimes only once a week. Families therefore alternatively rely on the corporation water or, if they have enough money, pay for water filters/purifiers for their homes. Otherwise, there are bore water connections for bathing purposes.

Toilet facilities are the other major problem. Very few families have toilets within their houses, and even then those with toilets within the home are not always using them due to issues like toilets being located near to the kitchens or water problems. Most people, therefore, rely on the pay-and-use common toilet facility in their street. They spend on average around Rs 500 per month per household for use of this toilet facility. At the same time, recently the water motor has not been functioning in the common toilet, and the toilets are old and so now rundown or broken and are without mugs. The manager of the public toilets, however, is allegedly least bothered to keep the toilets in functioning order and people in the colony have no other option.

Being centrally located in terms of a market area like Patel Nagar, hospitals, private doctors, ration shop, police station, banks and post offices are all located within 1 km of the colony. Only some complained that the government hospital nearby only dispenses medicine to those known to the hospital staff, and so they are forced to buy their medicine outside. Otherwise, there is a playground for children nearby, though it does not have any play equipment for children. Around 200 families in the colony are eligible to receive BPL cards, though to date only around 150 have received their cards. One service that mothers especially appreciated was the anganwadi located in their colony, which is reported to be running well with regular services for the children. There are currently around 15 children aged below 6 years attending the anganwadi from this colony.

By far the worse off are the migrant construction workers living in the temporary CW camp. They stay in makeshift, low ceilinged tents that are covered by plastic sheets. The tents, however, are more for storing their belongings, while families sleep out in the open on the footpath trying to ignore the flies and mosquitos. The work contractors do not provide any of the families with mosquito nets. Sleeping outside, however, means constant feelings of insecurity, especially for women and children. Out-of-school girls shared that several times men from outside have come and made them feel very insecure by simply standing and watching them. Except for the 24-hour water tap connection taken from the PWD office, there are no other basic facilities like electricity, toilets, drainage, garbage disposal and

bathing facilities in the camp. Instead, they go to the toilet in some empty lands nearby. Men take baths in the open while women cordon off small spaces with their saris and bathe. Candles are used for emergencies at night, but otherwise people sit outside at night near the street lights. Without electricity the nights are very difficult; on the other hand, as Rajiv, a mason-cum-supervisor, noted, *“If the contractors do not provide electricity to us, then they have to pay fewer bills and more money goes into their pockets.”*

Regarding other facilities, the police station and banks are located within 1 km distance from their temporary camp, whereas there is no anganwadi for young children, nor any playground. If anyone becomes sick, they visit the nearby private doctor around 0.5 km away and pay for their medical treatment rather than travelling 2 km to the nearest government hospital. Despite the fact that all hold BPL cards in their respective villages, they cannot use these cards in Delhi to obtain rations. Interestingly, though, none of the mothers interviewed talked about the need for changes to their living standards in Delhi, while only some children mentioned their desire to live in a clear or more secure place. This again implies that non-permanent residence did not engender in people a sense of entitlement to decent living conditions while working under a government department.

Work and Economic Status

Scheduled castes and scheduled tribes are represented in high numbers in construction work, especially in lower level wage labour jobs. Not surprisingly, therefore, scheduled castes in both areas and, in the temporary CW camp scheduled tribes, were the main communities undertaking this work. The nature of their work and working conditions, however, are very different across the two areas.

Once the stone supply ended, many Rajasthani migrants living in Rajasthani colony shifted to different forms of contract construction work like repairing buildings, plumbing work, masonry, mixing cement for buildings, or loading construction materials onto trucks. Many men today, however, engage in higher end construction work, namely white washing or painting buildings. This is seen as a more lucrative form of work as they earn a minimum of Rs 300 per day, or around Rs 10,000 per month. They work for contractors or individuals, and are picked up from the main road for painting or sometimes house repair works. Others have moved out of construction work to instead work in small factories or shops in the area. Meanwhile, some women continue to do construction labour called *beldari*; i.e. they help men in construction work by mixing sand and cement, and carrying bricks for constructions. For this, they receive about half of what men who whitewash receive as wages; i.e. around Rs 100 to 150 per day. Some women also collect stones from houses and building sites in the area, break the stones into powder on the roadside near their homes, and then sell this on to building contractors to earn around Rs 200 to 300 per day.

The ability of many Rajasthani colony construction workers to move out of back-breaking construction labour into more remunerative forms of construction work is significant and had depended on a number of factors. A Raigar community leader mentioned that around 20 men in the colony, including him, got a chance through a company to do construction work in Iran in the 1980s. There, they were able to earn a lot more money and, therefore, on returning to India he started his own work of making television parts from his home. Even today, around 10 men are living outside the country doing construction work and are able to send back money to their families. Otherwise, being centrally located in a market area and with a number of small factories nearby, and with greater access to education over the years, the next generation of adults has slowly moved out of construction work into other forms of employment. Around 20 people today are self-employed, operating small factories from their homes, while around 10% have lower level government jobs. The majority of young adults, especially men, work in small factories making, assembling or packing torches, air conditioners, electronic items, etc., or as attendants in small shops. The main issue with regard to factory work, however, is the long hours. Around 80 out-of-school boys work from 9.00 am to 9.30 pm to earn approximately Rs 3000 to 4000 per month. Women mostly do work like packing spices and food products in factories. Other women have moved into domestic work for the neighbouring colonies, while some whose husbands earn a decent income are housewives. In contrast, out-of-school girls are mostly engaged in house work or else in home-based piece-rate work like sticking *bindis* on cards, decorating ornaments, etc. At most they earn around Rs 2000 to 2500 per month from this work.

Despite the wide range of works being undertaken, many families also have loans outstanding, especially for marriages and medical treatments. Scheduled castes either borrow without interest from each other within the colony or from others on interest.

By comparison, the work status of the migrant construction workers living in the temporary CW camp is much more fixed, with little occupational mobility. While at home they may be engaged in the agricultural sector, in Delhi they are under the PWD Department maintaining the city roads and footpaths. Both women and men perform this work and receive equal wages. They directly fall under the supervision of four contractors who live in Delhi, but who originally migrated to the city as construction workers themselves. There are two categories of workers in the camp: one category works for around half a month and receives Rs 200 per day as wages; the second category works at night for the entire month and is paid only Rs 150 per day. Depending on the availability of work under their contractor, they will work for anywhere between two and ten months per year in Delhi. They enjoy no work entitlements outside of their daily wage. Their working day starts at around 8.00 am when they are collected in the PWD vehicles and taken by the contractors to different areas to work, and ends only by around 5.30 - 6.00 pm. Only Rajiv, as a mason-cum-supervisor, received Rs 300 per day as wages. At the most, the only occupational mobility among

migrant construction workers is in terms of progression from construction worker to mason or to contractor. Many boys in particular saw this as a career path to follow. As far as children are concerned, three girls and six boys aged 14 to 18 years are currently working alongside their parents doing PWD road works. Boys receive the same wages as adults, while the maximum that girls doing the first category of work receive is Rs 180 per day. Moreover, gender norms dictating lesser economic freedom for females are subtly reinforced by the contractors, who pay boys directly but give the wages girls earn directly to their parents. The other children look after their younger siblings and do all household works, including cooking the meals (mostly girls) while their parents work, or play around the temporary camp all day supervised only by the older non-working children.

Their earnings are then plied back into living back in their villages as well as repaying debts. The work contractors actually hold onto most of their wages and give them instead an allowance of Rs 500 per person every eight days. This leaves little or no money or time for any form of relaxation while in the city. Money spent by men and some boys to purchase alcohol was the only exception, but women said that the men did not disturb them when drunk. Then at the end of their time in Delhi, they receive their balance wages as a lump sum. Many said that despite their harsh lifestyle in Delhi, at least they receive regular wages and are able to earn more. All the families have taken out loans with 3% interest (in Madhya Pradesh) ranging between Rs 10,000 to 50,000 from dominant caste informal moneylenders in their villages. The loans were mostly for the marriages of their daughters, medical treatment or construction of their houses. The workers reported that roughly 10% of them are able to repay last year's loans and the rest struggle to do so; if they do not repay the loans, the moneylenders will seize ownership of their lands in their villages.

Importantly, almost all of the construction workers interviewed did not know about the *Buildings and Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996*. This Act applies to all establishments that employ 10 or more workers in building or other construction works; i.e. in construction, alteration, repairs, maintenance or demotion of buildings, roads, etc. The Act should have particular relevance to migrant construction workers working under contractors for the Public Works Department, Government of Delhi. However, in reality, migrant workers are not being characterised as construction workers. None of the entitlements under this Act were known or applied to these workers.

Furthermore, most workers did not know about the Delhi Building and Other Construction Workers Welfare Board, which was constituted to provide welfare measures like financial assistance, pensions, housing loans, marriage assistance, education support, medical and maternity benefits to registered construction workers between the ages of 18 to 60 years who worked not less than 90 days per year in construction work. Those who did know about

the Act and the Board did so solely due to the efforts of LEDS. However, of those who have applied for the welfare cards, the Board staff have created so many complications and delays to process their applications, including asking for bribes, that after visiting the office several times several workers have stopped the process.

Education Status

Among adults aged above 35 years in Rajasthani colony, the average literacy levels are very low: women are mostly illiterate or at the most have studied up to 5th class, while men are more likely to have studied a little but again, not many beyond 5th class. A positive indication is that all children in Rajasthani colony are, or have spent some time, in schools. For the current generation, dropouts in primary school are rare. Most boys study up to at least 8th class, though less complete 10th class and even less their entire schooling. The average schooling for girls is 8th class, by contrast. For both boys and girls, though, there are still a sizeable number of children who are not completing middle schooling. Less than 10%, then, are completing their graduation.

The education levels among adults in the temporary CW camp are in fact higher than those in Rajasthani colony. On average, adult men have been educated up to 8th class and women up to 6th class. This contradicts the common perception of villagers having lesser access to education. The highest education level among men is 10th class, and for women it is 8th class. However, migration has meant that education completion levels among the current generation of children are much lower. Only three boys and four girls have studied up to 8th class before dropping out of school, while the majority of boys and girls have had to drop out of middle school or after completing primary schooling due to migration to the city. This implies that, in contrast to the general trend of rising education levels among younger generations, temporary migration is having the opposite effect. Given the increasing percentage of the Indian population migrating to urban areas in search of work, this has serious implications for children realising their right to education.

7.2 Children's Enjoyment of the Right to Education

7.2.1 Position of Children from the Context of their Families, Communities and Area

The ways in which the context of the construction worker families in the two areas affects their children's access, retention and completion of elementary education are very different. At the centre is the nature of migrant versus settled status in the city, and the particular vulnerabilities each status brings for the children of construction workers.

For the children of migrant construction workers, their lives are characterised by being uprooted periodically from their villages and shifted to Delhi out of *economic necessity*. As previously mentioned, an important trigger of migration in search of work is the severe

drought in states like Madhya Pradesh. **Drought often leads to a cycle of indebtedness** to sustain the family, and periodic migration becomes the only viable solution.

Sangita, an out-of-school girl, mentioned that it was her father's illness and the money they borrowed for his treatment that forced them to migrate to Delhi to work once he was better.

Neelam, another out-of-school girl, said that she had to work here in Delhi, as someone had encroached on their land and so her family had spent so much money on the land case. Her sister Asha put forward her opinion in this regard: "Whoever has money has everything, and whoever doesn't have money, they are nothing."

Anand, another out-of-school boy, said, "We had financial difficulties at home and my parents were getting so angry. So I said to them I would no longer study and would work. This was two years ago (when he was in 6th class). I don't know how it came into my mind to stop my studies. It just came automatically one day. My mother asked me where I was going and I said I was going to school. But when I went to school I did not write the exam and instead returned home. I then came here for work, as I have to work... I will keep on coming to Delhi for work, since there is no work in our village with the continuing drought. I am ready to do any work, except sewage work, as that is undignified work."

One major cost of migration for these children is the loss of access to education. Most of the children in the temporary CW camp were withdrawn or dropped out of primary or middle schools in their villages. Once in Delhi, their parents made no effort to get them admitted into schools due to their poor socio-economic situation. Mothers also admitted that they had not even thought about trying to enrol their children in Delhi schools due to their non-permanent status in the city, though some mentioned pushing their children while back in their villages to get educated. Moreover, girls especially are required to help with household works and looking after younger siblings while their parents work. Other children aged 14 years and above are needed to help earn money for their families. As Sushma, an out-of-school girl (dropout from 8th class) said, *"If I go to school, who will take care of my younger brother? My mother cannot stop working to look after the baby as both my parents need to earn money to run our family."* Similarly, Asha's father stated, *"If Asha goes to school here (in Delhi), then who will cook for our family?... [Moreover], if girls get too educated, they won't feel to do domestic work and it will be too difficult to marry them off because of the lack of educated men in our community."* This burden of work on children means that many do not consider that they have any other option but to help their families in these ways. Migration for construction work, moreover, becomes inter-generational, as young children who come to Delhi and start working often then remain in this work.

One report notes that the drought situation across the state of Madhya Pradesh for the past two decades has led to an alarming rise in the rate of migration and a vicious cycle of loans and

debt. Tikamgarh is one district that has been particularly affected by drought, and one study in 2008 noted that one of the worst affected communities was the scheduled caste Ahirvar community. In the absence of proper implementation of schemes and relief measures by the government, the situation is likely to worsen over time. Whereas elsewhere mainly men might migrate, in drought-prone regions both men and women are migrating to cities like Delhi to engage in specially construction work in order to sustain their families. Cities, however, bring other vulnerabilities: for women especially a concern is their security, while for children it is also their inability to continue their education in the government schools in their villages.¹

Economic necessity aside, most children also indicated their **disinterest in education**, prompting or facilitating their dropout from the rural schools and the absence of any efforts to pursue access to schools in Delhi. Many boys and girls mentioned that they did not enjoy their studies in the village government primary and middle schools because of the poor teaching there. They were referring to poor teaching methods like children merely copying notes from the blackboard into their notebooks, as well as the liberal use of corporal punishment. The average number of children in rural village classrooms was also too high, at around 60 to 70 children, making teaching difficult. Mothers, therefore, felt that government education in the cities was preferable to that in the villages, as the quality would be better. Discrimination was also an issue for Adivasi students: Sangita mentioned that Adivasi girls were being beaten in her village school more than other children. Krishna likewise mentioned that he dropped out of school after his name was cut from the school register for fighting with two boys who were continually teasing an Adivasi girl from his community. Another factor was the constant tensions in their family life due to severe poverty, which hindered children from fully concentrating on their studies.

For girls, then, the **distance of secondary schools from their villages** – usually around 3 km or more distance away – prompted their parents to keep them at home after completing their elementary education in the neighbourhood schools. Girls also faced the prospect of **early child marriages** when they were 14 or 15 years old, which ensured that they would not complete their school education beyond 8th class, if that. By contrast, boys tend to get married between 16 and 20 years in their communities, and some even earlier in the villages. All these constraints and pressures ensured that there was little push to re-enter education through Delhi schools.

At the same time, it should also be noted as far as those migrating from drought-prone regions are concerned, **no measures are in place to ensure that children in the sending villages or regions** are not uprooted due to drought-induced migration. This includes measures such as residential schools in which children can be placed to continue their

¹ Rajpur, Sumika, 'Drought in MP forces villagers to migrate', *Merinews*, 26-05-2008, available at: www.merineews.com/shareArticle.do?detail=Print&articleID=134672.

schooling uninterrupted, or information for parents on how to enrol their children in Delhi schools. Otherwise, except for those with extended families who can financially support children to remain in the villages, parents have no other option but to bring their children along to the city. In this regard, some mothers had a suggestion to make: *“We will stay here for some time and then move onto another place, so schooling is a problem for our children. If we can get a pass (i.e. an ID card for all migrant workers) that helps our children to join any school at any time, then we will be able to send them to school.”*

Akila, an Adivasi woman educated up to 5th class and having one son and two daughters, living in the temporary CW camp, spoke on the importance of education:

“Education is everything. But our children do not study more. We tell them to study and try to teach them, but they say they don’t want to study. What will we do then? They should study at least until 4th class. Nothing big will be achieved by that, but at least they will be able to speak well. We get many benefits from education, like being able to open our own shop and get a good job. No one in our family should be illiterate.” Her son was studying in 6th class when the work contractor brought the family to Delhi, and so he dropped out of school.

In Rajasthani colony, while many children, more so boys than girls, are completing their elementary education, very few complete their school education up to 12th class. Despite the new work opportunities in the area into which many of their parents have shifted, a few factors at the family and community levels present obstacles for these children in pursuing their school education. One factor cannot be separated from the poor quality education in government schools that these children attend, in that many children require private tuition classes to be able to survive academically once they pass beyond 8th class and promotion to higher classes becomes exam-determined. For those **parents who cannot afford private tuition classes**, and themselves are **illiterate or at most primary school educated**, they are unable to provide the necessary academic support to their children. At most, some mothers expressed their constant words of encouragement to their children to study well. Moreover, **family economic constraints** can extend to the inability of parents to financially cover all the open and hidden costs of education, especially in secondary school. This is coupled with a **prioritisation of economic security** and, therefore, working over completing school education, as well as the pulls of a consumerist urban society.

There was also **less emphasis placed on education by especially fathers**. As men work long hours and spend comparatively less time with their children, they often don’t have time to monitor their children’s studies and push their children to continue studying. Mothers in the colony then reported that they often have less sway over the education trajectories of their children, especially boys, despite knowing the importance of education for their children’s futures.

Two major factors relate to the area in which they live. One is the number of work opportunities that do not require any specific level of education at the entry point. As work is relatively easy to find in the area, many teenage boys from the colony become **influenced by the chance to earn money** in lieu of their studies. In part, this may be partly due by the consumerist nature of urban society and the greater mix of people from all socio-economic classes who live together. Children of construction workers see other children with different lifestyles and possessions and wish to have the same. They also see older boys in the colony working and earning, and are influenced by them as well. Many parents, moreover, have little say over what their sons do, including dropping out of school. The prioritisation of economic security and low education awareness among some parents also results in less push by many parents for their children to complete their school education.

By comparison, as far as the daughters of construction workers are concerned, a major factor behind their dropping out from education is the insecurity parents feel for them walking to and from school, as well as within the school grounds. This fear has two aspects: one is the **eve teasing** that teenage girls endure from boys and men both in travelling to school and within the school (see next section); second is the **fear that their daughters will enter into love affairs with boys** they meet outside the colony and, therefore, cause problems for their future marriages. Consequently, girls are still having **early child marriages** at the ages of 16 to 18 years. Moreover, parents prefer to keep their daughters home by the age of 15 years for their security. *Priya's mother, for example, was determined that she should stop schooling around that age as the senior secondary school was a co-ed school at the time.* The effects of girls dropping out for the above reasons, moreover, have a knock-on effect. Once they see their friends dropping out, other girls in the colony feel less inclined to continue their schooling 'alone'. *Seventeen-year-old Binni explained that she watched her sister drop out of school to get married and then a year later her friend, which led her to decide to drop out from 9th class that year as she did not want to go alone.*

Otherwise, the other factor mothers mentioned as affecting their children's attendance in schools was the problem of access to drinking water in Rajasthani colony. When the drinking water tanker comes once a week, parents and often **children will be called upon to queue to fill up pots with water**. This often results in children skipping school for that day. Another factor linked to the colony and home environment was the **noisy streets and crowded houses** in which they lived.

Out-of-school boys also mentioned that sometimes they went to Rajasthan in the summer holidays to visit their relatives and then **their names were cut from the school register when they returned late**. *Sanjay, for example, dropped out from 9th class because he was away in Rajasthan for two months due to his grandparent dying. On his return in August, he*

was informed by his teacher that his name had been cut from the school register. He didn't think he could do anything about this and quickly lost interest in education.

A final aspect was raised by boys attending the government senior secondary school. When they fail to complete their homework or other studies, or fear punishment from the teachers, or are simply bored with their classes, many **boys bunk school** by jumping over the school walls. Without strict security arrangements to stop this happening, many boys from the colony fail to regularly attend school, especially in the afternoons after lunch. Mothers mentioned that they have complained to the teachers about this, but found that the teachers are not so bothered about the boys bunking school. Teachers take no efforts to inquire as to the whereabouts of missing students after the lunch break.

Community leadership initiatives on education are missing in both the temporary CW camp and Rajasthani colony. In part, this may be because in both areas there is not really a community leader or representative as such, given the occupation-based identity of the people. Moreover, in the case of Rajasthani colony, the more pressing concern of the residents is the authorisation of their colony. Hence, community representative Udit Singh said that this is the only collective issue for which they have held colony meetings. In the case of the temporary CW camp, the focus of people like Rajiv, the key informant on life in the temporary camp, is on the work for their short period in Delhi, not on wider issues such as children's education. There are no community meetings in both areas.

Moreover, **knowledge of the RtE Act**, even its very existence, is almost non-existent among parents in the temporary CW camp. Only one mother, Sunita, had heard about the RtE Act from the headmaster of her child's school in Madhya Pradesh.

7.2.2 Position of Children from the Context of Schools

As the focus of this research is on the context of urban schools, much of what follows in this section applies only to children from Rajasthani colony who are enrolled in Delhi schools. All the children of migrant construction workers aged 6 to 14 years are out of school.

Only three aspects are relevant as far as the children of migrant construction workers in the temporary CW camp are concerned. One aspect is the **availability of schools** within the neighbourhood. These children live surrounded by 11 schools within 1.5 km of their temporary camp, including four private schools and one central government school, which cover all levels of school education. However, despite this availability of schools, their poor socio-economic conditions effectively render these schools *inaccessible* to them. The second aspect is that despite the number of local schools, none have attempted to undertake a **social mapping of the neighbourhood to identify those children out of school**, which would include this temporary CW camp. In failing to do so, the schools fail to implement a core

requirement under the RtE Act, from which special measures could follow like mobile schools or residential training centres to bring these children into Delhi schools. The third aspect is that ***none of the relevant schemes under the Delhi Labour Welfare Board exist in the area*** that could facilitate these children's access to schooling. These schemes include mobile crèches at construction sites or urban slums to cater to children up to 3 years old; early childcare education centres for children aged 3 to 6 years; mobile schools to cover children aged 6 to 11 years for primary schooling at construction sites and urban slums; vocational training centres for workers and their family members, including out-of-school youth; general awareness programmes about education availability.

The remaining school aspects below apply to the Rajasthani colony children. The ***availability of schools*** within the neighbourhood of this colony is not an issue. There is a MCD primary school within 0.5 km of the colony, and two government senior secondary schools (Classes 6 to 12) for boys and girls separately within 1 km. There are also 11 private schools in the area.

However, both mothers and school-going children pointed to problems in the ***availability of adequate school infrastructure and personnel***, including decent drinking water and toilet facilities. Children take drinking water from their homes to the school as there is no water purifier in the government senior secondary schools and children complain that the water tastes salty and the water tank is not cleaned regularly. Even the teachers bring their own water to the school. Similarly, the toilets in these separate schools for boys and girls are very dirty as they are not cleaned enough – only once a day – given the large student population. Moreover, sometimes there is no water in the toilets, which leads to unhygienic conditions. Some girl students, therefore, choose not to use the school toilets. Otherwise, mothers mentioned that these schools did not have computer classes, even for those students studying in higher classes. This was felt to be something lacking in the school, given the wide use of computers outside. In terms of the ***student-teacher ratio***, children attending the government senior secondary schools mentioned that the average class size is 60 to 75 students, far above the norms under the RtE Act.

Physical access to schools, despite their location within the stipulated distance as per the RtE Rules, is problematic, especially for girls. Mothers mentioned their worry for their children due to traffic congestion making it dangerous for children walking to school. They also mentioned eve teasing of their daughters along the way as another large obstacle to free access to the schools. Many mothers accompany their children to and from the schools as a result. If girls are enrolled in schools further away, however, then transport becomes a problem. *For example, Seema's family shifted to Rajasthani colony, but she was still enrolled in a school in Anand Parbat. Eventually, however, her brother put pressure on her to stop her schooling in 8th class as it was difficult for her family to take her to and from school every day*

when all were working. They were not willing to let her take public transport due to eve teasing en route or by the school gates. However, not only outside the school, but also inside the school eve teasing is a problem. The reason is that the boys' and girls' senior secondary schools are situated right next to each other, and so boys jump over the wall and enter into the girls' school to tease and make fun of the girls. Some mothers from Rajasthani colony have complained to the teachers about this and even suggested that a police van should be kept outside the school to give proper security to girl students. The teachers, however, express their helplessness to stop this phenomenon especially outside the school. They say that the police cannot do anything since so many children walk along the road by the school each day.

More positively, though, the girls' school has taken proactive steps to fill any holes in the boundary wall between the schools, and to operate different lunch times for the boys and girls, as well as different break times, to try to stop this harassment occurring. The management of the girls' school has also complained about this harassment to the boys' school management, after receiving complaints from the girl students. At the same time, mothers assessed that the school regulations in the boys' school are not adequately strict. They especially mentioned that the school guard in the boys' school is not stopping boy students from climbing over the school boundary walls.

Again on a positive note, most children from Rajasthani colony face no problems to get enrolled in the schools in their neighbourhood. The only **admission problems** occur where children try to get transfers into the schools without school transfer certificates. *For example, Shalini, the oldest girl in her family, dropped out from 5th class when her mother gave birth to a son and needed some help around the home. Two years later, she wanted to return to school. However, by then it was difficult to get a transfer certificate from the primary school she had attended, and so she remained at home. Now she is 17 years old and her parents are arranging her marriage.*

Economic access to education is also facilitated for the majority scheduled caste children in the colony by the possession of caste certificates. Hence, most children receive scheduled caste scholarships in the schools, though there are some children who do not receive this entitlement. More recently, LEADS organisation staff have been encouraging parents to apply for scholarships as children of construction workers. So far only a few children have succeeded in getting this scholarship. Sometimes, however, the scholarship money is not distributed on time. Sometimes it comes three or four months into the academic year due to late disbursement to the schools, which means that students in the meantime have to purchase the necessary notebooks, etc. that they require for their classes. The uniform and stationary subsidies and free textbooks, and other entitlements like geometry sets for

students, arrive usually by July to August, i.e. towards the start of the academic year. Girls in middle school level classes also reported receiving a packet of sanitary napkins each month.

Another aspect of economic access to education is the **provision of free midday meals** in classes 1 to 8 in all government schools. However, school-going girls and boys complained that they have found dead insects, worms and stones in the midday meals. *For example, according to Suman, studying in 8th class, once the midday meal had been obviously prepared the previous day and was spoilt by the time it reached the school. The Principal then bought bananas for the girls to eat instead for lunch.* School-going girls pointed out that their teachers taste-check their midday meals before they are served. Sometimes, though, they feel they do not receive enough food: for classes 6 to 8 only around 12 containers of food are brought for the total of around 200 students. Hence, at least half the children in the colony prefer to bring their lunch from home instead.

Priyanka, a 12-year-old scheduled caste girl from Rajasthani colony, shared about her life as an 8th class student in the girls' senior secondary school. She enjoys studying and playing with her friends from different communities in the school. She also takes private tuition classes every day after school. According to her, she would not be able to cope with her school studies without the tuition classes, as many of her teachers do not teach regularly. She thinks that education in the villages is much better, because there at least you don't hear of the students having to take private tuition classes. Her teachers also do not give any opportunity for her to participate in any extra-curricular activities like sports or cultural activities. Mostly it is the class monitor and other students who are close to the teachers who get such opportunities. As regards punishments, children get punished if they are late to school, or don't complete their homework, or are unable to reply to the teachers' questions. According to her, being made to pick up rubbish in the school grounds is the worst punishment.

After school, she also helps out at home by sweeping the house, cleaning the kitchen pots and utensils, and preparing evening tea. She also studies in the evening while sitting on her bed. Sometimes, she feels she is disrupted too much in her studies when her mother asks her to do some work in between or her brothers turn on the television in the room. Also outside their house the narrow street is so noisy. Still she manages, and also checks her younger brothers' homework. Her mother is educated up to 6th class and motivates her a lot for her studies. Her father, though, works long hours and often does not come home till late. Still, while he cannot monitor her studies, he always asks if she attended school that day.

When she was asked what she wanted to change about her school, she mentioned she would like to have teachers who teach regularly and teach well, without scolding the students so often. She would also like to change the class monitor who, according to her, punishes the other students too often. She also would like the eve teasing by boy students to stop, and to have a quiet space in her home and neighbourhood in which to study.

In terms of the **acceptability of education**, specifically **quality education** that ensures the basic learning needs of children are met, huge gaps remain in the government schools that these children attend. Both school-going and out-of-school boys complained about the irregularity of teaching in the primary and senior secondary schools. At least three to four times per week some teachers arrive late to classes or only teach for 10 minutes. Even if some teachers attend classes, moreover, they mostly teach by having the students copy notes from the blackboard. There are no group activities in the classes. Mothers confirmed that this was the general pattern of teaching that their children reported to them, and supplemented that many teachers also did not bother to check the children's notebooks. The interest of teachers to teach, moreover, seemed to be less in the afternoons, when teachers would not check attendance by the students and would spend much of the time out of class chatting with other teachers. The boys complained that this amounted to not teaching them anything. Hence, when they were given a lot of homework in the middle school level, they found this very hard to complete.

Moreover, school-going boys and girls expressed that they also felt afraid to ask questions of the teachers in case they got beaten or scolded. *Arti said that once she was punished by her Sanskrit and Science teacher just for asking what chapter of the textbook she should read. All the girls are afraid of this teacher as she is short-tempered and has been known to slap girls when they asked questions in class.* Girls thus preferred to stay silent in class. As a result of the above teacher behaviour, some boys shared that the entire time they were in school they were thinking about when the school was going to be over. Once the teacher was absent, then the boys would just play and fight with each other in the classes.

At the same time, as previously mentioned, a number of boys admitted to bunking school in the afternoons due to the poor teaching coupled with teachers sometimes taking sudden tests. While the school management knows that the boys are regularly bunking school, due to the large number of students this is difficult to control. When the school guards are rigorous in their duty the bunking goes down, but soon afterwards it resumes.

Eventually, therefore, boys dropped out of school – both from primary and middle school education – due to a lack of interest in continuing education or **poor learning outcomes**, the latter seen in the number of dropouts due to failing exams in the higher classes. School-going boys mentioned that they never get first position in their classes; this position is filled by students from the financially better off area where many teachers also reside. Out-of-school girls were more likely to drop out from school due to the poor teaching leading to poor learning outcomes. For example, those girls who did not get private tuition classes often had problems reading and writing Hindi up to 4th class. *Suman, studying in 8th class, mentioned that their previous English teacher did not teach them the language at all, resulting in only one girl in her class being actually able to read English after several years of*

studies. Many girls dropped out when they were forced to sit supplementary exams in the higher classes, as they also felt they were not smart enough to cope with their studies by then or failed these exams.

Geeta, an 18-year-old girl, dropped out of the government senior secondary school in 9th class after she failed to sit a supplementary exam for one subject. She failed to sit the exam as at the time she had injured her writing hand and could not write. However, afterwards she did not attend to write the exam again. In part it was due to low self-esteem and the feeling that she was not intelligent enough to study. However, at the same time she mentioned the poor teaching in the school. Sometimes her teachers would not turn up to the classes on time or simply taught by reading out loud from the text books. Children who were weak in studies were not given any additional support by the teachers. Her family was too poor to pay for private tuition classes for her. The school even sent a letter to her to request her to re-enrol in the school, but she refused to return and the school did not follow this up with any visit. Her mother tried very hard to persuade her to go back to school as well, but was not able to convince her.

This occurred two years ago. Now Geeta says that she regrets dropping out, as she feels she will not be able to make a better future for her family after marriage and guide her own children in their education. LEADS organisation staff have recently given her some information about open schooling and Geeta is very interested. She realises that the atmosphere to learn through education in a school class is very different from open schooling, but feels this is her only option to continue her studies. She doesn't want to go back to school as she would feel too shy to study in a class with students who were younger than her. What she does want is moral and financial support from her family to be able to do open schooling supplemented by private tuition classes, and has already broached the topic with her family.

The absence of quality teaching cannot be separated from the growth of **private tuition** centres in the city. In effect, a subtle form of privatisation of education is occurring. Children who experience poor quality teaching in government schools are being forced to supplement their studies through private tuition to make it through their education. This tuition is starting for many children from Rajasthani colony from primary school itself, when parents notice that their children cannot read and write despite attending school. Mothers also reported that teachers themselves are suggesting to them to send their children for private tuition classes whenever the mothers complain to them that their children are not learning well. Hence, families in the colony spend between Rs 200 to 600 per month per child on private tuition. Some parents estimated that around 80% of children in their colony attended private tuition classes. Teachers are not able to or do not assess the learning levels of each child and thereby devise special classes for weaker students. Mothers only mentioned that two years ago there was a Hindi teacher who took extra classes for those students who were weak in this subject. Whether this is due to disregard for children's right

to education or due to pressures on teachers to manage large classes or multiple academic and non-academic tasks in the school needs to be probed further at the school level.

Out-of-school boys from Rajasthani colony also did not like the punishments given by teachers for the smallest infractions. This implies that the whole area of instilling discipline in boys who might otherwise not receive such discipline at home is a key area to understand and develop methods for. Some teachers also resorted to **corporal punishment** whenever children made noise in class or made mistakes. *One mother, Selvi reported an incident where a teacher slapped her daughter only because her daughter asked the teacher to help her understand a lesson. When the teacher refused to do so, her daughter had replied that if the teacher would not help her, at least she would ask her private tuition teacher. Selvi complained about this incident to the Principal.*

As far as **parents' participation in the school** was concerned, mothers in Rajasthani colony mentioned their only contact with the schools was whenever their signatures were required for their children to get their scholarships, and whenever parent-teacher association meetings were called. Attendance at PTA meetings, however, did not mean active participation in the meetings. Some mothers felt these meetings were a waste of time, especially when they had to take time off from work to attend. Their comments on the PTA meetings suggested that they do not feel a sense of ownership of the school as a whole. Instead, whenever their children faced any problems in the schools, the mothers dealt with this by meeting the school Principal directly. On the other side, those mothers who also directly confronted teachers about their children not learning well in the school were often told that it was their responsibility to make their child learn in the home. In other words, some teachers also shrugged off their responsibility to ensure that children learnt the subjects well. As one mother, Lakshmi put it, *"We are not having so much education. But if we were capable of teaching our children at home, then where is the need to send them to school?"* At the same time, some mothers noted the subtle gender and class discrimination against them by the teachers. As they are less educated, they felt that teachers treated them as if they are not smart and even sometimes would not offer them a seat. However, when their husbands went to the school to interact with the teachers over any issue, the teachers behaved better with them.

Finally, the **strategies that schools employ to bring out of school children in the neighbourhood back into education** are non-existent as far as children from both Rajasthani colony and the temporary CW camp are concerned. There has been no neighbourhood mapping to identify out of school children in either area. There are no special classes to encourage children to re-enter education, not have the schools taken any special efforts to prevent girls from Rajasthani colony from dropping out to get married. *Sanjay, the out-of-school boy mentioned in section 7.2.1, alone mentioned that when he returned back to Delhi*

late after the summer holidays, he found that his school had sent him a letter encouraging him to re-join the school. After he tried to re-enrol and was told that his name was cut from the school register, however, the school management did nothing to follow up his case and bring him back into schooling. More disturbing is that despite the right to education being a fundamental right, the officers in the Public Works Department do not think it is their role to inform the migrant construction workers about their children's right to education, nor to facilitate the children's entry into schools in Delhi. Not only does this demonstrate a lack of commitment to children's right to education under the RtE Act by a government agency, it evidences the clear lack of convergence across the different Delhi departments when it comes to such a fundamental right and public service such as education.

7.2.3 Position of Children as regards Education, RtE Equity and Inclusion norms

Why get an education? According to out-of-school girls and boys from Rajasthani colony and the temporary CW camp, education is very important in life. Education makes one more intelligent and more successful in work. Educated people speak differently and travel freely. No one can cheat or fool an educated person, and they can read and write documents related to their work. Educated people have bigger businesses and bigger stores to earn more money. *If they were educated, according to Krishna, an out-of-school boy from the temporary CW camp, they would not be doing this construction work and would have more time to rest at home.* Educated people can also guide their children well. Girls from Rajasthani colony in particular mentioned that if they got married and were not so well educated, then their husbands and in-laws would feel ashamed to introduce them to others. They also saw education as giving them more confidence to move around in public spaces.

Most out-of-school children from the colony were interested to re-enter education. At the same time, once settled into remunerative jobs (boys) or knowing they would soon be married (girls), making the transition back into education seemed unthinkable for them. None of them, however, had access to information regarding options like open schooling. For the children of temporary migrant workers, the ability to aspire for re-entry into education was much less. Only a few children felt that re-enrolling in schools would be a positive development in their lives. Their lower self-esteem and lack of confidence, however, was evident as all expressed their fear of the teachers in Delhi schools and how they would fit in. Significantly, Asha, Kishore and Adarsh from the temporary CW camp all expressed their willingness to return to school on hearing about the RtE Act and the entitlements it grants to children. In other words, the Act supported their ability to aspire to return to school after dropping out, by showing them a real possibility that governments and schools could act to support their access to education.

Eighteen-year-old Adarsh, a scheduled tribe boy who dropped out of his village school in 9th class despite all the entreaties of his mother to remain in school, roamed around for a while

with his friends before he soon got bored. Now he is part of the next generation of young migrant construction workers in Delhi. However, he said, “*If someone had told me that there was an Act (i.e. RtE Act) with which I could go back to school after dropping out, maybe I would now be back in school.*”

Thirteen-year-old Asha, who dropped out from 3rd class, was excited on hearing about the RtE Act. Before this, she had felt that she was not part of Delhi and so had no right to seek education in the city. But on hearing about the Act and the ways in which children of migrant workers were to be supported to continue their schooling, she persistently asked for support to re-enrol in school. She also hoped that by seeing her go back to school, other girls in the camp might revive their interest in studies. Her only anxieties were that she did not understand what they spoke in Delhi schools (referring to English medium schools), and how to manage school in Delhi when she would be returning to her village periodically for Diwali and other occasions.

Importantly, children from Rajasthani colony ***enjoyed friendships with children from different caste and religious communities.*** The only distinction was that girls and boys have friendships with children of their own gender only. Children, therefore, seemed to be more integrated into their surrounding urban communities and to be able to intermingle at least in the schools, and some also visited each other’s houses. At the same time, out-of-school boys mentioned their dislike for the constant fights and abusive language used between boys in their schools. This can also be contrasted with the children from the temporary CW camp who, as previously mentioned, were completely isolated socially in Delhi and had little chance to intermingle with children from other communities who attended local schools.

Linked to the previous point, the majority of scheduled caste children from Rajasthani colony reported ***not facing discrimination on the basis of caste*** in the schools they attended. Several factors may explain this trend. As Rajasthani colony today is a mixed caste colony in a central city area, children were known by the area they came from and less from their caste. It also helped, perhaps, that the area was named after the state that the majority came from, and not their caste group. Contrast this with Raigarhpura, an area in Delhi named after the majority scheduled caste Raigars. Instead, children and their mothers spoke more about ***community and class distinctions and exclusions experienced in the schools:*** teachers tended to favour children from their own residential area and community, or richer children, seen from these other children enjoying greater participation both inside (as monitors) and outside the classrooms (in extra-curricular activities, for girls). School-going boys reported that while a few of them from Rajasthani colony have been chosen as class monitors, mostly it is only boys from Baljeet Nagar, where most of the teachers reside, who become the monitors. These monitors are then given a lot of freedom to enforce discipline in the classes and even make other students study when the teacher is elsewhere doing other work.

Finally, girls in the Rajasthani colony noted how they were *not given opportunities to participate in extra-curricular activities* such as sports or cultural activities in the government senior secondary school that they attend. While a sports period was part of the class schedule, in terms of competitions or representing the school outside, no girls from the colony had received such opportunities. Mothers from the colony assessed the situation as only children from other communities and richer families being given chances by the school teachers. School-going boys, by contrast, seemed to have greater opportunities to participate in extra-curricular activities such as drum beating, dancing, etc. in their school.

Given the myriad of obstacles to construction worker children accessing education, children highlighted a few major changes that they want. The main change that school-going boys want in the schools is for all teachers to teach them seriously and in an interesting way, without always punishing them. They gave several examples of such teachers in their schools, who answered their questions and spent extra time to help them to learn, but said that overall the teaching standards needed to improve. School-going girls in particular expressed that they would like to change their (Rajasthani) colony so that it would be a quiet place in which they could study, and to have a quiet space in their homes with a table and chair at which to study. As far as migrant construction worker children are concerned, the most pressing change needed for them was to their economic circumstances, which would stop migration.

7.3 Conclusion

One point emerging clearly from this chapter is the need to consider drought more seriously through the framework of natural disasters, with its negative knock-on implications for children's education. The conditions of migrant construction worker children are so serious, with zero enrolment in education in Delhi and little feeling of entitlement to education wherever they migrate to for work, that long-term strategies like residential schools in their home states have to receive much more attention than is currently the case. The contrast between their lives and those of children of construction workers settled in the city was stark. At the same time, children in the Rajasthani colony raise a number of new challenges linked to the economic compulsions to work, eve teasing of girls as they walk to schools, the delayed disbursement of entitlements like scholarships, the poor quality of government school teaching leading children to lose interest in education or fail exams and thereafter drop out of schools. At the same time, what is striking is the lack of information construction worker families have about the Act and the Welfare Board set up to ensure their welfare. Equally striking is the blatant non-applicability of this law and welfare provisions to migrant construction workers, even those who work for a government agency like the Public Works Department. What these findings suggest is that local authorities and schools must start to develop two-pronged strategies in the case of construction workers, to deal with those settled into the city separately from those migrant workers who have very different vulnerabilities and experiences of access to education.

Chapter 8

Right to Education for Children of Sewage Workers

"I currently study in 9th class in the local government girls' senior secondary school. I like going to school because I learn different things and I have many friends... When I don't understand things in class, I get help from my (private) tutor... Most of our teachers are also good and help us to learn. What I don't like is the toilets, which are always dirty. Sometimes we also don't get water in the school, and in summers there are electricity cuts and the fans also are not working... At home, too, it is difficult to study as in one room cooking will be going on and in the other room the TV will be on."

Pushpa, school-going girl, Varun Niketan colony

"I am studying in 8th class at the government senior secondary school nearby. I go to school at 12.00 pm and study until 6.30 pm. Then I go to tuition classes at 7.00 pm nearby my home. I get tuition for all subjects. I come home by around 8.30 or 9.00 pm... The teaching in my school is alright, but sometimes the teachers do not come to class. Also sometimes if I don't wear my uniform or don't do my homework, my teachers beat me... What I don't like is that the other community children in my school abuse me by calling my caste name (Jatav) and beat me. My friends are only from my caste... I also don't like to eat the midday meals because they are dirty; once we got a lizard in the food."

Sanjeev, school-going boy, F-Block, Sultanpuri

8.1 The Context of the Children

Pushpa and Sanjeev are set apart by the fact that they are the children of permanent sewage workers and contract sewage workers respectively. There are currently over 10,000 persons employed as sewage workers across Delhi by the Delhi Jal Board, New Delhi Municipal Corporation, Cantonment Board, Delhi State Industrial and Infrastructure Development Corporation Ltd and a few private companies. An undetermined number also work as private sewage workers in individual households, with the most precarious working conditions and pay. The Delhi Jal Board,¹ the government agency responsible for water supply and sewage disposal across the large part of the city falling under the control of the Municipal Corporation of Delhi (MCD), currently employs over 5000 sewage workers. Approximately two-thirds of these workers are permanent employees and the remainder are contract workers. The vast majority of sewage workers belong to the Valmiki caste, which is the second largest scheduled caste population (500,221 as per the 2001 Census) living in Delhi NCT. Among the scheduled castes, Valmikis have the lowest literacy rates: in 2001, the literacy rate was 68.5% for Valmikis, sinking to only 56.8% for Valmiki women, much below the state averages. Previously sewage work was also done by scheduled caste

¹ The study focuses on Delhi Jal Board employees as they are the largest group of sewage workers. Moreover, sewage workers in NDMC receive better wages of around Rs 36,000 per month and all workplace safety measures as well. Their children also enjoy higher education levels among the children of sewage workers.

Jatavs, but gradually many from this community have moved out of this work, viewed as one of the lowest labour occupations.

Pushpa lives in Varun Niketan near Haiderpur in North-West Delhi district. This is a colony established by the Delhi Jal Board with housing facilities provided to around 392 permanent employees and their families, 70% of whom are Valmikis. There are 45 families of sewage workers living in the housing colony, most of whom are Valmikis. The remaining families in the colony are a mixture of scheduled caste Jatavs and so-called 'upper' caste Bhumihars, Jats, Gujjars, Rajputs and Brahmins. Apart from the sewage workers, others in the colony are employed as supervisors, beldars, messengers, water suppliers, water metre inspectors, water pump operators, engineers, survey officers, zonal revenue officers, etc. Among the 45 families of sewage workers, there are around 20 children below the age of 5 years, 40 children aged 6 to 14 years, and 25 children aged 15 to 18 years.

By contrast, Sanjeev lives in Sultanpuri, North West Delhi district in a rented house. His family is one of the few families in this area, like the few families interviewed in Karol Bagh, West Delhi district, who have fathers employed as contract sewage workers by Delhi Jal Board. While Karol Bagh has a large Valmiki community engaged in various other occupations, Sultanpuri is a much more mixed caste population engaged in different works. Most of the families of contract sewage workers in these two areas are Valmikis, though there are also some scheduled caste Jatavs and Mallahs. The families of these contract sewage workers are mostly young, with many children aged below 6 years and only a few children aged 6 to 14 years.

History, Living Standards and Social Relations

According to Kuldeep, Valmiki community leader from Varun Niketan, Valmikis who were engaged in cleaning work, manual scavenging and agricultural labour in the villages on the outskirts of Delhi gradually came to the city in search of work years ago. Many found it easy back then to get appointments in the government agency that became Delhi Jal Board in 1998, as sewage and allied cleaning works were their traditional caste occupations. Many became permanent government employees back then. Since 1999, however, there has been a freeze on new appointments. This has led to the rising number of contract workers. Even among the sons of permanent employees who have taken over the work from their fathers, many are not granted permanent status and instead are employed as daily wage labourers.

Varun Niketan colony was established by Delhi Jal Board in 1987 for its permanent employees. Before that, these workers lived scattered across the city without decent housing, moving from place to place depending on the work. Four categories of housing exist in the colony, depending on the work status of the employee. Sewage workers, as fourth class government employees, mainly inhabit the smallest Type 1 apartments, with

one small bedroom, hall, kitchen and bathroom. Only five families with sewage workers live in the larger Type 2 housing and only one family in the even larger Type 3 housing. The Delhi Jal Board cuts 30% of their basic salaries for housing rent. These houses are provided with water, electricity, toilets, sewage connections and regular rubbish collection. The area also has a primary healthcare centre, park, temple and ATM machine. What they lack is an anganwadi or crèche in the area. A liquor shop is located very close to the colony. As community leader Kuldeep noted, the government deliberately established the liquor shop there because officials know that many Dalit men, especially those engaged in sewage work, drink. According to him, 98% of the male residents in the colony from all castes drink in the evenings. Accompanying the drinking is frequent incidents of domestic violence.

Relations between the Valmikis in Varun Niketan and government officials are generally fine. However, their relations with other caste communities, especially 'upper' castes, are limited due to continuing caste discrimination against the Valmikis. Tensions most recently flared when the dominant castes objected to the Valmikis placing a statue in the colony's temple. The Valmikis thereafter decided to build their own temple and a few families even converted to Buddhism and Christianity. Otherwise, the Valmikis endure continual discrimination. Suman, a Valmiki mother, stated, *"[The 'upper' caste people] say that before the Valmikis came here the area was very good, but after we have come it has become dirty."* Another woman mentioned how they cannot enter into the houses of the 'upper' caste residents, while another cited an example of how the temple priest refused to perform the marriage rituals for a Valmiki girl. One Brahmin resident working as a Water Inspector, himself drunk at the time, evidenced the prejudicial attitudes towards the Valmiki sewage workers: *"The majority of sewage workers are drunkards and we are scared of them. These permanent workers don't work in the sewer manholes, only the less-paid contract workers do. These permanent workers exploit the contract workers by making them do their work. But still they get reservations in schools, while we don't get and have to instead pay huge fees to send our children to school."*

As far as contract sewage workers are concerned, they live scattered across the city mostly in rental accommodation in slums. Their living conditions, accordingly, are very low. Those interviewed in both Karol Bagh and Sultanpuri areas live mostly in small one-room houses with minimum facilities and use common toilets. Some do not know about anganwadis and ration shops located nearby their houses. In part, this is because they do not have ration cards or BPL cards. Many are illiterate and, therefore, have little knowledge of how to apply for the ration cards or fill in the application form. Living scattered across the city, moreover, increases their social isolation and access to information networks to learn about government schemes and facilities available in the city. At the same time, because they are scattered among other caste communities and known only as Delhi Jal Board workers, this appears to lessen overt caste discrimination against them. Only one contract sewage

worker, Amit, mentioned how the precious elected representative for their area was a dominant caste man who neglected the scheduled caste areas. What are present in their areas are alcohol shops and, like permanent sewage workers, many male contract sewage workers also regularly consume alcohol.

What both permanent and contract sewage workers share in common is their connection to Labour Education and Development Society (LEDS), a non-government organisation that has been working among sewage workers across Delhi since 2007. LEDS is part of the National Campaign for Dignity and Rights of Sewage and Allied Workers (see box item below), which campaigns for better working conditions and rights for sewage workers. Part of this work is through supporting sewage workers to unionise and strengthen their ability to bargain for adequate entitlements as government employees. A complementary thrust of LEDS' work is to encourage these families to educate their children so that the next generation can shift into alternative work.

Work and Economic Status

Only around 55% of Delhi NCT's population is covered by sewerage facilities at present. Delhi Jal Board provides sewerage facilities in areas under the control of the Municipal Corporation of Delhi, as well as trunk sewers and sewerage treatment plants for all of Delhi. Its services are provided through 97 sewer stores, which collect information on sewage problems and distribute work among the workers, and by over 5000 employees.² There is a hierarchy of work involved in the cleaning and maintenance of sewers, which is linked to the enduring hierarchical caste system. At the bottom are the (mostly Valmiki or Jatav) sewage gang (SG) beldars, who descend as far down as 50 ft into the manholes to manually clear blockages in the sewers 3 to 12 times per month. Currently, many contract workers are being employed for this purpose. They work in a team of two to three persons with beldars, who are mostly permanent sewage workers who stand outside the manholes and support the sewer cleaning process. According to the sewage worker union leaders from Varun Niketan colony, only Valmikis do the actual sewage work as SG beldars. Above those directly involved in cleaning and maintaining the sewers are the masons, matts/mates (supervisors), assistant sanitary inspectors, sanitary inspectors, junior engineers and zonal engineers, most of whom are 'upper' castes.

For many years, the working conditions of sewage workers have been very poor. They have no protective gear and equipment against chemicals and gases emitting from the sewers (until recently), and often dive into raw sewerage through narrow manholes to manually clear the sewers. The result is increased mortality and morbidity. There are also numerous physical hazards involved in the work, including: physical injuries; improper ventilation and visibility;

² Hazards Centre, *Safe Worker? Or Safer Workplace? A Study on Occupational Health and Safety Status of Sewerage Workers in Delhi*, Hazards Centre, Delhi, 2010.

*drowning; extreme temperatures in the sewers; fire and explosions; electric shocks when workers strike underground electrical cables; chemical and biological hazards; mechanical hazards from machines used to clear sewers like high water pressure hoses.*³

In 2009, LEADS organisation, on behalf of the National Campaign for Dignity and Rights of Sewage and Allied Workers, filed a special leave petition (SLP Civil No. 12345 of 2009) before the Delhi High Court against the Delhi Jal Board and other government agencies employing sewage workers. The PIL petition was in response to the death of a sewage worker who entered into one of the city sewers. The Campaign questioned the role of these agencies in the employment of scavengers to manually clean the manholes without ensuring adequate safety and financial security to them. In 2008, the High Court ordered these civic agencies to provide free medical facilities to all sewage workers, payment of compensation to those suffering from occupational diseases or who had died on the job, protective equipment, etc. Delhi Jal Board appealed against this decision to the Supreme Court (Civil Appeal No. 5322 of 2011). The Supreme Court, in July 2011, passed a judgement criticising the government bodies for their insensitivity to the safety and well-being of sewage workers. Civic authorities were ordered to enforce the Delhi High Court order and to ensure the safety and security to sewage workers.

While both permanent and contract workers enter into the sewer manholes, a major difference lies in their pay and working conditions. While the Jal Board now supplies its permanent workers with masks, oxygen cylinders, gloves, helmets, torches, safety belts, buckets, ladders and soap, contract workers receive only helmets, safety belts and buckets and borrow other equipment from the permanent workers. The contract workers also do not receive any of the allowances, like medical assistance, provident fund, prolonged illness assistance and workers' compensation, which are given to permanent workers. Consequently, many sewage workers suffer from skin and eye diseases. At most, they receive periodic medical check-ups arranged by the Jal Board. *Rajesh, a contract worker, mentioned that he has lost his eyesight due to the chemicals and gases in the sewers, but has little option but to continue to eke out a livelihood in the sewers. Another contract worker, Sanjay, told of how his children tell him not to do this work. They worry about the occupational hazards of his work and question who will take care of them if anything were to happen to him. They also question why he works in dangerous conditions for less salary.*

The salary differences, moreover, are large. While experienced permanent sewage workers receive between Rs 25,000 to 28,000 per month, contract workers are at the mercy of the contractors. They are paid as little as Rs 4500 or 6000 per month for the same work as permanent workers and struggle to make ends meet. Even this monthly salary is often not paid in full, as the contractors cut their wages for Sundays and if they take any days off, while they do not receive any extra wages for overtime work or work done on holidays. This

³ Hazards Centre, *Safe Worker? Or Safer Workplace? A Study on Occupational Health and Safety Status of Sewerage Workers in Delhi*, Hazards Centre, Delhi, 2010.

implies work exploitation by the government agency, especially given the fact that there are inadequate sewage workers for the city and the Jal Board still has a freeze on new recruitments. Moreover, whenever they approach the contractors for better wages, they are told to wait until the next tender, which often the same contractor does not call. As a result of these low wages paid to contract workers, many also do other works to survive in the city. Some work as private sewage workers, being called whenever sewage disposal systems in houses get clogged up. For this they can earn up to Rs 400 per day. Others are waste collectors from private houses, earning around Rs 1000 per month. Some are able to thus make up their monthly income to around Rs 10,000 at most, which is still inadequate for a family's upkeep in the city.

Contract workers, moreover, enjoy no job security. Whereas previously they were registered on a Delhi Jal Board muster roll and continually called for work, now they are being employed on a tender basis for a period of up to 89 days (where 90 days continuous work entitles one to permanent status). They now rely on the permanent sewage workers to tell them whenever the contractors invite tenders for sewage work. Many have been working like this for the past decade or more, always hoping that one day they will be appointed as permanent workers. Permanent appointments, however, have been known to be made when 'upper' castes give bribes to have their names replace those of contract workers. At the same time, their impermanent status ensures that contract workers live with constant fear of losing their jobs and are therefore less likely to complain about their working conditions. Rajesh, a contract worker summed up, *"We do the dirtiest work and get the lowest wages. We don't have any job security and there is no dignity for us in this work."*

The differences in salaries also seem to impact on whether women in the family work. In Varun Niketan colony, only around 5% of women whose husbands are sewage workers also engage in work outside the home. Those that do so are domestic workers or work as sweepers or peons for Delhi Jal Board or the MCD. Women who wanted to work face opposition from their husbands, who prefer them to stay at home in line with their 'higher' social status. By contrast, many wives of contract workers work as sweepers or cleaners for the MCD or in schools or factories. Those who sweep in private houses earn around Rs 1500 to 2000 per month. Only those who are young mothers stay at home to take care of their infants. As Amit, a contract sewage worker put it, *"those women who have studied are housewives, while those who are uneducated do cleaning work for a living."*

In terms of loans, however, both permanent and contract sewage workers appear to take regular loans for expenses like their children's marriages and medical treatment. Around 90% of permanent sewage workers reportedly have taken loans from other sewage workers or from 'upper' caste employees of Delhi Jal Board. Many contract workers, likewise, mentioned that they are in debt to permanent sewage workers or local moneylenders,

paying as much as 10% interest per month, and have no savings. Some even take debts to ensure that their children are able to study in private schools, where they feel children receive better quality education. As one supervisor at Karol Bagh sewage store pointed out, many contract workers need financial assistance to educate their children.

Education Status

Looking at the education status of adults, in Varun Niketan colony male sewage workers had an average education level of 7th to 10th class, while the majority of women are illiterate. The highest educational attainment of these men is 10th class, while it is 8th class for women. By contrast, male contract sewage workers had slightly lower education levels, with several being illiterate while many were educated up to middle school and only a few up to 10th class. Likewise, wives of older men tended to be illiterate. However, wives who were in their 20s are at least 6th or 7th class educated, indicating the slow progress towards greater education among Valmiki women.

Given the lack of respect and dignity given to their work, despite providing a vital service to the city's residents, all sewage workers interviewed were adamant that their children should complete their school education. As a result, in Varun Niketan there are now no children of sewage workers who drop out before completing 10th class. All children aged 6 to 14 years are in school and almost all children complete 12th class. Moreover, boys who have finished schooling or left after 10th class are not following their fathers into sewage work, but instead doing other works like sweeping in private offices or working in shops.

As far as the children of contract sewage workers are concerned, most of their children aged 6 to 14 years also are in school. While there are currently no children of older ages to gauge their ability to complete school education, an indication can be seen from several of the youth aged 18 to 19 years. They have tended to drop out of school by the age of 15 years from 8th to 10th class. The boys now work for a living mostly in shops, factories or sweeping in private offices and earn around Rs 4000 to 5000 per month.

8.2 Children's Enjoyment of the Right to Education

8.2.1 Position of Children from the Context of their Families and Communities

As the previous section suggests, relative economic security distinguishes the children of permanent sewage workers from those of contract sewage workers. In addition to their father's higher salaries, the children of permanent sewage workers are eligible to several ***education-related entitlements from the Delhi Jal Board***. One is that the Jal Board will pay half of the tuition fees for two children of each worker who study in private schools. Another is that children from Class 6 upward are eligible for scholarships if their fathers have completed three years of regular service and they score at least 40% marks in exams.

However, none of the children interviewed had received these scholarships. This means that none of the children studying in government schools receive any support from the Jal Board.

“The education policy of the government is to keep the poor always poor. None of our children get admission in private schools under the 25% reserved quota as per the RtE Act. Our children are eligible for scholarships from the Delhi Jal Board, but they don’t get them... The government thinks that Dalit children should remain as Dalits... If they are educated, who will be the labourers for the government? Who will make the buildings, roads and all?”

Ramesh, Delhi sewage workers union activist, Varun Niketan colony

In addition, for those families who had only shifted to the colony a few years ago, **continual shifting from place to place** in Delhi has had a detrimental effect on their children’s education. A few children had dropped out four or five years ago due to the government schools near Varun Niketan refusing to admit the children and the parents being unwilling to send their children to schools located outside the neighbourhood. *Priya, for example, had failed 8th class and later in 2008 shifted to Varun Niketan colony. When her parents tried to re-enrol her in 8th class in local government schools, however, three schools denied her admission. The school management said that they could give her admission into 9th class in the next academic year, but not halfway through 8th class. Similarly, Roshan was forced to drop out of school after his family shifted several times, the last time because they sold the family home due to his father’s drinking problem. His parents then tried to enrol him in a private school after seeing the poor quality teaching in government schools, but the private school refused to admit him since he had been primarily educated in government schools. He also did not want to re-enrol in a new school as he had liked his previous school and worried about his ability to cope educationally in a private school.* Such migration, however, was not common among the other permanent sewage worker families these days. Permanent residential status, therefore, went a long way to ensuring that children had the stable atmosphere to complete their school education.

The children of contract workers, in comparison, appeared to have less interest to study in schools than those of permanent workers. In part this could be because most children of contract workers attend government schools where the quality of education is relatively poor (see next section). Another aspect is the **economic compulsions** that have led children to drop out of schooling before or just after completing elementary education. Contract sewage workers estimated that around 40% of their children will drop out before completing their education. This is especially so for boys, who tend to drop out to earn money and support their families. *Nineteen-year-old Manoj, for example, dropped out of 9th class when he was 13 years old. His mother had died when he was 10 years old and his father was struggling with his earnings of Rs 5000 per month as a contract sewage worker to feed Manoj and his two older brothers. The dire economic circumstances of the family,*

coupled with the death of his mother, caused a lot of stress and, therefore, Manoj could not concentrate on his studies. Despite his father and brothers urging him to continue his studies, he dropped out to help his father with household works. Then, when he was 16 years old, he started working in a factory. He gradually drifted into his current work as an office boy, earning Rs 5000 per month, of which Rs 2000 he gives to his father. According to him, "I wanted to study but our helpless situation made me drop out of school." In the case of Sunita and Rahul, they stay with their grandparents and attend school there due to the family's poverty, with their father engaged in contract sewage work. Their mother commented, "We need education assistance from the government for our children. I want my children to be able to live with us and attend school here."

"We are not able to fulfil our children's needs. So we have to send them to government schools. If we get good jobs then we can also provide facilities to our children like other children enjoy."

Raju, contract sewage worker, Karol Bagh

Moreover, even despite children attending school, the limited help their parents with their low education levels could provide was evident among especially those contract sewage workers who could not afford to send their children to private tuition classes.

Another factor that impacts on children education is their home life. Mothers from Varun Niketan colony referred to the ***daily drinking of most of their men and the fights that ensued*** at home as one reason behind children having dropped out of education previously. In the words of school-going girl Chandra, when drunken men fight with their families outside the house, *"they disturb not only the studies of their children, but ours as well."* Drinking, moreover, eats away at the pool of money available for children's education, given the pressure on women in that colony not to engage in remunerative work.

At the same time, as previously mentioned, all parents interviewed emphasised the ***need for their children to receive an education***. The primary reason was that if their children became educated, they could 'get rid of this sewage work and lead a better life'. As Ashim, a contract worker in his 50s stated, *"Illiteracy is the main reason that made us come into this (sewage) work."* It followed that education would help their children escape this work into a more dignified occupation. Kareena, a mother married to a contract worker, stated, *"Education is very important, as life will be easy if we are educated. We can stand on our own feet. We feel helpless now because we are not educated. I tell my children, therefore, to study and go ahead and get a good job."* Several families of contract workers actually cut down on their living expenses in order to provide good education for their children either in private schools or through private tuition classes. Similarly, Sangita, a mother from Varun Niketan, wants her children to have a good job. Importantly, even if he son is appointed as a permanent sewage worker, she does not want him to continue this work and instead only

settle for a job like clerical work in the government sector. Mothers in the colony further pointed out that it was easy for them to see the worth of education because they see daily Jal Board officials living in the colony but with better facilities and dignity.

“Education will help our children to get good salaries, good jobs and the whole community will change. Then our children will not be sewage workers any more. We can change our next generation by giving them education.”

Kuldeep, Valmiki community leader, Varun Niketan

Importantly, this ***need for their children to be educated extends equally to girls*** as well as boys. In fact, mothers from Varun Niketan mentioned that more girls than boys are in school now, and they are performing better than boys educationally. Whereas boys are more easily lured by the promise of earning money soon, girls are seen to be more interested in completing their school education. Mothers therefore continually motivate their children to regularly attend school and to study hard for a better future. *Alisha, a mother from Varun Niketan who is illiterate, mentioned she even checks her children’s notebooks to see from the teacher’s ticks whether they have done their homework or not.* There seemed to be less pressure on girls to drop out of school and look after the household and younger siblings, perhaps because of the large number of women who are not working. At the same time, school-going girls indicated that they did household works on top of their studies. Moreover, LEDS staff mentioned that they had yet to see girls from Varun Niketan who completed their schooling go on to work. In other words, the link between education and work was not clear-cut. In the case of contract sewage workers, this was also complicated by the lack of financial resources. One worker, Anmol explained, *“My wife has passed 12th class and she wants to continue her studies and become a teacher. But we don’t have the money, so what to do? She asks me what is the use of her education and I feel helpless.”*

When asked whether ***community leaders discussed or acted on education issues***, only those sewage worker union leaders who are de facto Valmiki community leaders in Varun Niketan were in a position to reply.⁴ They mentioned that they occasionally discuss with various community members about the need for children to receive an education. Ramesh, a sewage workers’ union leader, also noted, *“We have also taken up the issue of only two children per family receiving tuition fee money from the Jal Board. For this, we did a dharna to extend this educational assistance to all children (who study in government schools) too, but so far no action has been taken by the Jal Board.”* At the same time, they have never discussed in any meetings problems in the schools that Valmiki children attend.

⁴ There are no community leaders as such among contract sewage workers, given their scattered habitations across the city.

Awareness of the RtE Act, however, is minimal. Sewage workers and mothers from all three areas do not know of the Act's existence, though mothers from Varun Niketan expressed their opinion that their children have a *right* to be educated in schools.

8.2.2 Position of Children from the Context of Schools

The **availability of schools** in the neighbourhood does not appear to be a problem. The nearest MCD primary school lies 1 km away from Varun Niketan colony. At the same distance are also two government senior secondary schools, one being a co-ed school and one a double-shift school for boys and girls separately. There are also two aided private schools (LKG to high school) located 1 km away from the colony. A few children of sewage workers from the colony even study now in a school offering central board education. Children of contract sewage workers in Sultanpuri likewise mentioned that they attend the government senior secondary school located within 1 km of their homes. Children of contract sewage workers in Karol Bagh also mentioned the location of primary, middle and senior secondary schools within 1 km of their areas.

The availability of schools, however, does not seem to be matched by the **availability of adequate school infrastructure and personnel**. The government senior secondary school some Sultanpuri children attend sometimes has dirty drinking water, while the toilets are filthy because the two cleaners in the school do not clean them regularly nor properly. Similarly, children in Varun Niketan mentioned the toilets in the government senior secondary schools that they attend are always filthy. The main reason is both the lack of adequate number of toilets for the student strength, and also inadequate cleaning of the toilets. Boys mentioned that the cleaners clean their classrooms daily, but the toilets are cleaned only two or three times a week. Girls also talked about their school drinking water supply sometimes stopping, or else being too hot to drink in the summers. They also raised the issue of inadequate teachers for the number of students in the classes: the student: teacher ratio averages around 60 to 70 children per teacher, while one girl mentioned 86 students in her class. This also has implications in terms of the adequacy of classroom space and furniture like desks for the students.

Even where schools are available, at least five years ago getting **admission into schools** was sometimes difficult for Valmiki children. *Amit, a permanent sewage worker, mentioned how five years ago, he tried to get his child enrolled in an aided private school. The principal, however, knew he was a sewage worker and therefore refused, saying that they did not give admission to Valmiki children. According to him, they give admission to other scheduled caste children, but not Valmiki children. He eventually got his child admitted into another private school.* Amit and Anmol, another permanent sewage worker in Karol Bagh, further stated that admissions were still difficult for their children in private schools despite the

25% reservation quota. In their opinions, other castes, including other scheduled castes, were able to get admissions under this free-ship quota, but not Valmiki children.

Parents and children in Varun Niketan also mentioned several problems related to the **physical accessibility** of schools, despite all schools being located within the accepted distance norms as per the RtE Rules. One issue is that some children have to cross a main road to reach their school, raising concerns for their safety given the number of road accidents as well as kidnappings in the city. A second issue is the harassment and eve teasing that especially teenage girls face from boys while walking to and from the schools. This extends into the schools. Akshaya, a school-going girl in the colony, stated, *“Our school is a girls’ school, but the boys’ school is next door. So the boys often stand near our windows and do bad things like break the window panes, and the teacher does nothing about this.”* Girls are also frightened as they witness boys fighting on the way to school. A third issue is that the mothers of those children attending co-ed schools worry that their children will fall into relationships easily and spoil their lives. A related issue concerns the children’s **physical security in schools**. School-going girls in the colony shared the problems they face in co-ed schools, where boys sit next to them and sometimes misbehave with them. While one teacher has told the girls to let her know when the boys harass them and then issues warnings to the boys, other girls said that their teachers fail to take action against the boys.

Given the key financial issues raised by both permanent and contract sewage workers, linked to the quality of education they wanted for their children, **financial accessibility** to education was a recurrent point in many discussions. Many families of permanent sewage workers in Varun Niketan would like to send their children to **private schools**. Only around 20% of families actually do so at least until 5th class, after which they cannot afford the tuition fees. (The fees are around Rs 25,000, plus additional costs of around Rs 3000 to 6000 per month depending on the class). This is not helped by the Delhi Jal Board only providing half the fees for two children in every family. Moreover, despite the 25% reservation quota in private schools for socially disadvantaged children, none of the children in any of the three areas have been admitted into private schools under this free-ship quota. Kuldeep, a Valmiki community leader, explained that this quota is always being filled by other caste students, leaving their families to fork out huge tuition fees. Other families of sewage workers, especially contract sewage workers, who cannot afford to send their children to private schools, then try to compensate by paying for **private tuition** for their children.

Suraj, a 13-year-old son of a contract sewage worker, currently studies in 8th class in a senior secondary school near Karol Bagh. Both his parents have some school education and he and his two brothers all study in a private school. He said in a worried tone, “My papa spends Rs 3000 per month for our monthly school fees. He spends Rs 2000 per month for groceries and together, this makes our expenses huge... I don’t go for private tuition classes. The teaching in government

schools isn't good, and that's why my father decided to send us to a private school until we complete 8th class. Thereafter the fees will not be affordable for us... I want to become an engineer, but I don't know how I will achieve this dream with the low income of my papa and also without any guidance as to how to become an engineer."

Another aspect of financial accessibility to education is **access to entitlements** such as scholarships, textbooks and midday meals. Textbooks, uniforms and midday meals are the most common entitlements children receive in government and government aided schools. Often, however, there were delays for children to receive these entitlements in all three areas. *Sanjeev, a school-going boy from Sultanpuri, mentioned that often they do not receive the textbooks on time for the start of the academic year. Then they have to borrow the old books from the higher class students or else buy the books.* Midday meals, moreover, were of mixed quality. *Sanjeev, a school-going boy from Sultanpuri, mentioned how they do not receive clean food and so he only occasionally eats the midday meals. He, along with other children, reported finding dead lizards, worms and insects in their midday meals. Mothers from Varun Niketan stated that they do not let their children eat the midday meals. They have already seen two girls fall sick and be admitted into hospital after eating the meals. Hence, they now prepare food for their school-going children.*

Interestingly, here there were two trends as regards applications for scheduled caste scholarships. Among most families of permanent sewage workers as well as among some families of contract sewage workers, there was a clear effort to hide their children's caste identities in the schools by not applying for such scholarships. As Amit, a permanent sewage worker, explained, *"My daughter says she feels ashamed when she is in the SC quota, as then people will come to know that she is a Valmiki... We say we are not Valmikis; I have even changed my surname to Sharma."* This implies that sewage worker families saw the need for their children to completely disengage from their caste and occupational-based identity as a means of ensuring their inclusion in school education. Matters of dignity meant more to these families than any financial hardship caused by the absence of scholarships. The converse trend then applied to those families of contract sewage workers who lacked the financial ability to support their children's education in the absence of scholarships. Several families, however, lacked the requisite caste certificates to be able to obtain the scholarships. *Prasad, a father of two school-going girls, mentioned that his daughters did not have the required caste certificates to obtain scholarships. When he tried to approach the concerned government authorities to obtain the scholarships, however, bribes were asked that he could not afford to give. Hence, his daughters manage without scholarships.*

A core concern raised by many families was the **quality of education** their children receive, which is linked to the **acceptability of education**. The common response of most parents was that private schools offer better quality education than government schools, as the

teachers taught children properly and cared for them more in private schools. Mothers in Varun Niketan also made a connection between private schooling and greater work opportunities for children. The poor quality teaching in government schools was borne out by Ajay and Satyendra, two school-going boys from Sultanpuri. Ajay told, *“The teachers come and go, but they don’t teach properly. Some teachers will be busy with their own works, and some sit outside and talk to their friends; they don’t care about us children... They write on the blackboard and through this only make us understand the lesson. Only recently our Principal made a strict rule in school for the teachers, so the teachers have started teaching properly. Every three days the teachers check our homework now.”* His brother Satyendra added that teachers sometimes teach and sometimes do not even come to the classes. Their mother, Lakshmi, however, stated that because a majority of Valmiki children attend this school, the teachers, who are not Valmikis, do not teach their children properly. Education monitoring was mentioned by Valmiki community leaders in the colony as well. In their opinion, the government must start to monitor government schools better and ensure quality teaching. Otherwise, *“our children study up to 10th class without learning anything... without being able to write a sentence.”*

Similarly, children and mothers from Varun Niketan complained of how teachers in the government schools the children attend come into the classrooms and sit, but do not teach. School-going boys also mentioned that teachers regularly do not come on time to classes. One boy said, *“Our teachers come and write on the blackboard for 20 minutes and then go out of the classroom.”* Another said, *“Our teacher always asks questions to the boys who study well only, which I don’t like.”* Girls also added that some of their teachers are not able to teach well because the boys make so much noise in class and the teachers are not able to control them. The teachers also do not have concern for the students, especially at the elementary school level, as they will just pass them onto the next class whether the children study well or not. Moreover, if children are falling behind in their studies, teachers do not take efforts to correct this. Instead, mothers from the colony are told to give their children private tuition. As a result, around 95% of families send their children for private tuition classes to make up the gap in quality education provisioning.

Sanjeev, a school-going boy from Sultanpuri, however, also mentioned one good teaching practice in his government senior secondary school. His science teacher teaches some classes through group activities. Furthermore, if someone does not understand the lesson, then the teacher divides the students into four groups and the students make the others to understand. The teacher also again will ask questions to the students and if any student still does not understand, the teacher explains once more to them. A few other school-going children produced similar stories of positive teaching practices. They recognised certain teachers who teach them with care, who teach them through games and activities that make learning fun, check their homework regularly, answer their questions and encourage

them to study. A positive note is that many children reported teachers who motivate them to study and make something of their lives. What children were very clear about was who were good teachers and who were not, in terms of the ability of the teachers and care they applied to making their students understand the lessons.

Quality education, moreover, should include additional support to children who are weaker in their studies in keeping with the RtE Act. *Lakshmi, mother from Sultanpuri, however, told of how her two sons study in 7th class in a government school and yet the older son does not know yet how to read and write. He is poor in his studies as he constantly falls sick, but the teachers give him no special attention or support for his education. Because both sons are poor in Hindi, she enrolled them in private tuition classes for some time. But because they cannot afford to pay the tuition fees of Rs 300 per child per month, they had to stop this tuition.* More positively, though, school-going girls from Varun Niketan mentioned that some of their teachers gave extra classes for weaker students in the senior secondary school whenever they found lessons particularly difficult.

The acceptability of education also encompasses the reflection in teaching of the diversity of the Indian population. This, however, is missing in the case of school-going boys from Varun Niketan. They mentioned, *“Our Hindi teacher tells us about the Hindu religion in class and says it is the best religion. She talks only about the Hindu religion and not others.”*

Another aspect of education acceptability is the absence of **corporal punishment**. Like the previous chapters have showed, corporal punishment is also being commonly used in the schools that the children of sewage workers attend. Sanjeev, a school-going boy from Sultanpuri, mentioned being beaten for not wearing his uniform or not doing his homework. Boys more than girls appeared to be subject to corporal punishment, according to mothers from Varun Niketan. School-going boys confirmed that whenever they do anything wrong they are beaten by the teachers with sticks. This implies a lack of understanding of methods to discipline boys, especially in their teenage years. At the same time, school-going girls also mentioned corporal punishment being common in their schools. One girl shared that teachers make the children beat others who make mistakes in the class as a disciplining technique. Others talked of teachers expressing their anger at students through beatings.

Finally, **parents’ participation** in the schools was mixed. Some women married to contract sewage workers went up to the school with regard to signing papers for children’s scholarships. Others approached the schools occasionally to ask about their children’s studies. Asha, a mother from Varun Niketan, shared that she constantly questions the lack of cleanliness in her children’s school, as a result of which she is not liked by some of the teachers. Mothers from the same colony also got called for parent-teacher meetings where they were informed about the status of their children’s attendance and studies. Some

parents, however, felt that discrimination still exists against them. Amit, a permanent sewage worker, stated, *“Teachers behave well until they come to know our caste. Then they start behaving in a different manner. When we go to meet the teachers, they make us wait outside. They give priority to other caste parents and spend less time talking to us.. I have also seen discrimination in parent-teacher meetings. When others like Guptas talk in the meetings, the teachers listen to them. But when Valmikis talk the teachers tell ‘your children are not studying properly; you have to correct them.”*

8.2.3 Position of Children as regards Education, RtE Equity and Inclusion norms

Did the children of sewage workers feel included in their schools and enjoy an education without discrimination? When it came to ***participation in extra-curricular activities***, many children reported active participation in sports, drawing, dancing and other activities. Boys from Varun Niketan attending the government senior secondary school said they sometimes are asked by the teachers to teach the junior students. None, however, are class monitors or assume other ***leadership positions*** in the school. *Pushpa, a school-going girl from the colony, shared how once her teacher told her that she would become a class monitor, but later denied her this position by saying that two other girls were more intelligent than her.* Mothers in the colony were the only people to raise the issue of discrimination happening a few years ago in the schools, when their children would be never pushed forward to participate in extra-curricular activities.

Importantly, almost all the children of sewage workers mentioned that they did *not* face discrimination in the schools they attended from other students or their teachers. At most, discrimination seemed to manifest in terms of the lack of inter-dining during midday meals. Amit, a permanent sewage worker, mentioned that some ‘upper’ caste children did not play with Valmiki children or eat with them in the schools. Otherwise, some school-going girls from Varun Niketan noted how ‘upper’ caste children do not eat midday meals with them, while one girl confirmed that Muslim children say she is a Valmiki and will not sit next to her while having lunch. Otherwise, most children reported experiencing discrimination-free schooling. The ***lack of overt discrimination*** against many Valmiki children can be partly explained by two points: first, children tell that their father are employed by Delhi Jal Board without revealing the exact nature of their father’s work; second, children do not apply for scheduled caste scholarships that would reveal their caste identity. In other words, the children of sewage workers have learnt to hide their identity in order to be able to ensure their inclusion in school life without attracting adverse reactions from teachers and dominant caste students. The alternative for some children of contract sewage workers is to form friendships mainly among children of their own caste. However, many other children of sewage workers, especially permanent workers, reported having mixed friendships in school and sitting beside each other while eating.

Amit, a permanent sewage worker, mentioned that his daughter has learnt never to reveal her caste name even when other students or teachers ask. She has seen other Valmiki friends of hers isolated and ignored by other caste children once they learnt of their (Valmiki) caste identity. Consequently, she has friends of all different castes and visits their homes. His daughter has also told him about the midday meals and how scheduled caste children sit apart from other children, but he tells her to not bother about these things and just concentrate on her studies.

Other explanations are couched in terms of the composition of schools and changes in the outside environment. Another explanation was that some children of contract sewage workers in Sultanpuri attended schools that primarily comprise Valmiki children (although none of their teachers are Valmikis). Adults offered another explanation for the absence of caste discrimination: Surinder, a contract sewage worker, told, *“Caste discrimination still exists, but it is not as severe as earlier. There was caste discrimination four or five years ago, but now they (dominant castes) do not have the guts to say things in front of us, but instead talk behind our backs.”* Additionally, living in mixed habitations in cities helped to hide caste identities that would otherwise be clear if they lived together in an area linked to their caste or occupational identity. A LEDS staff member further stated that nowadays teachers do not want to get into trouble by openly showing caste discrimination, because when this happens NGOs and unions are taking up the issue and even resorting to legal action.

Finally, what do the children of sewage workers want to change in their schools and communities? Asked what he would like to change about his school or his home life, Suraj, a school-going boy and son of a contract sewage worker, replied, *“I want to change the beatings from teachers and the lack of discipline from other students in the school... We also don’t have electricity and water at home and so I want a better atmosphere in which to study.”* School-going girls for Varun Niketan likewise wanted more discipline in their schools so that they had a good atmosphere in which to study. School-going boys from the same colony added to this, *“Teachers should be regular and should teach the whole period and make the children understand the lessons by doing revision and lots of question-and-answer sessions.”* School-going girls were more concerned about the facilities available in their schools: they wanted fans in the classrooms, clean toilets, decent drinking water facilities and adequate desks and classroom space for all students. Furthermore, in their homes they wanted a separate, quiet space in which to study and for fewer disturbances from drunken men at night or their families requiring them to do household work.

8.3 Conclusion

In conclusion, while the permanent as compared to contract sewage workers studied have vastly different financial capabilities to provide for their children’s education, there are a number of points that these two types of workers share in common. One very significant point is that the occupational status of fathers and caste status become pivotal in driving

these communities to ensure their children complete their school education today. Parents and children spoke a lot on the need for dignity and for their children to enjoy a dignified life in future. A linked point is that parents are willing to endure greater financial difficulties to ensure their children's education without discrimination. Hence, except for those contract sewage workers who cannot afford to do so, most families are not applying for scheduled caste scholarships for their children in order to hide their caste identities in schools. Moreover, some families struggle financially to enrol their children in private schools, where they see that the quality of education is much higher even if they can little afford the high tuition fees and other costs. Significantly, none have been given entry into private school through the 25% free-ship quota. For others in government schools, then, parents try to compensate if they can afford to do so by paying for private tuition classes for their school-going children. At the same time, their children continue to struggle with many of the same problems that the children from the other four communities studied endure; i.e. eve teasing, corporal punishment, schools with inadequate facilities and teachers, poor quality teaching, and so on.

Chapter 9

Right to Education for Marginalised Children in Delhi: Overall Findings and Recommendations

Where do marginalised and vulnerable children stand vis-à-vis their right to education in Delhi today? Based on this study of five communities of children in the city – de-notified and nomadic tribal children, Muslim children, children of waste pickers, construction workers and sewage workers – the answers are not too positive. Most of these community members want their children to get an education and have started to see the value of formal education. A number of obstacles, however, exist at the community and school levels, which prevent most of their children from completing their elementary education or school education. At the same time, as Chapter 3 noted, a number of problems in the education system as a whole, have a significant impact on children's education, though children and parents may frame issues in terms of schools and teachers alone due to their direct contact with these actors in the education system. Supply-side constraints are enormous and pose challenges to students as well as teachers and schools. At the same time are the demand-side constraints within communities themselves. The result is that only one sub-community of children, those whose fathers are permanent sewage workers and thus 4th class government employees, claims to be now completing school education. This chapter provides a summary of the common and different factors that influence the enjoyment of the right to education by the five communities of children in the study. These overall findings then suggest a number of general and specific recommendations and strategic interventions that are required to ensure these marginalised children secure their right to education under the RtE Act.

9.1 Overall Findings

9.1.1 Access, Retention and Completion of School Education

The status of children from the five communities in terms of access, retention and completion of school education was as follows:

- 1. DNT-NT children:** While many Gosai and Singhi children are now enrolled and attending schools, most drop out before completing their elementary education. Several children in both communities have also never enrolled in schools. The average dropout age for school-going children is 10 to 14 years, with many Gosai children dropping out in classes 4 to 6, and Singhi children dropping out between classes 2 to 5. Many children from the age of 10 years onwards start working if they are out of school. Moreover, even if enrolled in schools, many of these children often fail to regularly attend schools.
- 2. Muslim children:** Almost all Muslim children in both Goyala Dairy slum and G-Block, Sunder Nagri today are going to school. Only a handful of children aged 6 to 14 years in

both areas are out of school and instead working. However, on average, many Muslim girls still drop out of school between classes 5 to 8, while Muslim boys are dropping out from classes 6 to 10.

- 3. Waste picker children:** Both slums contain waste picker children who have never enrolled in schools. Rangpuri Pahari Extension slum recorded a slightly higher percentage of waste picker children in school than out of school, with around two-third of the children currently in schools. By contrast, just around one-third of children in Ghazipur slum are currently in schools. The majority of children in both slums, however, are engaged in waste picking whether in or out of school. Moreover, children from both slums are dropping out of school between classes 1 to 5, or just after completing their primary schooling.
- 4. Construction worker children:** The largest variation in education levels was between children of settled as compared to migrant construction workers. Most children of construction workers settled in Rajasthani colony are completing their primary education today and many also their middle school education (though a sizeable number do not). Girls, however, mostly stop schooling after class 8, while boys drop out between classes 8 and 10. By contrast, none of the children of migrant construction workers of school-going age are currently in schools. The education levels among these children are also much lower. Only three boys and four girls have studied up to class 8 before dropping out of school, while the majority of children have had to drop out of middle school or after completing their primary schooling due to migration to the city. This implies that, in contrast to the general trend of rising education levels among younger generations, seasonal migration is causing the opposite effect.
- 5. Sewage worker children:** The current generation of children of permanent sewage workers are all going to school and almost all are completing their school education up to class 12. At most, a few children have dropped out after class 10 to work. Likewise, the children of contract sewage workers aged 6 to 14 years are all going to school. While most families interviewed had children less than 14 years of age, young adults shared that they had dropped out of school at the age of around 15 to 16 years. They then started working to help their families on account of the low wages paid to their contract sewage worker fathers.

9.1.2 Barriers and Opportunities for Enjoyment of the Right to Education

The following tables then summarise the key obstacles and facilitating factors that the children and their communities identified as hindering access, retention and completion of school education. These findings are grouped together in terms of the availability, accessibility – including family and community constraints, acceptability and adaptability of education. The key interconnections between different aspects under these different categories are then elaborated, as well as the key findings highlighted under each table.

I. Availability of Schools, School Infrastructure and Personnel

<p>DNT-NT children</p>	<ul style="list-style-type: none"> • Schools imparting primary and middle school education are available within the neighbourhood within the prescribed distances • Absence or inadequate supply of potable drinking water in school • Inadequate number of toilets and inadequate cleaning of toilets • Inadequate desks and poorly functioning fans in school • PTR (pupil: teacher ratio) of between 40 to 90 students per teacher; inadequate teachers and inadequate classroom space for the students
<p>Muslim children</p>	<ul style="list-style-type: none"> • Schools imparting primary and middle school education are available within the neighbourhood within the prescribed distances • Inadequate classrooms and desks for the number of students • Absence of fans in classrooms • Inadequate and unclean drinking water supply in schools • Inadequate cleaning of toilets • PTR of 80 to 85 students per teacher; inadequate number of teachers • No Muslim teachers in schools, even where majority are Muslim students
<p>Waste picker children</p>	<ul style="list-style-type: none"> • Schools imparting primary and middle school education are available within the neighbourhood within the prescribed distances • Lack of clean drinking water in schools • Inadequate number of toilets and inadequate cleaning of toilets • Inadequate desks and fans in classrooms for the students, and leaking roof in classrooms • PTR of between 80 to 100 students per teacher; inadequate number of teachers
<p>Construction worker children</p>	<ul style="list-style-type: none"> • Schools imparting primary and middle school education are available within the neighbourhood within the prescribed distances • None of the relevant schemes under the Delhi Labour Board to facilitate migrant worker children’s education, like mobile schools, are available in the area where the children of migrant construction workers live • No special measures are in place, like resident schools, to ensure that the children of migrant construction workers in sending villages or regions are not uprooted due to drought-induced migration • Lack of clean drinking water in schools • Inadequate cleaning of toilets and occasional lack of water in toilets • PTR of 60 to 75 students per teacher; inadequate number of teachers
<p>Sewage worker children</p>	<ul style="list-style-type: none"> • Schools imparting primary and middle school education are available within the neighbourhood within the prescribed distances • Lack of clean drinking water or intermittent supply of drinking water in schools • Inadequate number of toilets and inadequate cleaning of toilets

	<ul style="list-style-type: none"> • Inadequate classroom space and desks for the number of students • PTR of 60 to 86 students per teacher; inadequate number of teachers and inadequate classroom space for the students
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What the overall findings in Table I indicate is that while schools are available in the neighbourhoods of all five communities of children, the availability of adequate infrastructure and personnel is lagging behind. All five communities of children talked about very high pupil:teacher ratios, far above the norms set under the RtE Act. The implications are inadequate numbers of teachers; teachers who are unable to give adequate attention to each child, especially many of these children who are weaker in their studies as first generation learners; and teachers who struggle to maintain discipline in classes so that children can learn. Other implications are the lack of adequate classroom space and furniture to cater to the large number of children in the schools. Of particular concern are also the poor drinking water and toilet facilities in schools. These findings especially reveal that while the RtE Act talks about separate toilets for boys and girls, it needs to be expanded to include adequate and clean toilets in schools. The negative implications are especially felt by girls, who either do not use toilets in the schools or else regularly do not attend schools while menstruating. Further concerns are the lack of Urdu medium schools even in areas with large Muslim populations like Sunder Nagri, and the absence of special schools to cater to the children of migrant construction workers.

These aspects of the right to education, moreover, can also be viewed from the perspective of equity. This is terms of the ‘unequal treatment of schools’, where government schools, which cater to many of the most marginalised children, are so poorly equipped as to ensure that the children experience education in conditions that do not respect their dignity and well-being.

IIA. Physical, Economic and Information Accessibility

DNT-NT children	<ul style="list-style-type: none"> • Many children are not enrolled in the age-appropriate class in schools, and no special classes are run in schools to help out-of-school children gain admission into age-appropriate classes • Children feel insecure to walk short distance to schools, especially girls, due to reported incidents of kidnappings and gender violence across the city, as well as heavy traffic on roads and eve teasing by boys • Delay in the disbursement of entitlements like textbooks, uniforms and scholarships • Some children lack caste certificates to receive SC scholarships • Parents occasionally are forced by poverty to use scholarship money for their families’ needs • Inadequate quantity and poor quality of midday meals • Almost no mothers or children knew about the RtE Act; at most some
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	<p>mothers and community leaders had heard of the Act from APR partner organisations, but did not recall its provisions</p>
Muslim children	<ul style="list-style-type: none"> • Some children are still being asked for birth certificates to be enrolled in school despite the RtE Act stipulating that no child should be denied admission due to lack of documents proving age • Goyala Dairy Muslim children had been enrolled in non-formal education (NFE) run by a private school, but only later learnt that the school would not issue a transfer certificate until and unless the children completed 10th class in their NFE centre. When children were withdrawn from the NFE centre, however, they had great difficulties to enrol in formal education in local government schools, leading many to drop out of school • Eve teasing of girls along the way to and from school • Children feel insecure to walk the short distance to school due to heavy traffic on roads, reported incidents of kidnappings in the city, as well as other boys harassing them (boys) along the way to school • Teachers are unwilling to tackle eve teasing just outside school gates when the girls' shift ends and boys' shift begins • Only one school has a female counsellor to help girls with problems in school like eve teasing, though parents were unaware of this service • Delay in disbursement of entitlements like textbooks and scholarships • Some children lack caste certificates to receive OBC scholarships • Parents feel discrimination is being practised as other community children receive their scholarships before Muslim children receive theirs • Inadequate quantity and poor quality of midday meals • Few mothers or children knew about the RtE Act; at most, mothers from Goyala Dairy slum had heard about the 25% free-ship quota in private schools from television advertisements
Waste picker children	<ul style="list-style-type: none"> • Many children are still being asked for birth certificates to be enrolled in school despite the RtE Act stipulating that no child should be denied admission due to lack of documents proving age • Many children are not being enrolled in the age-appropriate class in schools, affecting their retention in education, or are being denied admission into schools due to their enrolment at older or younger ages • Eve teasing of girls along the way to and from school, as well as in the school • Children feel insecure to walk the short distance to school due to heavy traffic on roads and reported incidents of kidnappings in the city • Delay in disbursement of entitlements like textbooks or failure to supply all the required textbooks • Some children lack caste certificates issued in Delhi to receive SC scholarships and their parents are unable to negotiate the complicated process or provide proof of address in Delhi to obtain the required

	<p>certificates</p> <ul style="list-style-type: none"> • Lack of birth certificates means that some girls cannot access the state government's Ladli scheme • Unhygienic and poor quality midday meals • Only a few mothers have heard about the RtE Act from advertisements on television
Construction worker children*	<ul style="list-style-type: none"> • Eve teasing of girls along the way to and from school, as well as in the school • Girls' school has taken steps to stop eve teasing in the school, but this continues as strong measures are not taken in the adjacent boys' school; teachers also feel helpless to stop eve teasing outside the school gates due to the high volume of students • Children feel insecure to walk the short distance to school due to heavy traffic on roads and reported incidents of kidnappings in the city • Children face admission problems when they are unable to procure transfer certificates from the schools they transfer from • Only a few children lack caste certificates to receive SC scholarships, while most receive these scholarships • Delay in disbursement of entitlements like scholarships • Only a few children are accessing scholarships provided by the Delhi Building and Other Construction Workers Welfare Board due to lack of information; only now are families finding out about this Board through LEDS staff • Inadequate quantity and poor quality of midday meals • No social mapping of neighbourhoods done by local schools or authorities to identify children of migrant construction workers who are out of school • Knowledge of the RtE Act is almost non-existent among mothers and children; only one mother had heard about the Act through the rural school her children attended
Sewage worker children	<ul style="list-style-type: none"> • A few children faced problems in getting admission into schools, especially if they were small for their age or disclosed their caste identity • Eve teasing of girls along the way to and from school, as well as in the school • Some teachers fail to act on girl students' complaints of eve teasing or other harassment from boys in co-ed schools • Parents worry about their daughters falling into love relationships with boys in co-ed schools, which can influence girls' retention in education • Children feel insecure to walk the short distance to school due to heavy traffic on roads and reported incidents of kidnappings in the city • While parents would like to send their children to private schools, which they feel provide better quality education, they lack adequate financial resources to do in many cases; at the same time, none of the families have got admissions for their children under the 25% free-ship quota provided in private schools under the RtE Act

	<ul style="list-style-type: none"> • While Delhi Jal Board provides half the tuition fees for two children of each family of permanent sewage workers, families with more than two children face the problem of not being able to give the same education to all their children • Parents try to compensate for their inability to afford private school education by providing their children with private tuition classes to compensate for the poorer quality government school education; only some contract workers are too poor to be able to pay for these tuition classes • None of the children of permanent sewage workers receive scholarships from the Delhi Jal Board • Many children of sewage workers hide their caste identity by not applying for SC scholarships and mentioning only that their fathers work for the Delhi Jal Board in order to avoid discrimination in schools • Some children of contract sewage workers who cannot afford to hide their caste identity also face the problem of lack of caste certificates to obtain SC scholarships • Delay in disbursement of entitlements like textbooks and uniforms • Unhygienic and poor quality midday meals; mothers in Varun Niketan don't allow their children to eat the midday meals as two girls fell sick and were hospitalised after eating the meals in school • Knowledge of the RtE Act is non-existent among mothers and children
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* Applicable to construction worker children from Rajasthani colony who are in Delhi schools, except for last point

Looking at Table IIA, four out of the five communities talked of problems related to the admission of their children in schools, pointing to administrative gaps within the school system. The problems related to schools asking for documents like birth certificates as proof of age, despite the RtE Act stipulating that no child should be denied admission due to a lack of proof of age. Given the huge extent of migration to the cities and the swelling numbers of urban deprived children, state governments need to urgently evolve mechanisms to deal with issues of trans-state certification and documentation. Moreover, children are not being enrolled in the age-appropriate classes as well. This is particularly significant given that children like those of DNT-NT communities have been completely out of education and require peer support as well as special classes (which no school runs) in order to manage their admission into the age-appropriate class in conformity with the RtE Act.

Two key points emerge as regards physical accessibility to schools, as pointed out by all five communities. The distance norms prescribed under the RtE Act and Rules are reasonable for rural areas. Within more densely populated urban areas, however, these norms become debatable in terms of their adequacy to deal with the dangers of city life, namely the busy roads with heavy traffic that children must negotiate if they walk to schools, as all the five

groups of children do. The norms under the RtE Rules deal more with the reach (distance) of schools and less their accessibility; that is, the norms do not encompass other dangers, such as the kidnapping of children and eve teasing of girls. In other words, the rights to education and security of life become more intertwined in urban areas and education policies, therefore, need to reflect this.

Looking at economic accessibility, children in all five communities reported common problems of delayed disbursement of entitlements combined with many not having caste certificates to obtain scholarships. Only the children of sewage workers, mostly Valmikis, were willing to forgo this necessary support for their education in order to hide their caste identities and thereby avoid caste discrimination in schools. In other words, dignity became an important factor driving these children, whose fathers engage in an occupation generally looked down upon in Indian society, to avoid scholarships even when their families could hardly afford to do so. Interestingly, despite the Delhi government’s Ladli scheme to promote girls’ education, few children or adults in these communities mentioned this scheme. Another key point is the reality of providing ‘free’ education in government schools where the quality of teaching is so poor. When the government and school management do not adequately monitor teaching standards to ensure quality education, ‘free education’ becomes anything but free. Parents either are forced to pay for their children’s education through supplementary private tuition classes, or witness their children remain uneducated or barely literate. At the same time, what has to be inquired into further is the quality of private tuition provided to children across the city, and which groups of children are able to access quality private tuition. Moreover, as sewage workers pointed out, they are not able to access the 25% quota in private schools for socially disadvantaged and economically weaker sections children; this free-ship quota goes to other children.

In terms of information accessibility, then, knowledge of the RtE Act is minimal in all five communities. At most, mothers or community leaders have learned about the Act due to the interventions of APR partner organisations. While some women noted that their illiteracy prevented them from remembering the exact provisions of the Act, others only knew certain sections like the 25% free-ship quota in private schools due to advertisements on television. But as DNT-NT children pointed out, the Act is far from being translated into reality for marginalised children in Delhi.

IIB. Social Accessibility & Family and Community Constraints

<p>DNT-NT children</p>	<ul style="list-style-type: none"> • Strong economic compulsions exist for children to drop out of school before completing elementary education and instead work to support their families • Economic compulsions are exacerbated in the case of the Gosai community where only men are allowed to work and many men drink, thereby eating into the pool of money left for their families’ livelihood and children’s
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	<p>education</p> <ul style="list-style-type: none"> • Especially boys feel strong peer pressure to drop out of school and work • Some parents are less aware of the value of education and are driven by economic compulsions to not oppose their children when they drop out of school to instead work • Gender discrimination is clearest among the Gosai community, where parents do not educate their daughters too much out of the fear that they will then flee their homes • Parents in both communities tend to feel that teenage girls should not be in school or are required to help out at home with household tasks and the care of their younger siblings • Girls are getting married by the age of 15 to 16 years in both communities, affecting their ability to complete school education • The un-recognised slum status of the Singhi settlement is a disincentive for some parents to push their children to study in schools, and also makes parents feel that they have less social power to engage with schools • Children face difficulties to study at home due to the noisy home environment • Regular trips back to their home villages and states means that some children who overstay into the new academic year find that their names are cut from school registers on their return to Delhi • Illiteracy makes it hard for mothers to monitor their children’s education, and they feel they have little say if children decide to drop out of school • Children have not enjoyed any leadership positions in schools • Many children participate in extra-curricular activities • Children have mixed friendships with children from other communities • Only a few children mentioned experiencing discrimination from other students and one girl had been told by a teacher that she could not learn • Only the Gosai leader mentioned talking about the benefits of education in community meetings • Parents’ participation in schools is very low due, partly due to high illiteracy levels among parents; parents mostly approach the schools to inquire about their children’s learning progress or to inquire about the status of entitlements, while only a few complain about issues like the corporal punishment of their children • Most DNT-NT parents are not treated as well as the parents of other communities when they visit the schools • Schools have no strategies to bring out-of-school DNT-NT children in the neighbourhood back into education, including through residential bridge courses and special classes
Muslim	<ul style="list-style-type: none"> • Strong economic compulsions exist for children, especially boys, to drop out

<p>children</p>	<p>of school before completing elementary education and instead work to support their families; girls also drop out to engage in home-based paid work, though they do not see this as work for the family livelihood</p> <ul style="list-style-type: none"> • A complex set of issues impact on Muslim girls' education and lead to their lower education levels as compared to Muslim boys: these include fear for the physical security of teenage girls travelling to and from schools; wider security issues that affect the community with repercussions for girls; problems of school transfers in the case of Goyala Dairy Muslim girls enrolled in NFE run by the private school; the practice of early childhood marriages; and parents' worry that teenage girls will have love relationships with boys in school • Parents and children expressed that both Madarsa and formal education are necessary for Muslim children, while at the same time acknowledging that discrimination against Muslims means that it will be difficult for children to get good jobs like in government service • Children face difficulties to study at home due to the noisy and crowded home environment • Many mothers try to monitor their children's education, despite their illiteracy • Community leadership on education is mixed: one community leader admitted that less emphasis is placed on education in meetings over other issues, while the Maulvi in one slum says he actively encourages the parents to educate their children • Only a few children have enjoyed leadership positions in schools • Many children participate in extra-curricular activities • School-going children have mixed friendships with children from other communities, more so than children who are out of school • Hindu boys tease Muslim boys using words and names associated with their religion, which Muslim boys dislike; teachers fail to address this problem adequately • Parents' participation in schools is mainly in the form of inquiries about their children's learning progress or about the status of entitlements, or the addressing of any complaints about their children; some mothers feel limited by their illiteracy in engaging with the schools • Only recently have the PTA meetings been started in one school, and Muslim mothers more than fathers tend to turn up to some PTA meetings • Some mothers feel that they are not treated well by the school and not invited to engage with the school • Schools have no strategies to bring out-of-school Muslim children in the neighbourhood back into education, including through residential bridge courses and special classes
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<p>Waste picker children</p>	<ul style="list-style-type: none"> • Strong economic compulsions exist for children to drop out of school before completing elementary education and instead work to support their families • Children also feel strong peer pressure to drop out of school and work • Migration by many families in Rangpuri Pahari slum to the city to work and pay off debts is also a strong incentive for children to leave school and work • Girls also bear the additional responsibility, on dropping out of school, to look after household tasks and younger siblings while both their parents collect waste for a living • Early childhood marriages are practised for Ghazipur slum girls, especially since several girls have eloped with boys they have met while collecting waste materials up in the landfill • Regular trips back to their home villages and states means that some children who overstay into the new academic year find that their names are cut from school registers on their return to Delhi • Children face difficulties to study at home due to the noisy and crowded home environment • Illiteracy makes it hard for mothers to monitor or support their children's education aside from motivating them to study, and they feel they have little say if their children decide to drop out of school • Easy availability of alcohol in the slums is coupled with many men and even young boys drinking; alcohol related fights and domestic violence then disturb children's studies • Irregular attendance at schools is common due to children often falling sick or having injuries from waste picking; or several hours being consumed by collecting water each day; erratic electricity supply not allowing children to complete homework at nights; or by fear of beatings from teachers if they do not complete their homework • Migration, coupled with the difficulties of enrolling children in Delhi schools due to lack of age proof, ensures that children who have studied in village schools do not make the transition to studying in urban schools • The stigma attached to waste picking affects children's interactions with other students as well as their teachers; discrimination, bullying and verbal abuse from other students are common occurrences, and most waste picker children are socially isolated • Most teacher either discriminate or fail to address this discrimination in constructive ways; one common response is for teachers to just beat all the children involved • Children are sometimes abused by teachers that they are only in schools to get money and not an education • Mothers know that their children are being discriminated against in the schools, but feel helpless to stop this
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	<ul style="list-style-type: none"> • The principal of the school that Ghazipur slum children attend calls them Bangladeshis – i.e. non-Indians – despite their hailing from West Bengal • No children have enjoyed leadership positions in the schools • Some children participate in extra-curricular activities, while others note that they are not called upon to participate in such activities • Community leadership or initiatives on education are absent • Parents’ participation in schools is minimal; at most parents enter the schools to enrol their children, sign scholarship forms, or only when called by teachers • Parents also feel hesitant to approach the schools as they feel that the management and teachers look down upon them due to their occupation; they are derided for supposedly expecting the school to economically provide for their children and are blamed for their children’s failure to regular attend school • Schools have no strategies to bring out-of-school waste picker children in the neighbourhood back into education, including through residential bridge courses and special classes
<p>Construction worker children*</p>	<ul style="list-style-type: none"> • Strong economic compulsions exist for children to drop out of school before completing elementary education and instead work to support their families • Children of settled construction workers in the centre of the city are more easily influenced by the consumer culture of cities and the chance to earn money in lieu of their studies • Drought often leads to a cycle of indebtedness that triggers seasonal migration to Delhi for work and the loss of education for children, as well as the pressure on children to work • Migrant construction workers do not think to enrol their children in Delhi schools because of their temporary residential status in the city • Girls in migrant construction worker families in particular are required to stay at home and look after their younger siblings in the absence of an anganwadi nearby, and also complete household tasks • Girls in migrant construction worker families also face early childhood marriages, which curtail their school education by the age of 14 or 15 years • A major factor why girls of settled construction workers do not complete their school education is due to the eve teasing they face while travelling to and from school, as well as their parents’ fear that they will enter into love relationships with boys they meet outside the colony. Consequently, girls still marry at an early age • Periodic trips back to their home villages and states means that some children of settled construction workers who overstay into the new academic year find that their names are cut from school registers on their return to Delhi

	<ul style="list-style-type: none"> • Children face difficulties to study at home due to the noisy and crowded home environment • Regular bunking of school by boys of settled construction workers occurs when the boys fail to complete their homework, or fear punishment from teachers, or feel bored with their classes; teachers are seen to be not so bothered about the whereabouts of the boys • Children of settled construction workers enjoy mixed friendships with children of different communities • Children of settled construction workers do not experience any discrimination in the schools they attend from other students or teachers. This may be partly due to their living in a mixed caste colony known by the state from which people have migrated and not their caste group • However, children of settled construction workers do experience community and class distinctions and exclusions in school: teachers tend to favour children from their own residential areas and communities, or richer children, for leadership positions or participation in extra-curricular activities • Daughters of settled construction workers are not given opportunities to participate in extra-curricular activities • Community leadership on education is missing in the case of both settled and migrant construction workers • Parents' participation in schools is minimal; at most mothers enter the schools to sign scholarship forms, to address specific complaints of their children, or when PTA meetings are called. Even in these meetings they do not actively participate and have no sense of ownership of the school • Mothers feel that some gender and class discrimination is practised by the teachers against them; teachers treat them as if they are not smart and sometimes do not even offer them a seat • Schools have no strategies to bring out-of-school construction worker children in the neighbourhood back into education, including through residential bridge courses and special classes
<p>Sewage worker children</p>	<ul style="list-style-type: none"> • For a few families who have shifted from place to place in the city, this caused instability in children's education as they faced problems to enrol in new schools • Strong economic compulsions exist for children of contract sewage workers to drop out of school before completing school education and instead work to support their families • The daily drinking by men and daily fights that ensue disturb family life, including children's ability to study at home • Parents strongly compel and provide motivation for children to complete their school education and 'get rid of sewage work and lead a better life' • Girls tend to persevere with school more and perform better than boys

	<p>academically; there is also less pressure on them to drop out and take on household tasks or the care of younger siblings, perhaps because so many mothers do not work</p> <ul style="list-style-type: none"> • No children have enjoyed leadership positions in the schools • Many children participate in extra-curricular activities • Children did not mention facing discrimination in the schools, except when eating midday meals together with other caste children in some schools and on their caste identity becoming known. • The reasons for the lack of overt discrimination against Valmiki children of sewage workers is that most children hide their caste identity by mentioning only that their fathers work for Delhi Jal Board and not applying for SC scholarships. Otherwise, mixed habitations in cities or residence in a mixed Delhi Jal Board colony help to hide caste identities in schools. • Thus most children of sewage workers enjoy mixed friendships with children of other communities • Community leadership on education is strongest of all the communities due to the union among the sewage workers; leaders occasionally discuss with sewage worker families about the need for education, and have also taken up various school-related entitlement issues with the Delhi Jal Board • Parents' participation in schools is mixed. Some visit the schools to inquire about their children's studies or to sign scholarship forms (contract sewage workers). Mothers of permanent sewage workers are called for PTA meetings. Some parents, however, feel that discrimination against them still exists and that teachers treat them well until they learn of their caste identity • Schools have no strategies to bring out-of-school sewage worker children in the neighbourhood back into education, including through residential bridge courses and special classes
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As per Table IIB, across all five communities the economic compulsions to work and support the family livelihood are there, albeit to varying degrees. All the communities, except the permanent sewage workers employed by Delhi Jal Board, are poor and vulnerable. Most are engaged in low wage occupations that demand that both parents work. Family debt adds to the pressure on children to start working from early ages. Even these permanent sewage workers talked of economic pressures, however, in that with a reasonable income comes the desire to provide better education for their children through private schooling. However, many of these parents still lack the financial means to be able to afford private school fees. What is clear is that the strong self- or family pressure on many of these children to drop out of school and instead work to support their families is also supported by the fact that the poor teaching standards means that schools are just not able to hold the interest of children. This is especially so for first generation learners, who often have no role

models in their communities on education and struggle alone with no one, except perhaps older school-going siblings, at home to help them study.

Another significant aspect across all the five communities is the different barriers to education that girls endure. Not least is the additional work they are required to perform at home, the eve teasing they endure even walking short distances to and from neighbourhood schools, the continuing pressures on them to marry early, the difficulties older Muslim girls face to wear the skirts that are uniforms, and so on. What the study highlights is the need to focus on gender in any inquiry into education among different groups of children, and to devise creative, targeted strategies to address the intersections of gender and other marginalised statuses.

In terms of regularity of studies, two factors warrant separate mention of the number of factors that affected these children's retention in education. One is that all children except for the children of sewage workers specifically mentioned that their noisy and crowded home environments mean that they have little space in which to quietly study. Added to this is the often lack of educated members in their families to lend support to the children in their education. Schools, therefore, become the primary learning space for these children and teachers the primary learning support actors. Second is the impact of periodic trips made to their home villages and towns, for those children from families who have migrated to the city. De-notified tribal children, construction worker children and waste picker children all mentioned their movements out of the city for functions and any family events, or for the summer holidays. The specific needs of migrants, not least the need to have advance information on school semester or admission dates and some flexibility in school admissions as per the RtE Act, then, become significant factors in determining retention in education.

A final significant finding as regards social access is the continuing discrimination and isolation that some marginalised children face in schools, which negate norms of equity and inclusion. On the one hand, a positive indication of the role schools play in fostering social inclusion is that all except waste picker children by and large enjoyed mixed friendships with children of other socio-religious communities. This was significantly less likely to be the case if marginalised children dropped out of education or never enrolled, as in the case of the children of migrant construction workers. On the other hand, Muslim and waste picker children endured teasing and bullying based on their religion and family occupation respectively. Other students also actively discriminated against DNT-NT children, sewage worker children and waste picker children, with teachers likewise discriminating against waste picker children. This was compounded by some teachers failing to adequately address and redress such discrimination on it being brought to their notice, as both Muslim and waste picker children pointed out. While the children of permanent construction workers

did not mention active discrimination, they still noticed how teachers applied community and class distinctions and exclusions that placed them at a disadvantage in schools. This included the absence of leadership opportunities extended to all five communities of children except for a few Muslim children. Only sewage worker children actively sought to prevent any discrimination by concealing their identities through not mentioning their fathers' occupation, nor applying for scheduled caste scholarships. Scheduled caste children of settled construction workers, moreover, also seemed to escape overt caste discrimination due to their residential area being a mixed-caste colony today.

Analysing further the aspect of discrimination and exclusion also reveals the importance of cross-cutting identities among urban marginalised children. Urban areas seemingly offer the possibility to establish new identities for those who migrate to them, due to the mixing with different communities and the higher possibilities of engaging in non-traditional occupations and hiding certain identities like caste. At the same time, identities based on caste, class, religion, gender, etc. are deep-rooted and the attitudes, biases and prejudices they engender remain in urban areas. Cities like Delhi remain highly segregated on the basis of caste¹ and religion. Hence, as seen in this study, many of the children and their parents have to deal with cross-cutting identities and their effects on interactions with fellow students, teachers and school management. For example, Ghazipur waste picker children deal with both occupation and religion-based discrimination and prejudice; sewage worker children hide their caste identity as well as father's occupation so as to avoid discrimination; children of construction workers talk more of their scheduled caste identity than their parents' occupational identity as construction workers; and all girls from all five communities deal with the effects of caste/religious/occupational identities as well as gender. What this highlights is the need to devise suitable education interventions that adequately address the multiple, intersecting identities of marginalised children and the multiple effects they produce.

III. Acceptability of Education

<p>DNT-NT children</p>	<ul style="list-style-type: none"> • Poor quality teaching: mostly teachers only write on blackboards and get children to copy down notes • Teachers are late to classes, or do not turn up to teach, or teach only for a few periods • No group activities in classes • When children ask questions in classes, some teachers respond by shouting at them or even slapping them • Some teachers only check the children's notebooks and occasionally correct mistakes; otherwise, children get hit for making mistakes
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¹ See Vithayathil, Trina and Singh, Gayatri, 'Spaces of Discrimination: Residential Discrimination in Indian Cities', *Economic and Political Weekly* 47(37), 2012, pp.60-66.

	<ul style="list-style-type: none"> • Absence of any additional classes for students who are weaker in their studies • No-retention policy in elementary education in schools where quality teaching is not taking place acts as a disincentive for children to remain in education • Mothers are clear that teachers bear the responsibility for their children's education, but are either blamed for their children's poor performance or else told to teach their children at home or pay for private tuition classes • Parents expressed the need for private tuition classes for their children as the only way to compensate for poor quality teaching in government schools • Frequent use of corporal punishment in schools is a primary reason for irregular attendance or dropping out from school
Muslim children	<ul style="list-style-type: none"> • Non-availability of Urdu medium schools, though at least Sunder Nagri Muslim children have the option to learn Urdu language in school • Poor quality teaching: many teachers only write on blackboards and get children to copy down notes • Teachers are late to classes, or do not turn up to teach, or teach only for a few periods as they are busy with other works • No group activities in classes • Children in one school are expected to write down the lesson and be able to repeat it the next day; failure to do so results in them being beaten • Some children are told by teachers not to ask questions, but instead to look at their subject guides or simply copy from the blackboard without question • Some teachers use the class monitors to tell other children what is to be studied and act as a go-between the teacher and students, so that children feel hesitant to ask questions directly to the teachers • Only some school-going girls mentioned that some of their teachers ask more questions to those students who are weak in their studies in order to help them understand better the lessons • Poor learning outcomes for many children • Parents who can afford to do so compensate for the poor quality teaching in government schools by paying for private tuition classes for their children; Sunder Nagri Muslims are able to send their children to private tuition classes provided by an NGO on a minimal cost basis • Some teachers teach about equality in their classes, including equality irrespective of religious differences • Frequent use of corporal punishment in schools, especially for boys • One maths teacher asks children to solve problems and if they cannot do so, they are slapped by those children who are able to solve the problem
Waste picker children	<ul style="list-style-type: none"> • Poor quality teaching: many teachers only write on blackboards and get children to copy down notes

	<ul style="list-style-type: none"> • Teachers are late to classes, or do not turn up to teach, or turn up but then talk on the cell phones in the classroom • No group activities in classes • Classes stop if the primary school teacher is on leave; no substitute teacher is provided • Children completely rely on the study guides to learn the lessons, or else drop out of education due to a lack of interest • Lack of Urdu medium school for Ghazipur Muslim children of waste pickers • Teachers respond rudely or scold children who ask questions in class • Parents who can afford to do so compensate for the poor quality teaching in government schools by paying for private tuition classes for their children • Frequent use of corporal punishment in schools
<p>Construction worker children*</p>	<ul style="list-style-type: none"> • Poor quality teaching: many teachers only write on blackboards and get children to copy down notes • Teachers are late to classes, or do not turn up to teach, or turn up only for 10 minutes to teach • No group activities in classes • Many teachers do not bother to check the children’s notebooks • Children are afraid to ask questions in class in case they are scolded or beaten by the teachers • Many school-going boys bunk school in the afternoons due to the poor teaching or sudden tests some teachers call • Poor learning outcomes among many children, seen in the number of dropouts due to failing exams in the higher classes • Parents who have confronted teachers about their children’s poor education levels have been told that it is their responsibility to make their children learn in the home • Parents who can afford to do so compensate for the poor quality teaching in government schools by paying for private tuition classes for their children • Frequent use of corporal punishment in schools
<p>Sewage worker children</p>	<ul style="list-style-type: none"> • Poor quality teaching: many teachers only write on blackboards and get children to copy down notes • Teachers are late to classes, or do not turn up to teach, or turn up only for 20 minutes to teach • No group activities in classes; only one boy reported his teacher using group activities in class to stimulate learning • Some teachers only ask questions to those students who are good in their studies • Children feel that teachers do not have any concern for their learning abilities at the elementary school level because of the no-retention policy • Teachers are not able to teach well due to the large number of students in

	<p>class, so that they are not able to give individual attention to students who are weaker in their studies or exercise enough control over the class</p> <ul style="list-style-type: none"> • Parents who can afford to do so compensate for the poor quality teaching in government schools by paying for private tuition classes for their children • One Hindi teacher talks only about the Hindu religion in class and says it is the best religion • Frequent use of corporal punishment in schools
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* Applicable only to construction worker children from Rajasthani colony who are in Delhi schools

One of the clearest findings to emerge from this study is shown in as Table III. This is that far beyond the availability of schools and adequate school infrastructure, children and parents from marginalised communities place high value on children receiving *quality* education. It is very telling that despite their poverty levels, many child and adult members of the five communities placed less emphasis on entitlements that facilitate economic access to education than on the need for improving the quality of teaching in schools. This in itself negates the negative attitudes that some school management and teachers hold that these children are only enrolling in order to drain the financial resources of schools.

This high value placed on quality education, however, is being matched by the very poor quality of teaching provided in government schools across the city. Teachers continue to favour rote learning over facilitating children to critically think, spend no time with children who are weaker in their studies, and encourage little or no group activities to support children mixing and learning in different ways. While this can be partly explained by the high PTR that makes it difficult for teachers to handle a classroom with too many students, a large part is the negligence of teachers when it comes to teaching these children. Added to this is the liberal use of corporal punishment experienced by all five communities of children, despite the NCPCR guidelines for the eradication of this practice. Disciplining children and not facilitating their active learning seems to be an overall trend, which requires much more concerted efforts towards overturning than is presently being seen.

The serious consequences of poor quality teaching can then be seen obviously in the poor learning outcomes of most of these children. Another consequence is the knock-on impact in terms of parents' negative perceptions of the no-retention policy in elementary education, and the lack of interest of children to continue to study and parents to invest in their children's education.

IV. Education Adaptability

DNT-NT children	<ul style="list-style-type: none"> • No education strategies, programmes and measures are taken that are flexible and relevant so as to respond to the education needs of these children in their specific socio-cultural contexts
Muslim	<ul style="list-style-type: none"> • No education strategies, programmes and measures are taken that are

children	flexible and relevant so as to respond to the education needs of these children in their specific socio-cultural contexts
Waste picker children	<ul style="list-style-type: none"> • No education strategies, programmes and measures are taken that are flexible and relevant so as to respond to the education needs of these children in their specific socio-cultural contexts
Construction worker children*	<ul style="list-style-type: none"> • No education strategies, programmes and measures are taken that are flexible and relevant so as to respond to the education needs of these children in their specific socio-cultural contexts
Sewage worker children	<ul style="list-style-type: none"> • No education strategies, programmes and measures are taken that are flexible and relevant so as to respond to the education needs of these children in their specific socio-cultural contexts

* Applicable only to construction worker children from Rajasthani colony who are in Delhi schools

Finally, looking at the ability of the state government, local authorities and the schools themselves to generate flexible strategies and programmes to address the specific needs of marginalised children, the findings are clearly spelt out in Table IV. Despite these children having a greater likelihood of not enrolling, not attending and/or not completing school education, the concerned authorities are not assessing and responding to these children's needs. There is little or no school engagement with children who drop out of school education; instead, there is still a tendency to blame parents and children for dropouts and to disregard the obligation on school authorities and local authorities/the state government to ensure these children's retention in education.

Delhi schools are *not* child-friendly schools, from the perspective of these children. At most, they find a few teachers in schools who are interested to make them learn. On the one hand, the inadequate number of teachers for the large numbers of students makes it extremely difficult for teachers to give these children the necessary attention and any additional support in their learning. On the other hand, the poor quality of teaching goes un-monitored and remains un-addressed in reality and in the majority of documents produced about the status of education. Further lacking are comprehensive monitoring mechanisms and concrete strategies to ensure equity and inclusion in schools for both school-going and out-of-school children.

All this is compounded by these children and their parents not being invited to participate in the running and development of the schools. School Management Committee remain primarily on paper and even where committees exist for parent-teacher interactions, almost none of the members of these five communities are present or able to actively participate. It is clear across the communities that parents feel, and are made to feel, no sense of ownership of the schools, in terms of a feeling that they can also have a say in how schools function and deliver education services to their children.

Ultimately, this shows that while the RtE Act has moved to understanding education as the duty of governments and school authorities, these agencies still persist in putting the blame on children and parents for poor learning outcomes and high dropouts from education. The challenge remains, therefore, to build a common understanding of the ethos behind the Act, as well as the actions that are required for its concrete implementation. This is especially the case regarding those provisions that pertain to equity and inclusion.

9.2 Key Recommendations

There is little doubt that many of the core provisions of the RtE Act, such as school, infrastructure and teaching personnel availability, remain unfulfilled in Delhi and are likely to continue to do so after the March 2013 deadline stipulated in the Act. A number of gaps in the school system have been identified, based on the available secondary data, which affect both education supply and demand. However, what this study has shown is that a host of other issues related to equity and inclusion in education require urgent addressing, as well as improvements in the quality of education imparted in government schools. The largest section of findings of the study relate to social accessibility. This is because this is a core concern in relation to marginalised communities like those in the study. Children themselves gave a list of changes that they see as important to helping their access to education, which were laid out in the previous five chapters. This section then sets out a series of general and community-specific recommendations for concrete measures to enforce the RtE Act, especially its equity and inclusion dimensions. Both types of recommendations are necessary because the communities face both common and unique obstacles that will require careful detailing in programmatic strategies. What is clear from the findings presented above and must be kept in mind when reading the recommendations below is that all the recommendations are mutually reinforcing. This is because the obstacles to ensuring that education is made available, accessible, acceptable and adaptable to all are interlinked.

1. Availability

- School infrastructure and personnel must be provided as per the RtE norms. Particular attention should be given to slum areas, especially on the outskirts of the city.
- Primary education should be made available in Urdu in all Muslim-populated areas of the city. It is equally important for schools to address parental concerns and aspirations for Urdu to be taught well in government schools. This requires that adequately trained Urdu teachers are made available, as also Urdu textbooks/teaching learning materials.
- Special mobile and residential schools should be opened to cater to the particular marginalised children such as migrant construction worker children and DNT-NT children.

- A norm on the number of toilets (separate for girls and boys) per student needs to be evolved so that adequate toilets are built in schools and designed in a manner to encourage good maintenance. This must be coupled with budgets specified for the cleaning and maintenance of toilets.
- Cluster/district education resource personnel must regularly monitor the cleanliness of drinking water and toilet facilities in schools during their school visits.
- Civil society interventions in slums and informal settlements should be supported that provide basic educational services such as non-formal education or its equivalent, as an important step for marginalised community children and first generation learners to gain confidence and the basic education skills to be able to enter into formal education.
- Given that a quiet learning environment is lacking in most of the communities in the study, this must be catered for through the schools. Schools in areas with low socio-economic demographics should provide reading/learning spaces within schools for children, where children would be encouraged to stay behind in schools and do their studies/homework in such spaces under teacher supervision.
- Bridge schools are especially necessary in settlements of DNT-NT communities to create an environment of education and to facilities the entry into education of those children who are not in schools.
- All school-level data needs to be disaggregated religion-wise so as to track access, retention and performance of Muslim children in school education.

II. Accessibility

- There must be greater convergence between child protection and child education schemes, and between officials in the departments of women and child development and education in cities, in order to address the links between physical insecurity and dropouts from education, especially among girls.
- Specifically, Delhi NCT must re-assess the operation of shift schools, especially those teaching classes 6 to 12, with particular attention paid to how to ensure security for girls both outside the school gates and within schools that operate double shifts for boys and girls separately. This could include the mandatory employment of security guards or watchmen at the gates of all schools, like what the South Delhi Municipal Corporation has opted for to tackle rising incidents of harassment and molestation of girl students.
- Given the large presence of migrants in the cities, schools must be monitored to ensure that they do not demand proof of residence, birth certificates or other documents before giving admission to children. The refusal to admit children for these reasons should be made a punishable offence.
- The large numbers of migrants in the cities also requires that schools devise strategies to address the periodic travels children make back to their home villages and states that often lead to their late return to school. Instead of striking children from the school

registers for late returns to school, greater information needs to be shared with migrant parents and children of the school return dates and contact encouraged to ensure that children feel welcome to return to school even if they are late.

- Perspective building for the school administration, school level committees, teacher unions and NGOs working on the RtE Act is important. This must also inform the work of SCERT and DIET. Messages to facilitate social inclusion with equity in education should be included in campaigns and efforts initiated in community mobilisation.
- Greater emphasis must be placed in civil society interventions on mobilising communities through knowledge of the RtE Act, simplified and linked to concrete interventions by parents and communities in schools.
- Special attention and provisions need to be made for marginalised girls' education in order to prevent early dropouts from education. There is a need to go beyond placing the blame on communities to also understanding the host of other factors than impinge on girls' enjoyment of their right to education. Some factors can be addressed then by measures such as the creation of more girls' schools with classes 6 to 12.

III. Acceptability

- Curriculum, pedagogy and evaluation practices must be urgently reviewed and assessed in terms of how they can best facilitate equity and inclusion of marginalised children in education. This should include the reform and updating of teaching methodologies. This may include the deployment of additional resources in government schools located near slum areas to provide remedial and special coaching classes for children who are weaker in their studies. It should also include detailing of how comprehensive and continuous evaluation (CCE) can be implemented by teachers in schools. This must necessarily include a mechanism to test children's basic education skills each year and especially as they shift from primary to middle schooling, and then middle to high schooling.
- Quality school education must be more closely linked to vocational education, to afford opportunities for especially marginalised children whose parents are engaged in low remunerative work to enter into new, more remunerative occupations.
- Perspective building on social inclusion with equity must be integrated into trainings and orientations for teachers, school administrators, SMC members and cluster/district resource persons/teams.
- Mechanisms to improve teacher performance may be explored in dialogue with teachers, teachers' representatives, SMCs and local authorities.
- The guidelines developed by the NCPCR against corporal punishment must be strictly enforced and these guidelines should be incorporated into teacher education, SMC trainings and publicly displayed in schools. Stronger sanctions should also be developed

against those teachers who directly, or indirectly through students, practice corporal punishment of children.

IV. Other Aspects of Adaptability and Monitoring

- Comprehensive social mapping is first required to identify *all* the marginalised communities of children in the city who are failing to enrol, attend and complete elementary education.
- To enable strategising for educational access for different marginalised children, separate, community-wise surveys yielding socio-economic vulnerability and needs analyses should be undertaken on a priority basis in urban areas. This is especially required for DNT-NT communities, for whom no separate data is available despite their large population. These surveys should involve the available resources of civil society organisations already working with these communities.
- A well-managed database needs to be developed to track the movements of people in and out of the city, especially children of different marginalised and vulnerable communities.
- Sarva Shikshya Abhiyan must include a separate focus on DNT-NT children in its strategy documents.
- A more comprehensive education strategy and common commitment to the RtE Act across the different ministries and departments need to be promoted. To this end there is the need to build convergence with other ministries/departments that are critical to implementation of the RtE Act such as social welfare, tribal affairs, minority affairs, women and child development, urban development, labour, water and sanitation, panchayat raj, and so on.
- Wherever available, members of these marginalised communities should be trained as teachers and educators.
- Mechanisms need to be created in schools, and the existing mechanisms of civil society organisations supported, to ensure the greater participation of children in schools.
- Urgent attention needs to be paid to ensuring that SMCs are constituted as per the RtE Rules in an open and transparent manner. There is need for capacity building and ongoing support for SMC members, especially those from marginalised communities, to carry out their roles. The capacitation trainings must include equity perspectives and appropriate strategies upfront. Decisions and action taken at the SMC meetings should be displayed visibly for parents and community information. This must be followed by a process ongoing support and monitoring of the functioning of SMCs. This could be done in partnership with local civil society organisations/Mahila Samakhya, which can handhold schools in their functioning and implementation of the RtE Act provisions.
- Norms of behaviour for students, teachers and school management should be evolved by cluster/district resource education personnel in consultation with all local

communities and their children, especially marginalised communities. These norms should be prominently displayed in schools, with a confidential complaints system established to report breaches of these norms linked to an effective grievance redress mechanism.

- Effective grievance redress mechanisms from the school to the state levels must be put in place, fixing responsibilities on designated authorities. This should be detailed and disseminated widely, as well as displayed visibly in schools. Civil society organisations and academics should be included in the district/state level grievance redressal bodies.
- A district-wise Muslim minority development board should be created, with adequate representation of the Muslim community, to oversee the implementation of welfare schemes for Muslims and specifically monitor the educational and economic status of the community.
- A system of monthly meetings between the school administration, local communities and local authorities can be put in place where education-related issues can be discussed and resolved. Local civil society organisations could facilitate and strengthen these processes.
- The use of SSA's equity funds can be better planned with sets of activities and schemes to address the specific and contextual disabilities faced by urban marginalised children in attending and completing school education, in overcoming the gaps between them and other children, and to promote social inclusion activities in schools. A basket of activities and schemes for vulnerable and marginalised groups of children should be developed in consultation with representatives from these communities as well as civil society organisations working with these communities. These funds can then be tracked separately.
- As was envisaged under the Delhi Development Report 2006, a comprehensive, city-wide child rights strategy needs to be evolved that will initiate education impact assessment and evaluation studies, develop and monitor a children's budget, establish a separate child rights' cell, promote children's participation and periodically publish a status of Delhi's children report that places specific emphasis on aspects of equity and inclusion.
- A system of periodic social audit of schools can be undertaken by NCPCR, in collaboration with civil society organisations, that has a clear set of questions on equity and inclusion in education. The audits should cover the course content, pedagogy, social, financial and physical access, administration and logistics, and the quality of the learning environment and learning outcomes.

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