Teachers in the Indian Education System
How we manage the teacher work force in India

National University of Educational Planning and Administration

New Delhi

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Acknowledgement

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Glossary of Abbreviations used

ACR: Annual Confidential Review
AEEO: Assistant Elementary Education Officer
AIE: Alternative Institutions of Education
AWP&B: Annual Work Plan and Budget
BA: Bachelor of Arts
BC: Backward Class
BDO: Block Drawing Officer
BEEO: Block Extension Education Officer
B.Ed.   Bachelor of Education
B.El.Ed: Bachelor of Elementary Education
BRC: Block Resource Centre
BRCC: Block Resource Centre Coordinator
BRP: Block Resource Person
CCE: Continuous Comprehensive Evaluation
CEO: Cluster Education Officer
CRC: Cluster Resource Centre
CRCC: Cluster Resource Centre Coordinator
CTET: Central Teacher Eligibility Test
DA: Dearness Allowance
DC: District Commissioner
DDO: District Drawing Officer
D.El.Ed: Diploma in Elementary Education
DEO: District Education Officer
DIET   District Institute of Education and Training
DISE: District Information System for Education
DLO: District Level Office
DM: District Magistrate
DPEP: District Primary Education Programme
DRC: District Resource Centre
EBC: Extremely Backward Class
EGS: Education Guarantee Scheme
FGD: Focus Group Discussion
GDP: Gross Domestic Product
GoI: Government of India
HM: Head Master
HRA: House Rent Allowance
HRD: Human Resource Development
HRMS: Human Resource Management System
HT: Head Teacher
KGBV: Kasturba Gandhi Balika Vidyalaya
LDT: Lower Division Teacher
MA: Master of Arts
MDM: Mid Day Meal

MHRD:	Ministry of Human Resource Development
NCF:	National Curriculum Framework
NCFTE:	National Curriculum Framework for Teacher Education
NCTE:	National Council for Teacher Education
NPE:	National Policy on Education
NPEGEL:	National Programme for Education of Girls at Elementary Level
NPS:	New Primary Schools
NUEPA:	National University of Educational Planning and Administration
OBC:	Other Backward Classes
OoSC:	Out- of -school children
PAR:	Performance Appraisal Report
PF:	Provident Fund
PRI:	Panchayati Raj Institutions
PTR:	Pupil Teacher Ratio
PTTC:	Primary Teacher Training Colleges
RMSA:	Rashtriya Madhyamik Shiksha Abhiyan
RtE:	Right to Education
SABER:	Systems Approach for Better Education Results
SC:	Scheduled Caste
SCERT:	State Council of Educational Research and Training
SCR:	Student Classroom Ratio
SEMIS:	Secondary Education Management Information System
SMC:	School Management Committee
SSA:	Sarva Shiksha Abhiyan
SSC:	Staff Selection Commission
ST:	Scheduled Tribe
TET:	Teacher Eligibility Test
TGT:	Trained Graduate Teachers
TLM:	Teaching Learning Material
UDT:	Upper Division Teacher
UEE:	Universal Elementary Education
USE:	Universalisation of Secondary Education
VEC:	Village Education Committee
ZP:	Zillah Parishad

CHAPTER 1: INTRODUCTION

Recapturing the background

As India gears up to energise the school education system to meet the challenges of balancing quantity, quality and equity, the role of teachers emerges as one of the key factors that can turn the system around. Experience of the last three decades and a huge body of research has shown that it is not a matter of numbers any more. Recent research in India and globally has shown that teacher effectiveness is "the most important school-based predictor of student learning and that several consecutive years of outstanding teaching can offset the learning deficits of disadvantaged students…" (Vegas and Ganimian, 2011).

The Global Monitoring Report on 'Education for All' (2013-14) brings forth an alarming fact that globally around 250 million children of primary school age are not reaching minimum standards of learning. There is a global learning crisis and this crisis hits the disadvantaged the most. The report also highlights the need to improve the quality of teaching reiterating that the quality of learning depends on the quality of teachers. However, insufficient education funding has affected education outcomes, and this will result in future economic loss. The report urges governments to boost efforts to recruit an additional 1.6 million teachers to achieve the goal of Universal Primary Education by 2015.

The question that leaps at us is whether having more teachers would solve the learning crisis. The effectiveness of teachers in the classroom, their motivation to enable children to learn, and self-image and esteem are closely linked. Hiring more teachers may not solve the learning problem unless governments ensure that teachers have the requisite skills, the right environment and the motivation to guarantee that every child learns.

In the last decade or more, there has been some debate on what makes a good teacher. Is it their qualifications? Is it their remuneration? Is it the overall working conditions? Is it functional autonomy in the school and the classroom? Is it commitment? Or is it all about monitoring and accountability? Or is it some combination of these factors? There are conflicting opinions about these questions, but little research on what can really turn the system around to enable teachers to become dedicated professionals, respected by society for

their contribution towards building generations of educated students[1]. Countries like Poland have made some significant progress on these fronts, but in India we know very little about how teachers are positioned in the system, their working and living conditions, accountability systems and effective autonomy where it matters the most – in the classroom.

This volume was conceptualised at a significant moment in the history of Indian education. The Right to Education (RtE) Act 2009 has mandated specific teacher-student ratios and teacher qualifications, and also issued guidelines on the factors necessary for making an environment conducive for teaching and learning. Equally significant is that the RtE Act and Justice Verma Committee (2012) mandated a Teacher Eligibility Test (TET) as the first step in recruitment of all teachers, whether on contract or on grade. This is also the time when several state governments have reviewed their policies with respect to contract teachers (contract / regular; contractual probation moving towards regularisation) and some others are hiring contract teachers without any long-term perspective on what would happen to them. This is also the time when there is a lot of pressure to improve the quality of our schools and ensure our children learn — annual learning assessment surveys of Pratham India (ASER Survey[2]), periodic learning assessments done by NCERT and large scale surveys executed by Educational Initiatives — tell us in different ways that all is not well with what our children are able to learn in our education system.

Scanning the global literature on quality and learning, it becomes evident that one of the key determinants of learning is the competency, effectiveness and motivation of teachers (Dundar et al, 2014). The literature suggests that the above three teacher attributes are determined by how the education system is able to foreground the rights of children (to quality education), acknowledge the rights of teachers (working conditions) and balance the two, creatively and effectively (Cream Wright in Chikondi Mpokosa and Susy Ndaruhutse, 2008[3]). In other words, it depends upon how effectively the system is being managed.

The Oxford English Dictionary meaning of the word "management" gives the word a command-oriented overtone: the "Organization, supervision, or direction; the application of skill or care in the manipulation, use, treatment, or control (of a thing or person), or in the conduct of something". Taking the elements of this definition pertinent to the current

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[1] A recent research by Azam and Kingdon 2014 found that there is a lot of variation in teacher quality across different teachers (as measured by their pupil's scores) and that teachers' resume traits such as qualifications, training and years of experience have no consistent relationship with student achievement.

[2] Annual Status of Education Report (ASER) – 2005 to 2014 available http://www.asercentre.org/

[3] "Chikondi Mpokosa and Susy Ndaruhutse, 2008. Managing Teachers: The centrality of teacher management to quality education. Lessons from developing countries. CfBT and VSO, UK

discussion, *good* management is more about coordinating "the efforts of people to accomplish goals and objectives using available resources efficiently and effectively". For academic research purposes, it is important to arrive at a definition of what constitutes "Teacher Management". A comprehensive bibliography of teacher management done by UNESCO (Gottlemann and Yekhlef, 2005) identifies three major challenges as the overarching framework for teacher management:

- Provide enough teachers (to meet student demand): this includes recruitment and deployment; redistribution of teachers (transfer and posting);
- Enable teachers to do "good work" from both the pupils' and teachers' point of view: this includes status & working conditions, autonomy and freedom, avenues for professional growth and development and school leadership;
- Respond to the major existing (especially financial) constraints: different categories of teachers and their salary and periodic increments, policy decisions on contract teachers, incentives and increments.

These elements are also reflected in the World Bank's SABER-Teachers review of what factors matter most in teacher policy globally. While teacher development/training (content and processes) is often not included in teacher management, the mechanism for identifying the training requirements of teachers and decisions pertaining to how, for whom, and where the training will be organised, are an important aspect of teacher management. There are no water-tight compartments, and issues of teacher development and teacher management often overlap and inter-twine with each other. In this report, however, we focus only on the management aspect of professional development.

Notwithstanding the spurt of global research and policy level work on teacher management, there is not enough evidence on the effectiveness of different policies and management regimes, especially in India.[4]Specifically, there is very little documentation of how policies are implemented, and the distance between policy and practice. It is practice that ultimately determines what happens inside classrooms and whether students learn.

Keeping the above in mind, NUEPA, with support from Rajiv Gandhi Foundation, initiated a research to understand the working conditions of elementary and secondary school teachers in nine states of India – namely Jharkhand, Karnataka, Madhya Pradesh, Mizoram, Odisha,

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[4] See Annex 1 for a literature review on teacher management.

Punjab, Rajasthan, Tamil Nadu and Uttar Pradesh.[5] These states were selected to ensure all regions of the country are represented and availability of suitable research agencies to undertake the task within a tight timeframe. This volume seeks to answer the following key questions for each of the nine states:

1. How are teachers recruited?
2. How are they deployed (appointed, transferred, deputed)?
3. How much are teachers being paid?
4. What are the various teaching and non-teaching tasks that are assigned to them?
5. How much autonomy do they have (and for what)?
6. Who are they accountable to and for what?

The Scope

At the outset, this volume primarily focuses on government schoolteachers at the elementary level and government and government-aided schoolteachers at the secondary level. Government-aided schoolteachers were included at the secondary level because of their strong presence in this part of the sector. Higher secondary teachers were kept out because in most states, the norms governing them are distinct and in many states, the higher secondary stage is treated administratively as part of higher education.

Secondly, this volume covers all categories of teachers – regular, contract and part-time teachers. Since the late 1980s, many states in India decided to appoint contract-teachers (who were then known as 'para-teachers') for two main reasons: (a) to respond to the rapid increase in student enrolment and address the problem of teacher-absence and non-availability of teachers in rural / remote areas and enable local government to hire teachers (albeit with lower qualifications) on annual or short-term contracts; and (b) to enable state governments to hire more teachers with less financial resources. As a result, most of the educationally backward states created multiple cadres of schoolteachers. With the coming of Sarva Shiksha Abhiyan (SSA) in 2001, some states started using SSA funds to hire contract teachers. A similar trend is evident with the coming of RMSA in 2009. As a result, some states not only had two types of teachers – regular and contract, but also different types of contract teachers – those who are hired by the *Zillah Parishad* using state government resources, those hired through SSA / RMSA budget, and those hired by the school (through the School Development and Management Committee / Parent Teacher Association). It was, therefore,

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[5] The original plan was to cover eleven states; however, Maharashtra had to be dropped from the original short-list and, later, Uttarakhand dropped out due to internal administrative issues in the host organization.

important to unravel and understand the evolution of multiple cadres of elementary and secondary schoolteachers.

With the enactment of the RTE in 2009, state governments have had to make changes in the entry qualification of teachers (regular and contract) to conform to the National Council of Teacher Education (NCTE) and RTE norms. In several states, the very idea of having multiple cadres of teachers doing the same work but drawing different salaries was challenged in courts. The education community argued that giving different pay for the same work also went against the spirit of the RTE Act. This has led to changes in many of the states in this study. As a result, with the interventions of the courts (Rajasthan High Court Judgment, 2013) change in the perceptions of political leaders and administrators (Madhya Pradesh) and pressure from the organised teaching community (Uttar Pradesh), some states started the process of "regularising" contract teachers. However, there are also several states (Jharkhand, Punjab) that have not yet reviewed their policies. There are indications that gradually many state governments are in the process of rethinking teacher - related policies that were introduced in the 1990s and early 2000s. Given that the policies towards recruitment and management of teachers have gone through significant changes, this needs to be documented and analysed. In doing so, it is aimed to help all states (not just the nine in the study) to review their own teacher policies in the light of new evidence.

The unique contribution of this volume is that it looks at and compares both stated policy and actual practice. This is, perhaps, the most compelling justification to initiate a project to study teacher management policies in India.

What is teacher management – this is a question that is often posted. For clarity – our understanding of the concept includes the following:
- Recruitment policies and practices;
- Deployment and re-deployment (transfers / posting) policies and practices;
- Salary, non-salary benefits and related service conditions (pensions, other long-term benefits);
- Physical working conditions of teachers;
- Roles, duties, responsibilities of teachers;
- Avenues for professional growth and management of teacher in-service training;
- Autonomy, accountability, appraisal systems that are in place;
- Teacher's rights, grievance redressal mechanism (through a desk review of legal cases filed in the last two years) and mandate of teacher unions

Box 1.1: Areas, issues and questions explored

1. Profile of all types of teachers:
   - ➢ Regular and contract teachers at elementary and secondary levels;
   - ➢ Who can become a teacher?
2. Recruitment
   - ➢ Who becomes a teacher?
   - ➢ Who hires them? What cadre do they belong to?
   - ➢ When was the last time that the state government recruited teachers?
   - ➢ What process was followed and the time taken from notification of recruitment to the actual appointment?
   - ➢ Who is the cadre controlling or managing authority?
3. Teacher deployment
   - ➢ How are they deployed? Who and how are decisions regarding deployment taken; at what level?
   - ➢ What is the current transfer policy in the state and how are teachers transferred?
4. Salary and service conditions
   - ➢ What are the salaries and other non-salary benefits given to teachers (for both regular and contract)?
5. Working environment
   - ➢ Physical working environment - Infrastructure (toilets, school buildings, drinking water), school facilities, library, laboratories, availability of educational material
6. Roles, duties and autonomy
   - ➢ What are the various teaching and non-teaching tasks that are assigned to them?
   - ➢ Who allocates them and how are they communicated?
   - ➢ How are new policy changes (RTE) or new guidelines (CCE) communicated to teachers?
   - ➢ What are the decisions that a teacher can take for his/her class?
7. Day- to- day management and administration
   - ➢ Training and professional development
   - ➢ How are teachers sent for training, and who decides?
   - ➢ How many days of training are mandated, and who organises them?
   - ➢ Are there any other mechanisms for professional support?
   - ➢ What is the system of performance evaluation of teachers?
8. School leadership
   - ➢ School leadership and powers / authority of headmasters
9. Rights of teachers
   - ➢ What is the process of grievance redressal for both regular and contract teachers?
   - ➢ What different kinds of teacher unions exist in states and what role do they play in improving the conditions of teachers?

What we did not set out to do

When such a research is designed, the obvious question that comes to mind is whether this would help us find out if India is recruiting good teachers. *At the outset, it is important to clarify that this volume <u>does not seek to comment on the capacity and quality of teachers who have been recruited and how effectively they are working in our schools</u>. This volume is instead about finding out whether the government is able to recruit and deploy teachers where necessary, whether practices are informed by policies and if all this is being done in a transparent manner.* Therefore, we need to clarify that though questions about the quality of teachers are very important and should be investigated; this volume tries to reflect on the processes that frame the management of teachers. Should a future research establish that India is able to recruit sufficient numbers of effective teachers, this study will help explain why that

is the case; whereas if it turns out that India is not able to recruit sufficient effective teachers, the present study will provide important insights into what changes are needed to current processes to improve the quality of people who are recruited to be teachers.

Further, this volume does not attempt to describe or analyse the situation with regard to private unaided elementary and secondary schools. Again, these issues are worth investigating given the rapid rise of such schools, especially in elementary education. In this volume, however, there were enough questions worth investigating with respect to government and government-aided schools that, broadening the scope further, would reduce our ability to say something meaningful on teacher management.

Methodology

Following a detailed literature review on key issues in teacher management globally and in India, the research was conducted in three stages:

- Desk Review of existing materials (government orders, notifications and related information) on teacher management and development;
- In-depth exploration of issues identified and
- Dialogues with stakeholders at the state and district levels.

The methodology adopted was primarily qualitative in nature, through perusal of policy and other documents and interviews with stakeholders. An intensive analysis of existing data was carried out in order to capture the context in which the study was located.

The research was done step-by-step, as described below:

First. Beginning in April 2014, every state team conducted an extensive desk review of policy documents, government orders, gazette notifications, minutes of meeting and notices issued in the past 10 years (2003 to 2013) and select legal judgement delivered in the last two years (2011-2013). These including documents related to teacher recruitment, transfer, salary, appraisal, professional growth and other aspects related to teacher management and development were procured and reviewed.

Second. Analysis of educational databases (DISE, SEMIS, UDISE) to get a picture of the profile of teachers.

Third. Legal judgments delivered by the nine State High Courts in the last two years were gathered from the nine study states for a content analysis to understand the range of grievances that teachers face and appeal against the judgements pronounced.

Fourth. Semi-structured Interviews with key informants at state level: Interviews were conducted at the State level with officials from Department of School Education / Elementary Education / Public Instruction (as the case may be), the Societies implementing Sarva Shiksha Abhiyan (SSA) and Rashtriya Madhyamik Shiksha Abhiyan (RMSA), Educational Research and Training institutions (DSERT / SCERT / DTERT), Teacher Recruitment Boards (where they exist) and Registered Teachers Associations (Primary and Secondary). These interviews were designed to understand the various processes undertaken and issues/challenges faced at different levels for managing different facets of teacher management/development. In total, 12 individuals were interviewed at the state level. In several states, these interviews were conducted twice – first to gather basic information and the second time to validate the information gathered through the document review and seek clarifications. *We assured confidentiality – therefore, the names and designations of the interviewees are not listed in this report*.

Fifth. Semi-structured Interviews with key informants at the district level: District-level interviews were conducted in the offices of District Education Officer / Deputy Director of Public Instruction, District Institute of Educational Training (DIET) and block-level officers (administration and development) in two sample blocks per state. The selection of the district was done in consultation with state level officials as well as a comparison of district and state-level education indicators to ensure the that sample district is representative of the State. *We assured confidentiality – therefore, the names and designations of the interviewees are not listed in this report*.

Sixth. Focus Group Discussions (FGDs): FGDs were conducted at the block level with teachers from primary and secondary schools. In every sample district, at least two FGDs were conducted with elementary and secondary schoolteachers. *We did not maintain a list of teachers who participated in the FGDs in order to ensure confidentiality.*

Seventh. State-Level Workshop in September 2014 to cross-check / validate the information collected and seek advice / guidance of experienced civil servants and leaders of teacher unions. After completing the review of the documents, semi-structured interviews and group discussions, a State-level discussion workshop was conducted to present the major findings and suggestions in the presence of the state and district officials, teachers association representatives along with scholars and NGOs that work on teacher management aspects in the state. Inputs from this workshop have also been incorporated in this report.

Eighth. The draft reports were then presented in a national workshop of researchers and selected experts to understand the specific texture of each of the nine states and cull out the issues that could be covered in a national synthesis. This forum was also used to give detailed feedback to the research teams so that they could revise the draft state reports, provide additional information (where required) and generate common tables and matrixes.

This volume is the culmination of this process. This synthesis report draws heavily on the findings of the nine state reports.

Structure of this book

This volume starts with an overview of the situation as revealed through DISE / UDISE data with respect to teachers. Chapter 2 starts with a description of the teaching workforce in India and discusses the size and the trend across elementary (primary and upper primary) and secondary schools. Taking a 10-year perspective, the analysis then focuses on terms of (teacher) employment evident across the nine states. Our analysis reveals that there have been some significant changes with regard to the terms of appointment of teachers. Among the issues flagged in this chapter are the trends and variations in pupil-teacher ratios and educational qualifications. This chapter provides a succinct statistical backdrop to the research study.

Chapter 3 delves into who can become a teacher. It starts with an analysis of the recent notifications of NCTE and the implications of the RtE Act of 2009 and then moves on to give an overview of the situation in the nine states. This chapter flows into Chapter 4 on teacher recruitment, which throws up a number of interesting findings with regard to policy framework for recruitment and the actual practice that is evident in the states. The chapter further enriches our understanding of contract teachers, regular teachers and those who are caught somewhere in-between (contractual period before they become regular as evident in MP and Odisha). This chapter also captures the Karnataka model as a practice that a number of states are trying to emulate.

Teacher deployment and transfers have always been contentious issues in educational management – with some document-based evidence but a lot of anecdotal narratives and newspaper reports. Chapter 5 attempts to place the issues that frame teacher deployment within a policy context and then tries to explore to what extent the nine states adhere to their own policies. Teachers across the nine states talked about what they liked and what they did not, in several states the discussions revolved around rent-seeking and corruption. We were at

a loss on how we could present this complex issue, backed by evidence. Unfortunately, apart from narratives and opinions expressed in interviews and discussions, there is indeed little concrete evidence since issues of rent-seeking are typically hidden and not recorded. Regardless, the chapter provides some understanding of how, in the absence of a clearly laid out policy and a transparent system of teacher transfers (like Karnataka and Tamil Nadu), manipulation is possible.

Chapter 6 on salaries and benefits gives us the range that exists in teacher remuneration across the nine study states. Interestingly, it is the more educationally developed states like Tamil Nadu and Karnataka that pay among the lowest salaries – even though all (except Punjab) claim to adhere to the 6th Pay Commission. Interestingly Punjab, which claims to follow the 5th Pay Commission, actually pays teachers the best and the difference between the salaries of elementary and of secondary school teachers is the lowest. Chapter 7 on teachers in schools gives an analytical overview of the roles and responsibilities of teachers, the challenges they face in discharging them and the implications of RtE in the lives of teachers. This chapter also discusses the evidence we were able to get on school leaders and their role.

Chapter 8 deals with the professional growth of teachers and captures the management of the training regime that exists in the nine states. Chapter 9 takes the reader through the grievance redressal system that exists in the nine states. This chapter distinguishes between administrative grievance redressal mechanisms and the legal route. The chapter gives us a glimpse into the legal and administrative framework of our education system and is a first step towards a much more detailed and nuanced analysis of these mechanisms.

Chapter 10 discusses unresolved issues that emerged in the course of this study and also highlights a number of cross-cutting themes / issues that we could not do justice to in the individual chapters.

CHAPTER 2
SCHOOL TEACHERS IN INDIA: A DESCRIPTIVE ANALYSIS

Introduction

A first step in understanding teacher management and development in India is to document the size of the teaching force and changes in key characteristics of schoolteachers over the past 10 years. This chapter uses data from 2003-04 to 2012-13, both at the all-India level as well as individually for the nine states of the study.

There are some sharp differences, but also some common features across states. States vary greatly in terms of: the proportions of teachers (and pupils and schools) that are under different types of management (government, aided, and private unaided); in the overall pupil-teacher ratio; average school size; the structure of grades/classes within a given school; the proportion of teachers who are regular as opposed to contract teachers; and, the proportion of teachers who are female (though the proportion has been increasing in all states over the past 10 years in elementary education).

Common features across states with regard to elementary education include: significant reductions in the PTRs over the past 10 years due to increasing numbers of teachers outpacing growth in enrolments (especially in private schools); ST teachers are generally well-represented, while SC teachers are not; a steady increase in the educational qualifications of all teachers; and, significant infrastructure challenges, with only a few schools meeting expectations. In addition, in respect of secondary schools, characteristics of aided schools in a given state are more like the government schools in that state than they are like aided schools in other states.

Perhaps the most important commonality across states is that there are significant variations within states across a number of parameters (for example, PTR at the school or district-level); and these variations are as significant as the differences across states. The remaining chapters will look at how teacher policies in states have created and/or can help address these differences.

For both teachers and managers of the teachers, a particular challenge is the small size of schools. There are a significant proportion of elementary schools with only one teacher and an even larger proportion of secondary schools, which have (at most) only one specialist

teacher in each subject. PTRs in these schools tend to be high. Teachers in small schools are more isolated professionally (they cannot discuss their challenges with another teacher) and face difficulties attending training (or simply taking leave) because there is no system for teacher substitutes and, when a teacher is absent, students do not learn.

Teaching Workforce: The Current Scenario[6]

An "elementary school" is defined as any school which has an elementary section – but it may be part of a school which also has secondary and/or higher secondary sections.[7] Equivalently, any school with a secondary section is included in the definition of a "secondary school" – though it might have primary, upper primary and/or higher secondary sections. It should be noted that in practice many states still do not use "elementary school" as a category and refer to primary and upper-primary as distinct entities.

Those planning teacher management need to be aware that different definitions of 'elementary school teacher' and 'secondary school teacher' yield different estimates of teacher numbers. *The numbers on elementary school teachers presented in the next three paragraphs are based on the data presented in the Report Cards, which defines an "elementary teacher" as being any teacher (i.e. teaching any section) in an elementary school (and similarly for 'secondary teacher'). These definitions are used in Report Cards published on the UDISE website*. Alongside these key numbers, are reported the equivalent number estimated from the Raw Data, based on an alternative definition of an elementary teacher as being only those teachers in elementary schools *who are actually teaching elementary sections* (and similarly for secondary teachers). This narrower definition yields numbers that are much smaller. These alternative figures are presented to emphasise that

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[6] At the outset, it is important to state that we have relied primarily on DISE data. We understand that there are inaccuracies and definitional issues. Notwithstanding the above, it is still the most comprehensive data set that we have on the school system.

The data for elementary schools used for this analysis comes from State Report Cards and District Report Cards ("Report Cards") for elementary schools for the academic years 2003-04 to 2012-13, which present data on a selected set of District Information System of Education (DISE) variables, and are available publicly on www.dise.in. Comparable data for secondary schools is available publicly only for a much shorter duration and, more significantly, only for a very limited range of DISE variables. Therefore, for secondary schools, we rely on Unified DISE (UDISE) respondent-level data available for the academic year 2012-13 ("Raw Data") to present an analysis of the current scenario, rather than an analysis of trends over time. The current scenario section on elementary schools also draws upon the Raw Data, and numbers based on this dataset (which offers much greater flexibility, for instance with regard to defining variables of interest) are presented alongside those taken (as reported) from the Report Cards, in order to facilitate a comparison of scenarios under alternative definitions of important variables. The other section in the paper that draws upon the Raw Data is the one on intra-state variations in the pupil-teacher ratio (PTR). We also draw upon the literature to support these facts.

[7] Schools are, in fact, structured as: Primary only, Primary with Upper Primary, Primary with Upper Primary and Secondary and Higher Secondary, Upper Primary only, Upper Primary with Secondary and Higher Secondary, Primary with Upper Primary and Secondary, or Upper Primary with Secondary.

using an alternative definition can lead to a significantly different understanding of the teaching workforce and its characteristics, and, hence, has different policy implications.[8] For secondary school teachers, all numbers presented in this section are based on the Raw Data (since Report Cards are not published for secondary schools).

Elementary Teachers

As of 2012-13, the elementary teacher workforce in India is more than 7.4 million strong, teaching across 1.4 million government, government aided, and private unaided elementary schools (Table 2.1). (If just teachers teaching elementary sections/classes are taken, as per Raw Data, this strength is 5.8 million[9] elementary teachers.) Of these, 4.5 million work in government schools[10] (3.6 million as per the Raw Data), while 2.6 million are employed in schools managed privately[11] (1.9 million as per the Raw Data, 0.4 million of which are employed in aided schools, while 1.5 million are employed in private unaided schools). Average all-India PTR, according to the Report Cards data, is 28.8[12], with a maximum PTR of 129.4 and a minimum of 4.4. The Raw Data, on the other hand, shows the average PTR – taken across all elementary schools surveyed – as 34.4. There is, however, significant upward and downward variation across schools; this variation is explored in more detail below.

Table 2.1 Number of elementary teachers, using alternative definitions and data sources
(All-India)

	Teachers in elementary schools (Report Cards data)	**Teachers teaching elementary classes/sections (Raw data)**
Number of teachers (million)	7.4	5.8
Number of teachers in government schools (million)	4.5	3.6
Number of teachers in private schools (million)	2.6	1.9
Average PTR	28.8	34.4

Note: 'private' schools include both aided and unaided schools. In the available dataset, it is not possible to separate these types of private schools.
Source: DISE Report Cards data and UDISE Raw Data

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[8] The data available to the research team did not enable all the analyses in this section to be carried out on the Raw Data for elementary schools; hence the Report Card data is used.

[9] This includes teachers for only those elementary schools that also report enrolment data – this number therefore omits approx. 1.7 lakh teachers (3% of total), but allows comparability with teacher numbers used for PTR calculations that also use enrolment data.

[10] Includes all elementary schools managed by Dept. of Education, Local Body and Tribal / Social Welfare Dept.

[11] Includes private aided and private unaided schools; the break-up between these two sub-categories is not provided in the Report Cards data.

[12] This is average across-districts PTR for 2011-12, as there is no District Report Card available publicly for 2012-13. Since Report Card data is presented at the district level, average PTR is an across-districts average for the country.

Across the country as a whole, there are nearly 130,000 single-teacher elementary schools; most of which (79 percent) have only a Primary section, or only an Upper Primary section (13 percent). The remaining 10,000 single-teacher schools have more than one section.

Women constitute about 46 percent of all teachers in the country, and about 21 percent of all teachers come from marginalized sections of society (SC/STs) (Table 2.2). The overwhelming majority of the teaching workforce operates as 'regular' teachers, with only about seven percent being 'contract' or 'para' teachers[13]. About 87 percent of all teachers have completed at least school education (upto higher secondary), and about 64 percent have at least a graduation degree.

Among the nine states under consideration, Uttar Pradesh (UP) has the largest teaching workforce with 950,000 teachers, followed by Rajasthan with 560,000 teachers. Mizoram is the smallest with only about 19,000 teachers, but it, nevertheless, has the lowest pupil-teacher ratio (of 13.9) by a long distance. Women are best represented in the teaching workforce in Tamil Nadu and in Punjab, comprising 73 percent and 72 percent respectively of total elementary teachers, but they comprise less than 45 percent of all teachers in all other states except Karnataka. Jharkhand, with 32 percent, and Rajasthan with 31 percent women teachers have worryingly low female representation. At least 20 percent of all teachers come from the marginalized sections in five of the states under consideration, with Jharkhand (with 31 percent SC/ST teachers) providing the highest degree of inclusion[14]. In terms of academic qualifications, Punjab has the highest percentage of teachers who are at least graduates at 83 percent, with Rajasthan and Tamil Nadu close behind. In terms of percentage of teachers receiving in-service training in the last academic year, the southern states of Karnataka and Tamil Nadu lead the pack with more than 35 percent coverage, while Madhya Pradesh (MP) (nine percent), Rajasthan (12 percent) and UP (13 percent each) bring up the rear.

We now turn to the situation in government elementary schools. *The first thing to notice is that in more than a third of Indian elementary schools managed by the government, there are no women teachers* (Table 2.3)[15]. This despite the fact that 46 percent of teachers overall are women. At the state level, Tamil Nadu has the lowest percentage of government-run elementary schools without a female teacher, while this problem is most pronounced in

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[13] These numbers are based on Report Cards data, which report only two employment categories for teachers – regular and contract; this is different from the data collection and reporting in the Raw Data, as explained later.

[14] This point is made with the exception of Mizoram, where STs comprise an overwhelming demographic majority, and, hence, also account for most of the teaching workforce.

[15] This figure excludes boys-only schools.

Jharkhand, MP and Rajasthan, where more than half of all government elementary schools have no female teachers.

Table 2.2 Profile of elementary school teachers (All elementary schools), 2012-13

	Number	**% Women**	**% SC/ST**	**% Contract**	**% Graduates**	**% Trained**	**Avg. PTR**
India	7,354,151	46%	21%	7%	64%	26%	28.8
Punjab	226,570	72%	17%	8%	83%	18%	15.8
Rajasthan	560,412	31%	24%	4%	80%	12%	26.6
Uttar Pradesh	953,807	38%	15%	19%	71%	13%	44.6
Mizoram	19,108	44%	98%	25%	48%	26%	13.9
Jharkhand	170,509	32%	31%	49%	67%	29%	37.9
Odisha	272,173	40%	25%	2%	56%	34%	23.7
Madhya Pradesh	464,018	41%	27%	0%	67%	9%	34.4
Karnataka	306,350	58%	18%	1%	12%	39%	21.3
Tamil Nadu	474,211	73%	16%	4%	75%	36%	28.9

Source: DISE Report Cards data, 2012-13

More than 40 percent of all government elementary schools have only one or two teachers – and more than 30 percent of schools in all states of the study, except Mizoram and UP, fall in this category. This issue is particularly problematic in Madhya Pradesh and Jharkhand, both of which have well over 60 percent of their government elementary schools operating with only one or two teachers. The physical infrastructure too is inadequate, with seven percent of schools having less than two classrooms.

Table 2.3 Working conditions of teachers (regular and contract) in government elementary schools

	Schools without a female teacher		**Schools with less than 2 classrooms**		**Single- teacher schools**		**Schools with 2 teachers**	
	Number	%	Number	%	Number	%	Number	%
India	346,562	35.7	71,824	6.9	113,290	10.9	323,905	31.2
Jharkhand	21,436	55.9	871	2.2	6,236	15.6	19,317	48.4
Karnataka	11,350	26.1	2,495	5.5	3,886	8.6	13,616	30.0
Madhya Pradesh	56,323	54.3	4,260	3.9	20,534	18.6	49,365	44.8
Mizoram	265	15.1	11	0.6	19	1.1	93	5.3
Odisha	21,374	40.1	4,888	8.6	5,725	10.1	23,310	41.2
Punjab	2,155	11.3	451	2.4	1,149	6.0	5,535	28.9
Rajasthan	41,306	53.3	3,454	4.4	15,246	19.6	24,817	31.8
Tamil Nadu	3,223	9.0	644	1.8	2,427	6.8	15,102	42.0
Uttar Pradesh	29,108	25.1	1,139	0.7	13,107	8.2	20,224	12.7

Source: DISE Raw Data, 2012-13

Secondary Teachers

As regards secondary schools, the total size of the teacher workforce is 0.95 million(Table 2.4), with 0.42 million employed in government schools and 0.49 million in private schools, the latter being split almost equally between aided and unaided schools.

About 38 percent of all secondary school teachers are women, and just over 17 percent come from the marginalized sections (defined here as SC or ST). Nearly 89 percent of all secondary school teachers are in regular employment, while eight percent are employed contractually[16]. More than 85 percent of all secondary school teachers are at least graduates, and nearly 44 percent are at least post-graduates.

Across the nine states in the study, most states have much lower women than men as secondary teachers and, in all states except Mizoram, less than 20 percent of secondary schools have four core subject teachers. Punjab and Tamil Nadu register the highest representation of women with more than 60 percent of their secondary teaching workforce comprising females. All the other seven states have less than 40 percent female representation among secondary school teachers, with Uttar Pradesh having the lowest representation with 21 percent. The maximum representation of marginalized sections among secondary school teachers (except Mizoram with about 95 percent SC/ST teachers) is found in MP, Rajasthan and Jharkhand, each of which have more than 20 percent SC/ST teachers. UP, with less than nine percent SC/ST representation, has the lowest percentage of marginalized section teachers at the secondary level. As regards proportion of secondary schools with teachers for all four core subjects, Mizoram performs the best with nearly 73 percent, while all other states in the study have substantially less than 20 percent of total secondary schools meeting this criterion.

Six of the nine states (all but MP, Punjab and Mizoram) employ less than 15 percent of their secondary school teachers on a contractual basis; and in all states qualifications across all teachers are high. Mizoram also presents an exception in case of nature of teacher employment, with 67 percent teachers employed on a contractual basis. This is more than twice the proportion of contract teachers in the state behind it in this regard, which is Punjab with 29 percent contract teachers. The secondary school teacher workforce is also well-qualified in most states, with more than 80 percent teachers having at least a graduate degree in all states barring Karnataka (where teacher hiring requirements in the past relied on both educational and professional qualifications, as opposed to only educational qualifications in other states). In five of the nine states (Jharkhand, Punjab, TN, MP and UP), more than half the secondary school teachers have at least a post-graduate qualification.

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[16] These numbers do not add up to 100% because secondary school data is based on the Raw Data, for which the Data Capture Form also allows schools to categorise teachers as part-time, and because the raw data itself, in fact, reports more than three types of employment contracts.

Table 2.4 Profile of secondary school teachers (all secondary schools)

	Number	Women %	SC/ST %	Contract %	Graduates %	Schools with 4 subject teachers %
India	946,786	38	17	8	86	12
Jharkhand	7,652	32	21	9	92	6
Karnataka	97,078	39	18	5	38	15
Madhya Pradesh	23,642	38	27	24	95	8
Mizoram	4,324	35	95	67	95	73
Odisha	65,273	28	10	14	86	17
Punjab	42,663	67	14	29	93	4
Rajasthan	72,886	26	22	1	89	2
Tamil Nadu	74,036	63	16	10	94	11
Uttar Pradesh	88,802	21	9	1	85	6

Note: In Karnataka, hiring requirements in the past have included both professional and educational qualifications as requirements for being a teacher, unlike other states which have had just the latter.
Source: UDISE Raw Data 2012-13

Only 3.3 percent of government secondary schools meet the RMSA norm of five teachers (two Language teachers, and one teacher each for Mathematics, Social Science and Science) and a head teacher (Table 2.5). Less than one percent of all schools meet this norm in five out of the nine states of the study, and only in Mizoram do more than 12 percent meet the norm. In fact, more than 14 percent of secondary schools have only one or two teachers – and the situation in UP (over 30 percent), and Jharkhand and Rajasthan (both over 20 percent) is particularly bad.

Table 2.5 Working conditions in government secondary schools

	Schools with 5 subject teachers & a head teacher		Schools with less than 2 classrooms		Single teacher schools		Schools with 2 teachers	
	Number	%	Number	%	Number	%	Number	%
India	3,027	3.3	22,029	24.3	6,329	7.0	6,731	7.4
Jharkhand	14	0.6	1,147	51.9	304	13.8	179	8.1
Karnataka	573	11.4	2,415	48.1	172	3.4	83	1.7
Madhya Pradesh	21	0.4	709	12.3	559	9.7	563	9.8
Mizoram	167	59.6	2	0.7	0	0.0	0	0.0
Odisha	352	7.1	2,527	50.8	191	3.8	216	4.3
Punjab	7	0.2	225	6.7	72	2.1	214	6.4
Rajasthan	41	0.3	2,167	18.4	646	5.5	1,746	14.9
Tamil Nadu	192	3.4	556	9.8	216	3.8	375	6.6
Uttar Pradesh	12	0.4	489	17.8	718	26.1	269	9.8

Source: UDISE Raw Data, 2012-13

Elementary Teacher Workforce: Trends in Size and Growth

Over the last 10 years, from 2003-04 to 2012-13, the teacher workforce in elementary schools in India has almost doubled from about 3.7 million to 7.4 million, though growth rates have varied across years. Overall, the compounded annual growth rate (CAGR) is 7.2 percent. There are two significant trends:

(a) The increase in the number of teachers has been consistent and unbroken, with more teachers added to the workforce than have been lost in each year since 2003-04; and,

(b) The rate of growth of the teacher workforce has varied significantly, ranging from a high of 13.2 percent in 2004-05 (year-on-year) to a low of 0.5 percent in 2009-10 (year-on-year) (Figure 2.1).

Figure 2.1 Year-on-year growth of elementary schools, teachers and students (all-India)
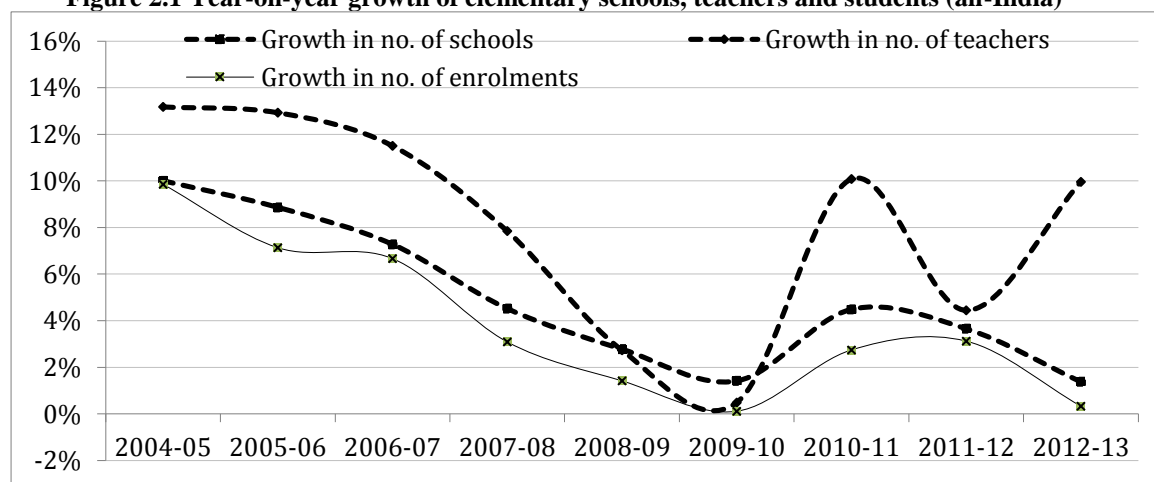
Source: DISE Report Cards data, various years

There are, in fact, three distinct phases in the size and growth of the elementary teacher workforce. **The first period** extends from 2003-04 to 2007-08, and was generally a period of high, albeit, decreasing growth. The numbers of schools, students and teachers all increased rapidly over these years, with the growth in the teacher workforce outpacing the other two. **The second phase** comprises the two years of 2008-09 and 2009-10. This period saw a slowdown in the rate of expansion of elementary education. There are at least two explanations. The first is that the rapid growth in previous years meant that most states had achieved near universalization of elementary education, and now there were simply fewer schools that needed to be built. Another is that the onset of the global financial crisis dampened national and per capita income growth and this affected state governments' ability to finance the construction of schools and the hiring of teachers. It may be noted, though, that SSA allocations from the central government continued to increase throughout the period.

The third phase started after the passage of the RTE Act – which made education a Fundamental Right from 1st April 2010. The momentum created by the Act ensured that

growth in both the number of schools and teachers picked up sharply and immediately from 2010-11. As in earlier periods of expansion though, growth in number of teachers once again outpaced growth in enrolments, thereby enabling a gradual lowering of the actual PTR down towards the norm of 40:1, and eventually 30:1. This is explored in more detail in the next section. Figure 2.1 also highlights an interesting phenomenon – teacher growth outpaced both school and enrolment growth in the first phase of expansion as well as the third, and also fell most steeply in the middle period when growth of elementary education slowed down. This suggests that number of teachers is affected more strongly than other elements of school education (viz. number of schools and students) by an expansion or a slowdown in school education. This follows somewhat intuitively from the facts that (a) setting up new schools involves gestation in terms of time and money, which induces sluggishness in its movements, and (b) teacher salaries comprise the principal recurring cost for schools, which is often reported by school managements as an even bigger encumbrance than capital expenditure, making them an obvious choice for cut-backs in bad times. However, it also points to the high degree of importance accorded to the objective of reducing the PTR across elementary schools.

At the state level, as noted earlier, the size of the elementary teacher workforce is largest in UP at 0.95 million, which is almost twice as many as the next largest teacher workforce (which is 0.56 million strong in Rajasthan) among the states under consideration. These are also the only states where the absolute number of elementary teachers has never decreased year-on-year.

Table 2.6 Number of elementary teachers, 2003-04 to 2012-13 (all elementary schools)

(In '000)	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
India	3,666	4,149	4,685	5,225	5,635	5,789	5,817	6,403	6,688	7,354
Punjab	43	91	73	85	80	103	104	205	180	227
Rajasthan	260	288	354	397	422	453	459	460	469	560
Uttar Pradesh	400	401	527	609	644	651	698	729	799	954
Mizoram	12	13	13	16	16	17	16	16	19	19
Jharkhand	60	71	111	132	148	151	148	167	152	171
Odisha	142	158	169	151	222	246	182	250	253	272
Madhya Pradesh	314	377	378	399	431	436	441	437	454	464
Karnataka	238	227	228	250	260	267	279	298	387	306
Tamil Nadu	229	250	330	360	317	327	330	334	333	474

Source: DISE Report Cards data, various years

The state data also testifies broadly to the existence of the three phases in teacher growth at the national level highlighted above, though different states exhibit significantly different degrees of variation in growth rates (

Table 2.). Growth rates in the second phase are significantly lower compared to the first phase in all states except Karnataka and UP. Growth rates across states generally picked up from 2010-11 with the implementation of the RTE Act, with the exception of Jharkhand, Punjab and Karnataka, each of which registered negative growth in one of the two subsequent years.

Elementary Teachers by Type of Management

For the entire period under consideration, government schools have employed a large, though declining majority of all elementary schoolteachers. At the all-India level, more than three-fourths of the entire elementary teacher workforce was employed by the government sector in 2003-04, though it fell by 2012-13 to slightly less than two-thirds. At the all-India level over the last 10 years, there has been a clear and steady increase in the percentage of private school teachers. The number of private schoolteachers has grown faster than the number of government schoolteachers consistently over the last eight years (Figure 2.2 and Table 2.6). This has been mainly due to the much faster pace of year-on-year growth of private schools than of government schools, sustained across every year since 2005-06, except in 2008-09 (Figure 2.3).

Figure 2.2 Growth in number of elementary teachers, by management (all-India)
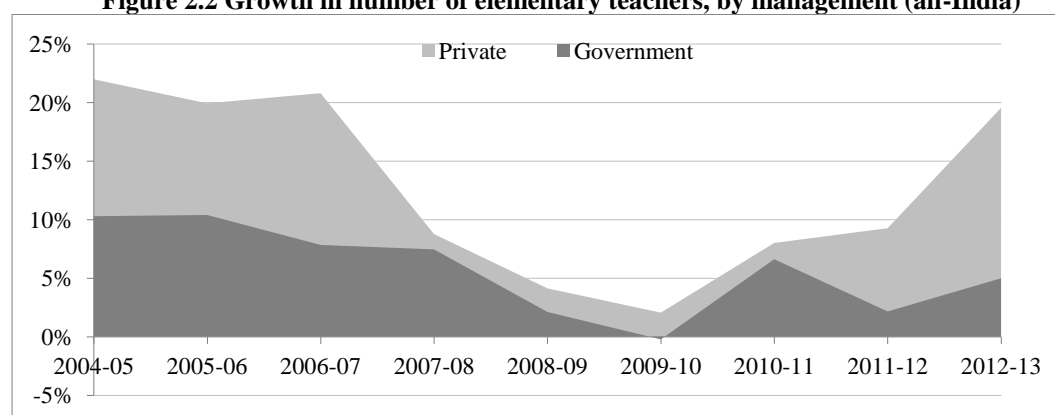
Note: 'Private' includes both aided and unaided schools.

Source: DISE Report Cards data, various years

Table 2.7 Number of elementary schools, 2003-04 to 2012-13

('000)	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
India	3,666	4,149	4,685	5,225	5,635	5,789	5,817	6,403	6,688	7,354
Punjab	43	91	73	85	80	103	104	205	180	227
Rajasthan	260	288	354	397	422	453	459	460	469	560
Uttar Pradesh	400	401	527	609	644	651	698	729	799	954
Mizoram	12	13	13	16	16	17	16	16	19	19
Jharkhand	60	71	111	132	148	151	148	167	152	171
Odisha	142	158	169	151	222	246	182	250	253	272
Madhya Pradesh	314	377	378	399	431	436	441	437	454	464
Karnataka	238	227	228	250	260	267	279	298	387	306
Tamil Nadu	229	250	330	360	317	327	330	334	333	474

In line with the characteristics of the three periods of expansion defined above, the gap between growth in private and government schools as well as teachers has been largest in the years of significant expansion in elementary education; and generally larger in the first and third periods than in the middle one (Figure 2.3). This seems to indicate that expansion of privately managed schools, and teachers, has been the relatively more important tool of elementary education expansion over the last decade.

Figure 2.3 Growth in number of elementary schools, by management (all-India)
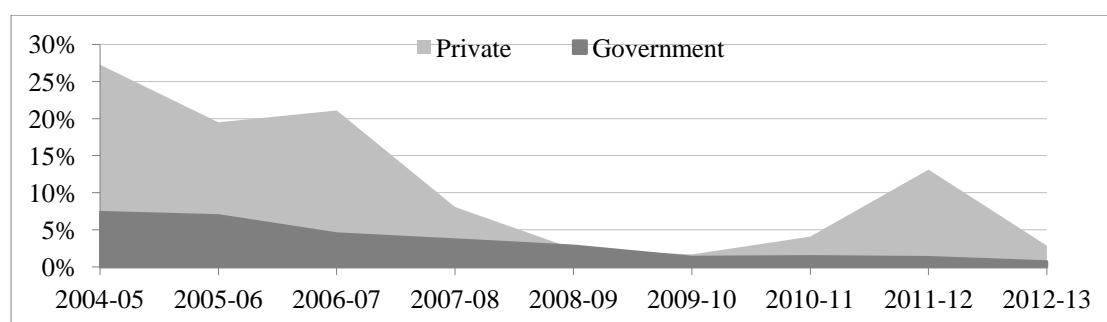
Secondary teachers: Government vs. Aided schools

Overall, at both the national and state levels, aided schools share many of the characteristics of their government school counterparts. Both aided and government schools have poor physical and human resources, and state governments provide very little or no support for infrastructure. Aided schools tend to be somewhat larger and located more often in urban areas. Aided schools are more like government schools than they are different, and more like those schools in their state than aided schools in other states. For example, across secondary schools in India as a whole, 53 percent[17] of aided schools and 46 percent of government schools have more pupils than their reported classrooms would permit (based on RMSA norms[18]): the corresponding figures in Karnataka are 48 percent and 40 percent; in Mizoram, 13 and 9 percent; and, in UP, 57 and 39 percent (Figure 2.4).

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[17] Taken as a percentage of all aided secondary schools which have a meaningful student-classroom ratio (SCR)

[18] RMSA Norms: PTR is not a viable option for calculating teachers at the secondary level. That is why under RMSA, both the subject- specific requirement of the state as well as the PTR is kept in mind for calculation of teachers. The approved RMSA norm is to provide a minimum of five subject teachers for a secondary school with upto two sections in each class. Since the RMSA scheme envisages a Student Classroom Ratio (SCR) of 40:1, a two-section school would normally mean an enrolment of 160 students. A minimum of five subject teachers will have to be provided even if the enrolment is less than 160. Any shortfall in such schools will be made good under RMSA. For every incremental enrolment of 30 students, one additional teacher may be provided as per the RMSA norm of PTR of 30:1. The number of sanctioned posts will be deducted from the total number of teachers, so estimated, to arrive at the number of additional teachers a State will get under RMSA for existing secondary schools. The subject-wise distribution of teachers has been left to the State Government." (http://mhrd.gov.in/sites/upload_files/mhrd/files/upload_document/FAQ_0.pdf)

One significant area of difference between aided and government schools relates to size: overall, aided schools have, on average, 207 students compared with 170 in government schools; and in some states with large numbers of aided schools, the differences are even bigger (in Tamil Nadu aided schools are, on average, twice as big). This is likely connected to the fact that aided schools tend to be more concentrated in urban areas than government schools (though of course given the geography of Indian states, most aided schools are in rural areas).

Figure 2.4 Percentage of aided and government secondary schools operating above capacity
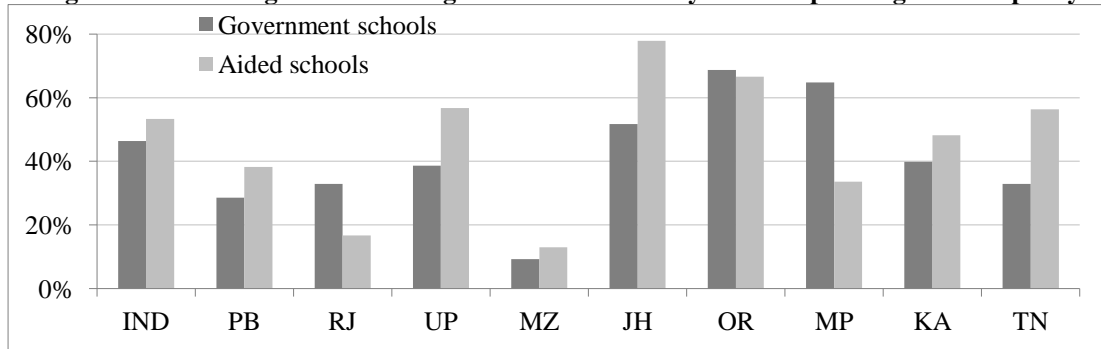
Note: A school is defined as operating above capacity if it has its School Classroom Ratio (SCR) >45
Source: UDISE Raw Data, 2012-13

With respect to basic infrastructure too, both government and aided secondary schools fare almost equally poorly (Figure 2.5). The only exception here is Punjab, where government schools fare significantly better than aided ones, and infrastructure achievement is high, relative to other states, with more than 15 percent of government schools having the six infrastructure elements.[19] In seven of the other eight states of the study, less than one percent of all secondary schools – be they government or aided – provide for all six basic infrastructure components, with Tamil Nadu performing marginally better, with about two percent of both government and government- aided schools fulfilling these criteria.

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[19] The six basic infrastructure components are: (1) at least 2 *pucca* classrooms, and SCR<=40 (2) functional toilet block (hand wash facility and adequate numbers of toilet seats and urinals) (3) drinking water (4) room for Headmaster (5) library with at least 50 books and (6) Computer-aided learning lab with at least 2 computers

Figure 2.5 Percentage of aided and government secondary schools with 6 basic infrastructure components
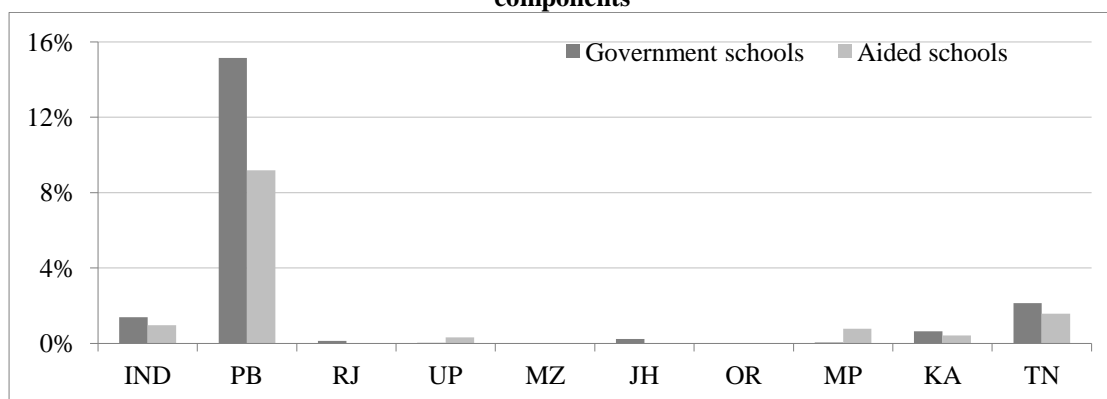
Source: UDISE Raw Data, 2012-13

By Type of Employment[20]

For the entire period under consideration, more than 85 percent of the elementary teacher workforce in India has been employed in a 'regular' capacity. The percentage of 'para' or 'contract' teachers, which was around 7.1% in 2003-04, reached its peak of 12.2% in 2011-12, before sliding back to about 7.3 percent (as can be seen from the thick black line in Figure 2.6). In absolute numbers, these percentages translate into 0.5 million para / contract teachers in 2012-13, compared with 6.8 million regular teachers.

Figure 2.6 Percentage of elementary teaching workforce comprised of para / contract teachers (all elementary schools)
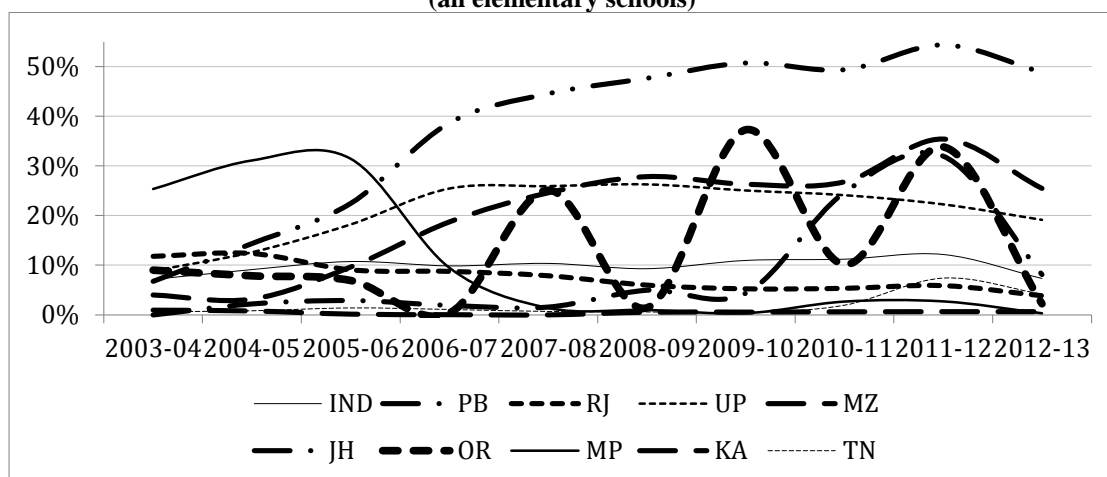
Source: DISE Report Cards data, various years

Only three states in the study have more than 10 percent of elementary teachers employed as contract teachers, but in several states, percentages fluctuate over time. Jharkhand employed

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[20] It is important to note that the terms "para teacher" and "contract teachers" are used interchangeably and there is no one agreed definition of what makes a teacher "para". Are they the ones on fixed contracts? Are they recruited locally? Are their qualifications different or lower than the regular teachers?

the highest percentage of para / contract teachers at 49 percent in 2012-13. Mizoram (26 percent) and UP (19 percent) are the only other states where para / contract teachers comprise more than 10 percent of the elementary teaching workforce. All these three states have seen a steady rise in the percentage of para / contract teachers employed, while MP and Rajasthan have witnessed a steady reduction. The data also suggests, interestingly, that the percentage of para / contract teachers has fluctuated considerably in some states, particularly Odisha and Punjab, suggesting changes in teacher recruitment policies. The trends in para / contract teacher recruitment policy are important to understand and are explored in other chapters.

Inclusiveness

This section will explore two key elements of inclusion in the elementary teaching workforce. These are with regard to (a) gender, or the inclusion of women, and (b) marginalized sections of society, or the inclusion of Scheduled Castes (SCs) and Scheduled Tribes (STs) in the teaching workforce.

(a) Inclusion of women

The percentage of women in the elementary teaching workforce has steadily increased over the last decade (Figure 2.7). As of 2012-13, 3.4 million women teachers comprised more than 46 percent of the elementary teaching workforce across India, up from 1.3 million and 36 percent respectively in 2003-04.

Figure 2.7 Number and percentage of women teachers (all-India, elementary)
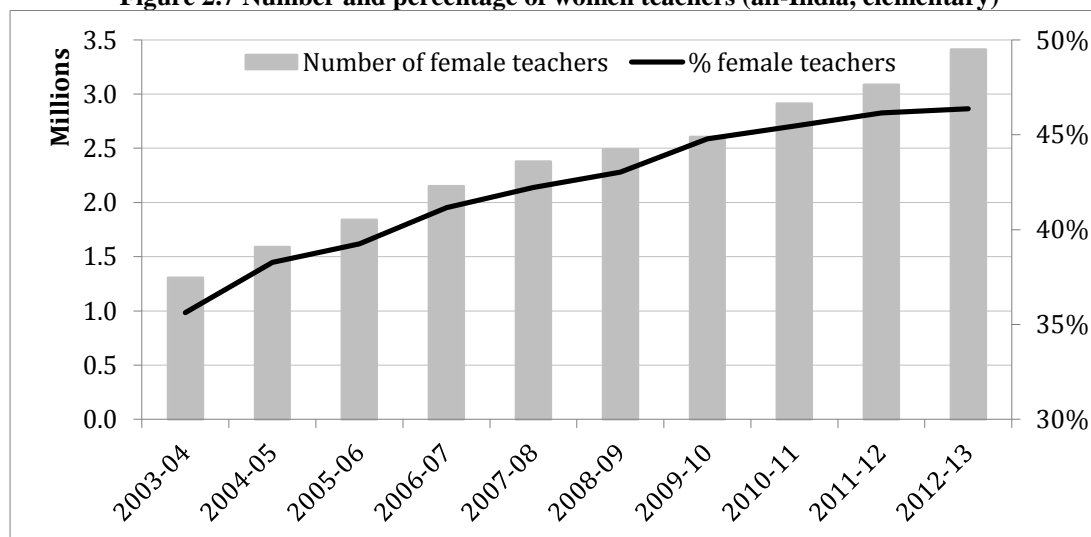
Source: DISE Report Cards data, various years

At the state level, Karnataka, Punjab and Tamil Nadu are clear outperformers on inclusion of women, who comprised half or more of the teaching workforce in these states consistently over the last 10 years. The growth in the inclusion of women has been remarkable in Punjab, going up from about 56 percent in 2004-05 to 82 percent in 2011-12 (Figure 2.8). While

Mizoram has maintained female representation at around 40 percent of the teaching workforce, the other states have mostly remained clustered at low levels of inclusion through the entire period under consideration, with only Odisha and MP showing some improvement to marginally above 40 percent.

Figure 2.8 Percentage of women teachers (states) (all elementary schools)
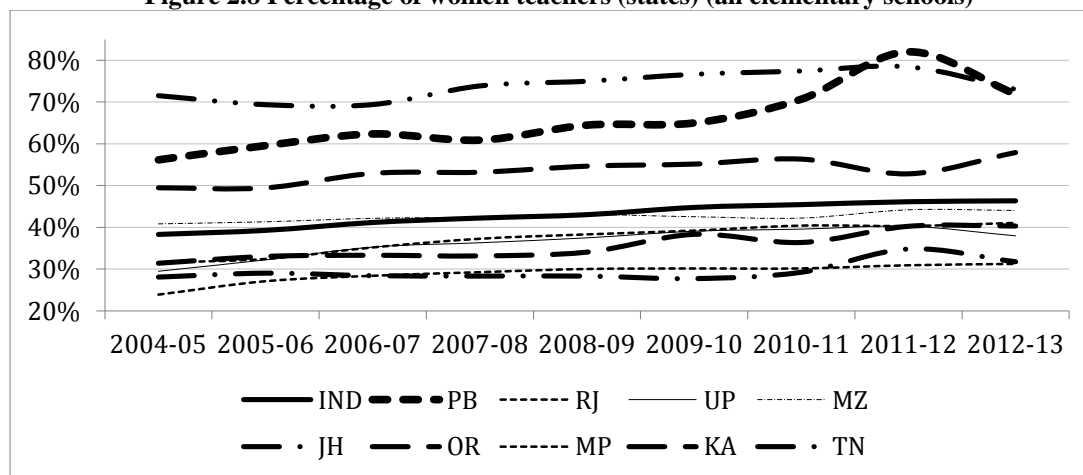
Source: DISE Report Cards data, various years

(b) Inclusion of marginalized sections of society – SC/STs

Inclusion of marginalized sections, especially at the state level, is to a fair degree affected by the demographics of the territory concerned. Nevertheless, changes over time in the percentage of the overall teaching workforce comprised by SC/STs do indicate a certain degree of success or failure in making these sections of the population beneficiaries in the expansion of elementary education. At the all-India level, some success has been registered, with the percentage of SCs in the teaching workforce increasing steadily from 9.4 percent in 2004-05 to 12.9 percent in 2011-12, and falling marginally to 12.6 percent in 2012-13 (Figure 2.9). Improvement in the inclusion of Scheduled Tribes has been less smooth and pronounced, with 8.1 percent of the teaching force comprising STs in 2004-05, versus a high of 9.5 percent in 2008-09 and 8.7 percent in 2012-13.

Figure 2.9 Percentage of SC and ST teachers (all-India) (all elementary schools)

Source: DISE Report Cards data, various years

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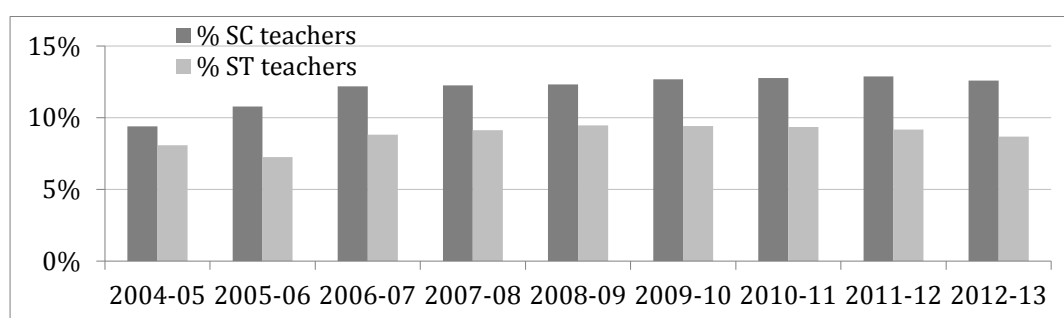
At the state level, Punjab has registered the highest improvement in inclusion of SCs, where their representation increased from 12.1 percent in 2004-05 to over 19 percent in 2009-10 and again in 2011-12. Improvements in representation of SCs have also been registered to varying degrees in Rajasthan, UP, Odisha, MP, Karnataka and Tamil Nadu. However, SCs are under-represented in the elementary teaching workforce in both 2010-11 and 2011-12 in relation to their Census 2011 population shares, at the all-India level as well as in all states except Mizoram (which is, in any case, an outlier with a minuscule SC population) (Figure 2.10).

Figure 2.10 Percentage of SC teachers in 2010-11 and 2011-12 (all elementary schools) compared with percentage of SC population as per Census 2011
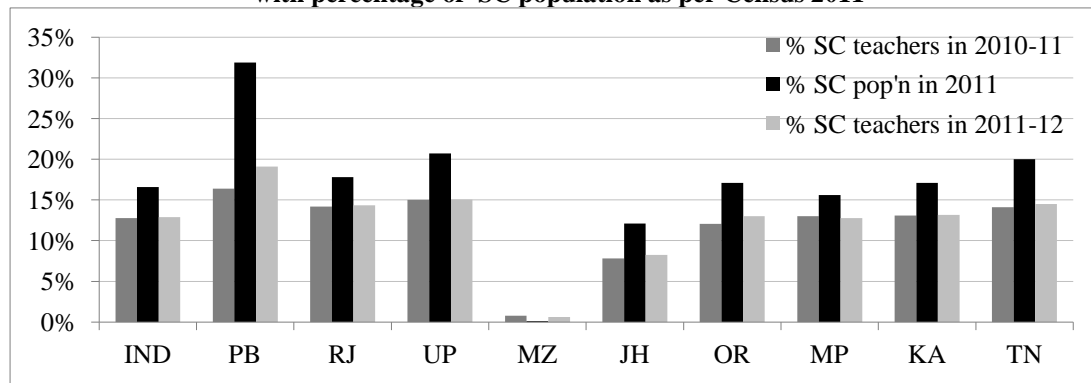
Source: DISE Report Cards data and 2011 Census data

For STs, the inclusion in relation with their Census 2011 population shares (middle column of Figure 2.10) is relatively healthy at the all-India level, for both 2010-11 and 2011-12, as well as for key states with large ST populations, such as Mizoram and Jharkhand. In Odisha, MP, Rajasthan and Karnataka, however, STs are still under-represented in the teacher workforce (Figure 2.11). Punjab does not have a significant ST population. Increased representation for STs in the teaching workforce has been achieved in Rajasthan, Mizoram, Jharkhand, Odisha and MP. On the other hand, UP, Karnataka and Tamil Nadu have actually witnessed varying reductions in the percentage STs in the teaching workforce over this period. Punjab does not have a significant ST population.

Figure 2.11 Percentage of ST teachers in 2010-11 and 2011-12 (all elementary schools) compared with percentage of ST population as per Census 2011
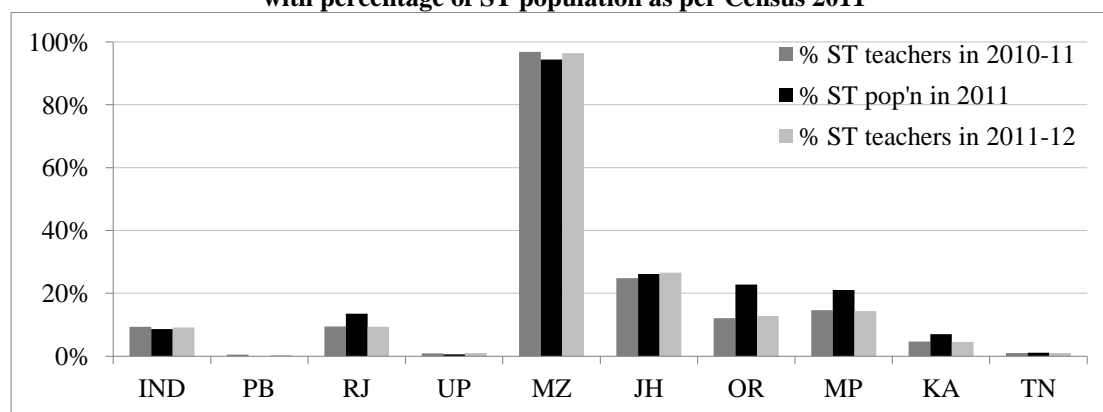
Source: DISE Report Cards data and 2011 Census data

Across secondary schools, the representation of the marginalized SC and ST sections in the teaching workforce is poorer than at the elementary level. This can be seen from Figure 2.12, which shows that the share of SCs and STs in the secondary teaching workforce is significantly smaller than their population share in all states except Mizoram. At the country level too, SCs and STs are clearly under-represented in the secondary teaching workforce.

Figure 2.12 Percentage of SC & ST secondary teachers in 2012-13 (all secondary schools) compared with percentage of SC & ST population as per Census 2011
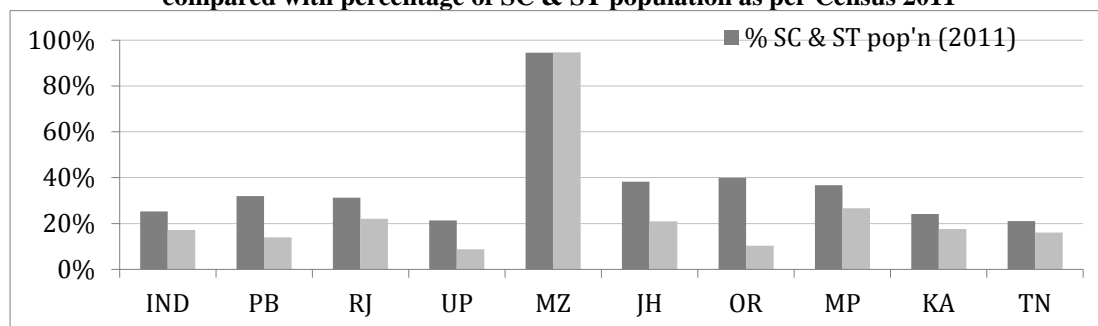
Source: UDISE Raw Data and 2011 Census data

Pupil-Teacher Ratio - Trends

Reducing PTR has been a major policy goal of the Government of India over the past 10 years.[21] The PTR norm under SSA was initially set at 40:1, or a teacher for every 40 pupils, but, in 2009, revised downwards to 30:1 with the RTE. This norm is now also to be met at the school level (not district or state). Considerable resources have been devoted to this effort and overall, at the national level, the target has been met.

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[21]The literature on PTRs does not find convincing evidence that a reduction in PTR is causally associated with improvement in student learning outcomes. A recent paper by Altinok and Kingdon (2012) analyses the relationship between class-size and student achievement in 47 countries, 18 of which are developing countries with an average class-size of 41. This paper, and an earlier one by Eric Hanushek (2003), show that class-size does not have a significant impact on student achievement.

Figure 2.13 Number of teachers, pupils and the pupil-teacher ratio (all-India) (all elementary schools)
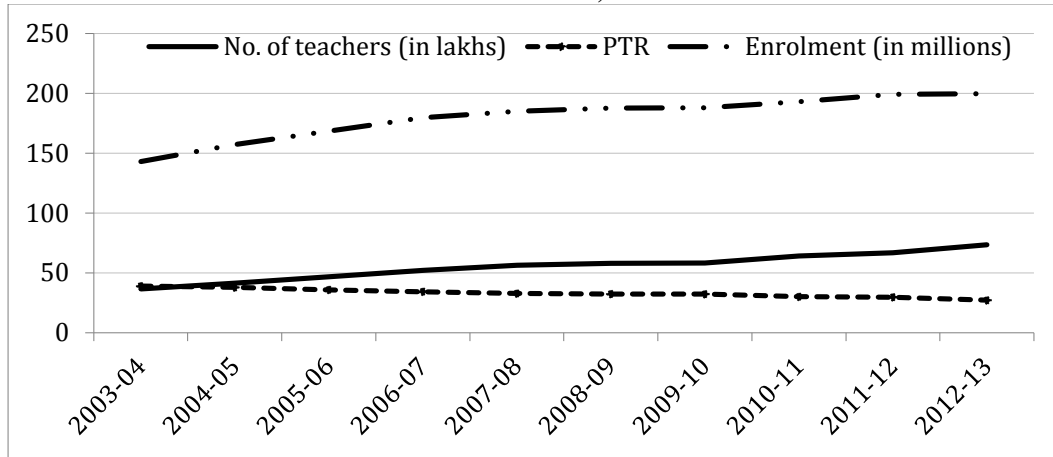
Source: DISE Report Cards data, *various years*

There has been a clear and steady reduction in the pupil-teacher ratio[22] from about 39.0 in 2003-04 to about 26.5 in 2012-13, and for all states. This is the result of faster growth of the elementary teacher workforce compared to the growth of student enrolments (this is clear from the numbers underlying Figure 2.13). In line with the phases in the expansion of the teacher workforce, this reduction has also been achieved at a faster pace in the first and third time periods than in the middle period. This has meant a steady decline in the pupil-teacher ratio (the line of dashes in Figure 2.13).

Government schools have achieved a larger reduction in PTR, from 37.4 in 2005-06 to 27.6 in 2012-13, vis-à-vis a reduction from 31.9 to 26.6 students per teacher achieved by private elementary schools. However, the PTR reduction in government schools has come about largely from steadily declining enrolments since 2007-08, whereas private schools have improved PTRs even with growth in student enrolments. This is shown in Figure 2.14 and Figure 2.15 and is synchronous with evidence from the previous section, which showed that the number of private schools (aided and unaided) is growing faster than the number of government ones.

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[22] PTR = total enrolments / total teachers for the concerned territory; this is not materially different from the simple average PTR obtained from the district-level dataset

Figure 2.14: Pupils, teachers, PTR in private elementary schools (all-India)
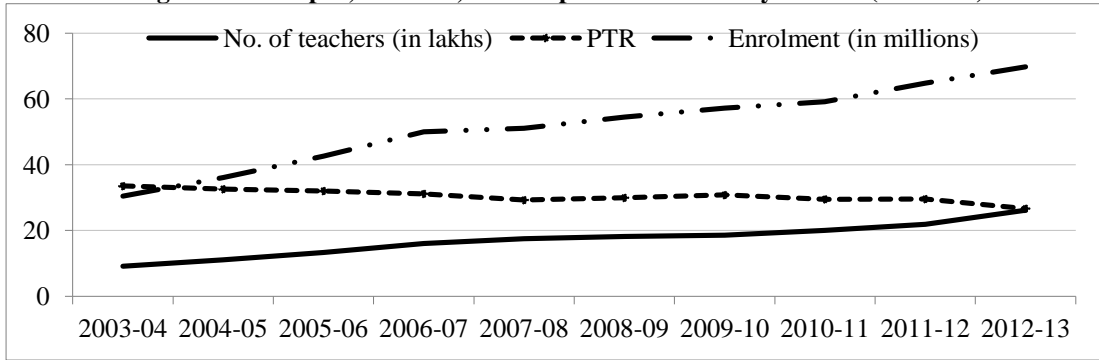
Source: DISE Report Cards data, various years

Figure 2.15 Pupils, teachers, PTR in government elementary schools (all-India)
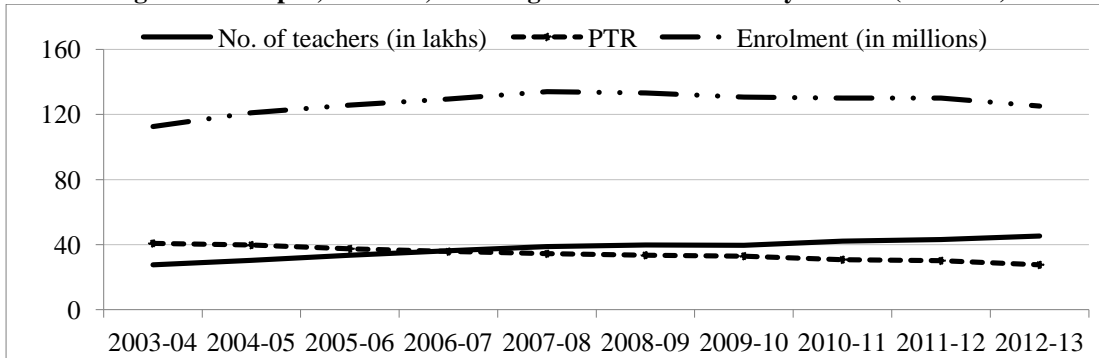
Source: DISE Report Cards data, various years

Figure 2.16 : Reduction in PTR over time (all elementary schools)
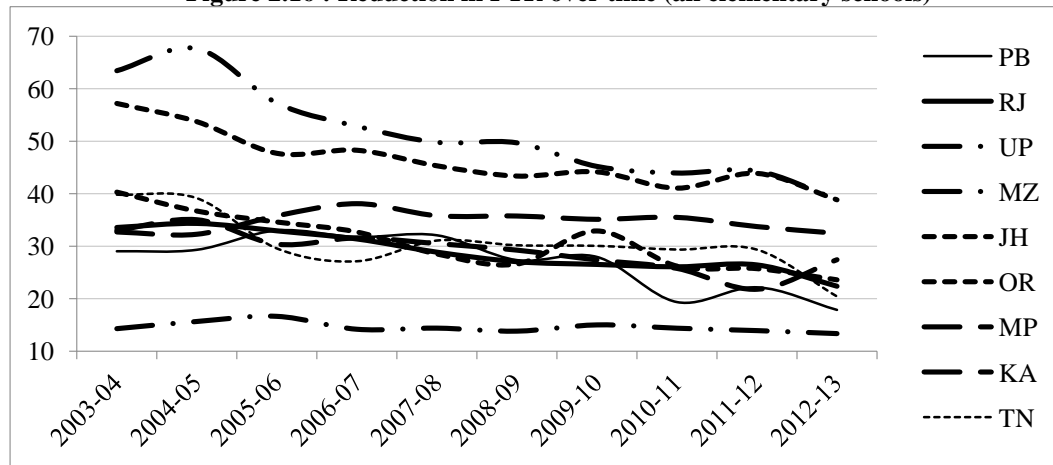
Source: DISE Report Cards data, various years

The reduction in overall national-level numbers to below the SSA-mandated norm masks vast disparities across individual states, districts and schools with regard to PTR. UP has the highest PTR among states under consideration, at just under 40:1 (Figure 2.17). Six of the remaining eight states are either very close to or below the national PTR (horizontal line in the figure), and, therefore, under the SSA-mandated norm. All states have successfully achieved a reduction in elementary PTRs from 2003-04 levels, as is evident from the downward trend in all lines in Figure 2.16, but the pace and extent of reduction is, again, very

different across states. An impressive reduction in PTR has taken the level in Punjab from 29.0 to 17.8 in this period, but despite a healthy rate of reduction, UP's PTR, which started at 63.4, is still above the norm at 38.9. The reduction in PTR unfolds in a very similar manner, over time and across states, for the subset of elementary schools managed by the government. However, it is Jharkhand that registers the highest PTR for government elementary schools, followed by MP and then UP.

Figure 2.17 Elementary PTR (states) for 2012-13 (all elementary schools)
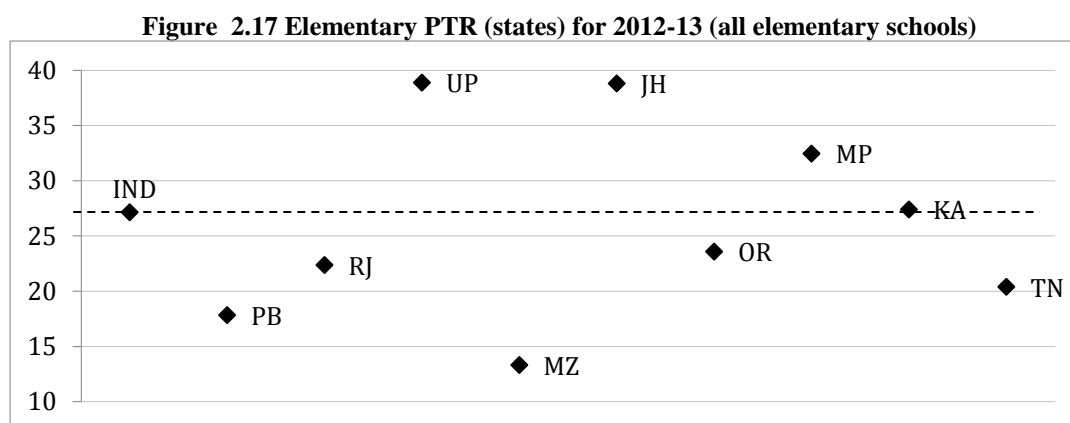
Source: DISE Report Cards data

Pupil-teacher ratio for secondary schools

The standard PTR metric is less relevant for secondary schools, as students choose streams and advanced subject content requires teachers specializing in the subject concerned. However, given that there is no agreed alternative, we have used subject PTR, i.e. the number of secondary students in a school divided by the number of teachers for a particular subject. Our benchmark (which in the case of elementary schools was simply the 30:1 ratio set by the RTE) will, of course, have to be subjectively and suitably revised upwards, in order to contextualize achievement by states, and, indeed, the country as a whole, for such subject PTRs.

By this measure, there are serious shortages of core subject teachers across the country. The average Mathematics PTR for India as a whole is 119, again with significant variation across schools with a standard deviation larger than the mean. Moreover, only 12 percent of all secondary schools (see Table 2.4 above), 14 percent of government secondary schools and 21 percent of aided secondary schools, have at least one teacher for each of the four core subjects – Language, Mathematics, Science and Social Science.

Pupil-Teacher Ratio – Intra-State Variations

There is significant intra-state variation in elementary school PTRs. Moreover, with every level of disaggregation – from the state to the district, from the district to the block and from

the block to the school – the variance in PTRs increases dramatically within each state. For example, Tamil Nadu and Uttar Pradesh exhibit very different distributions of district-level PTRs. With both graphs plotted to the same vertical scale, it can be seen clearly that TN's distribution of average district PTRs[23] is much more closely grouped, i.e. there is relatively little variation in average PTRs across the districts of TN (Panel (a) of Figure 2.18). The black line indicates the average PTR for the state, and the grey band, indicating the range of 2 standard deviations above and below the mean, can be seen to be quite narrow for TN.

Figure 2.18 : Average district level PTR - % rural population: (a) TN (b) UP (all elementary schools). 2012-13
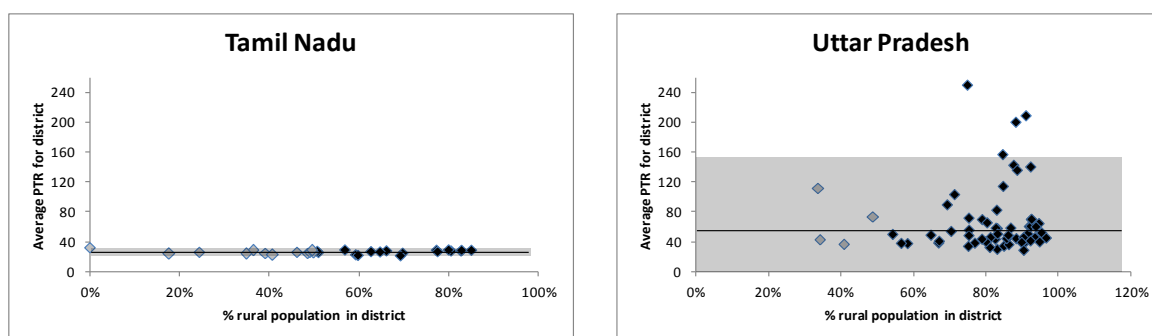
Source: DISE Report Cards data

UP, on the other hand, exhibits a very different district PTR distribution, with district PTRs for UP spread out over a much wider range, from less than 30 to over 240 (Panel (b) of Figure 2.18). This large deviation from the mean is indicated on the figure in the form of the wide grey band, which it can be seen is much wider than the band for TN. In other words, UP needs to recognize that it faces two challenges: a higher overall mean PTR, plus a much larger standard deviation confirms the significantly greater heterogeneity of its district-level PTR distribution.

States' planning for teacher management and deployment should take into account the fact that inequality of PTRs is much more significant at the school level than at either the district or block level. There are significant increases in variation in PTR data in each state with every level of disaggregation, from looking across district averages to looking across block averages, to looking across school-level PTRs (Table 2.7). Here too, Uttar Pradesh stands out on account of having a very high level of variation compared to other states at the block and district levels, implying that the ground reality in different districts, and, in fact, in different blocks, is much less uniform than in other states. In Odisha, the inequalities at the district and block level are comparable to most other states, but at the school level inequalities are much higher.

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[23] Estimated as the simple average of PTR for all elementary schools in a particular district.

Table 2.8: Increasing standard deviation of PTR with every level of disaggregation (all elementary schools), 2012-13

State	SD/Mean across average district PTRs	SD/Mean across average block PTRs	SD/Mean across school PTRs
Mizoram	0.22	0.32	0.89
Punjab	0.15	0.21	0.91
Rajasthan	0.16	0.25	0.91
Tamil Nadu	0.09	0.18	0.91
Madhya Pradesh	0.21	0.28	0.95
Karnataka	0.28	0.32	1.15
Uttar Pradesh	1.07	1.10	1.17
Jharkhand	0.19	0.29	1.22
Odisha	0.17	0.38	1.57

Source: DISE Report Cards data and UDISE Raw Data

There are more than 19,000 elementary schools in India with PTR greater than 150. Even excluding outliers[24] (defined as PTR > 150), the range of the distribution is very large, with maximum PTRs being well over two standard deviations away from the mean, and minimum ones being well within it (Table 2.8). Moreover, as can be seen from the last two columns of the Table, the absolute number of elementary schools, with more than 150 students per teacher, is very large, running into thousands for states like UP, MP and even Jharkhand.

Table 2.9 Distribution of pupil-teacher ratios (all elementary schools with PTR<150) 2012-13

	Mean	SD	SD/Mean	Schools with PTR > 150	
				Number	%
Jharkhand	41.10	24.52	0.60	1,096	2.4%
Odisha	29.76	18.27	0.61	485	0.7%
Tamil Nadu	25.92	16.86	0.65	226	0.4%
Punjab	24.51	16.22	0.66	93	0.3%
Uttar Pradesh	41.05	27.82	0.68	7,189	3.1%
Madhya Pradesh	36.51	25.17	0.69	2,367	1.7%
Rajasthan	29.00	20.48	0.71	688	0.6%
Karnataka	23.88	16.98	0.71	246	0.4%
India	**31.10**	**23.08**	**0.74**	**19,361**	**1.4%**
Mizoram	15.77	13.60	0.86	1	0.0%

Source: UDISE Raw Data

Teachers are not deployed equitably across states, districts and schools: while some schools have more teachers than they need, many have too few to be effective. All states have both some schools with very low pupil-teacher ratios and some schools with very high PTRs. In fact, even though UP has an average elementary school PTR of 41, and 30 percent of its

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[24] These are extremely large values, which appear to be data errors, and have been addressed separately in Section 8 on Data Gaps. While comparing the SD/Mean value across states would normally enable us to draw some conclusions about the relative degree of homogeneity in school-level PTR distributions across states, here this must be done with due caution. This is because states such as UP, MP and Jharkhand, which have the largest number of schools with PTR > 150, as well as the largest PTRs in the country, have clearly benefitted from the exclusion of all schools with PTR > 150. Therefore, the relative homogeneity of their PTR distributions in the 0-150 range can only be considered a partial picture at best.

schools have PTRs over 50, five percent of its schools have PTR below 10 (Figure 2.19). Five states in the study have 10 percent or more of their schools with PTRs below 10, while, at the same time, having more than five percent of their schools with PTRs above 50. Indeed, in every state in this study, there are more schools with PTRs in the range 11-30 than in the range 31-50.

Figure 2.19 Percentage of schools in different PTR ranges (elementary, 2012-13)
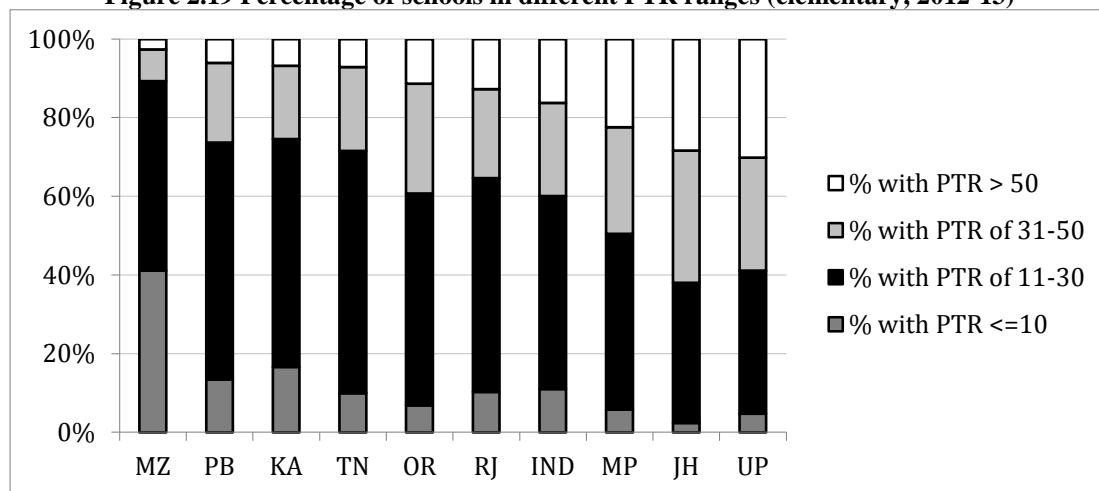
Source: UDISE Raw Data, 2012-13

Pupil-Teacher Ratio – Exploring the Factors Behind Systematic Variation

The analysis conducted in this section aims to explore and understand some factors affecting school PTRs. The main purpose behind doing this is to be able then to apply any findings from here to the question of rationalization of elementary school teachers, i.e. to which schools should new / extra teachers be allocated so as to equalize pupil-teacher ratios across all schools.

PTRs in schools in urban districts are higher than rural schools in all states, except in Mizoram. A positive, significant coefficient indicates that being in an urban location is associated with higher PTR for a school, compared to the PTR in a rural location. This finding is counter-intuitive – however, it is important to keep in mind that urban schools tend to be larger in size than rural schools. A significant negative coefficient, such as that for Mizoram, indicates that, the state, being in an urban location is associated with lower PTR for a school.

Table 2.10 Are school-level PTRs higher in urban schools? (all elementary schools), 2012-13

	No. of obs.	Coefficient	SE	p-value	Sig (95%)
India	**1,276,593**	**5.589**	**0.111**	**0.000**	**Yes**
Tamil Nadu	53,634	3.966	0.263	0.000	Yes
Rajasthan	110,502	3.571	0.239	0.000	Yes
Odisha	58,851	29.779	0.959	0.000	Yes
Karnataka	56,180	12.287	0.296	0.000	Yes
Jharkhand	42,974	20.729	1.205	0.000	Yes
Punjab	29,057	4.783	0.342	0.000	Yes
Mizoram	2,691	-1.281	0.627	0.041	Yes
Uttar Pradesh	163,747	11.199	0.543	0.000	Yes
Madhya Pradesh	129,713	2.971	0.321	0.000	Yes

Reference category: Rural school
Source: UDISE Raw Data

States' teacher allocation policies and practices favour small schools at the expense of larger schools. Generally, only small schools are able to achieve the PTR norm of 30:1; but they are able to achieve this only because large schools have much higher PTRs. There is indeed a positive correlation between elementary school PTR and elementary school size, and this relation is statistically significant for all states of the study, as well as for elementary education in India as a whole (Figure 2.19). For the country as a whole, PTR increases by about 1 for every 10 additional enrolments / students. This associates the PTR norm of 30 with a school size of only 100 students, which is quite small, especially for schools structured with multiple grades and sections. This, in turn, raises the obvious question as to why larger schools are not able to achieve low PTRs. It seems that states have tried to allocate a minimum number of teachers for each school, which means that schools with fewer pupils have much better PTRs. This has the consequence that much larger numbers of children who attend bigger schools suffer with high PTRs.

Figure 2.20 Regressions of school PTR and enrolments (all elementary schools), 2012-13
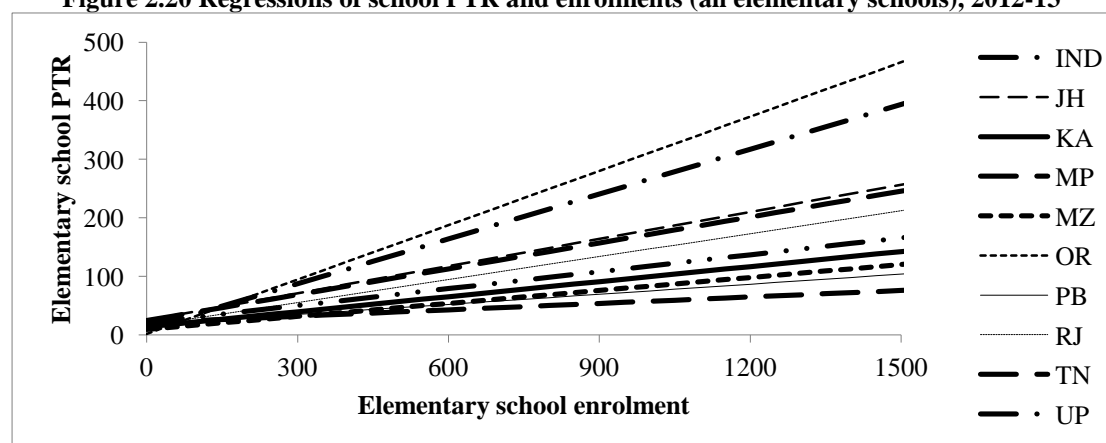
Source: UDISE Raw Data, 2012-13

In Odisha and UP, teachers tend to be allocated to a lesser extent in bigger elementary schools, resulting in faster rising PTRs as school size increases. What the figure also shows us is that school PTRs in Odisha and Uttar Pradesh increase with increases in school size to a substantially greater degree than in other states, as can be seen from the steeper slope of the top two lines. Obviously, if additional teachers are assigned in equal numbers to each school (which might be considered an equal distribution in one sense), the consequence is that schools with more pupils will continue to have larger PTRs. Tamil Nadu and Punjab seem to do a relatively good job of hiring new teachers to support new students, ensuring that among the states in the study, their elementary school PTRs rise the slowest in response to increases in enrolments.

PTRs are also generally larger as schools get more complex structures. Compared to schools that are just primary schools, all other school structures, in general, have a higher PTR (Table 2.11). PTRs are generally largest for schools with the most complex structures (i.e., have primary, upper primary, secondary and higher secondary sections [P+UP+Sec+HSec]). Schools with Upper Primary only, Primary and Upper Primary and Primary only sections are having significantly lower PTRs.

Table 2.11 Summary of results of regressing PTR on school structure (all elementary schools), 2012-13[25]

Mean PTR	31.57	35.89	36.82	37.55	43.31	47.09
Explanatory variable	**Reference category**					
	Primary	P+UP	Upper Primary	UP+Sec	P+UP+Sec	UP+Sec+HSec
Primary						
P+UP	4.32					
Upper Primary	5.26	0.93				
UP+Sec	5.98	1.66	0.73			
P+UP+Sec	11.74	7.42	6.49	5.76		
UP+Sec+HSec	15.52	11.20	10.27	9.54	3.78	
P+UP+Sec+HSec	19.11	14.79	13.85	13.13	7.37	3.59

Source: UDISE Raw Data, 2012-13

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[25] Note: Each of the coefficients reported in the Table is statistically significant. The interpretation is as follows: the top-most coefficient of 4.32 represents the increase in PTR for a school structured as Primary + Upper Primary (P+UP) over the reference category of a school structured as Primary only. The general rule for interpretation is that a given coefficient is attached to the explanatory variable in the row containing the coefficient, and must be interpreted with regard to the relevant reference category, which can be found at the head of the column containing the coefficient.
P=Primary; UP=Upper Primary; Sec = Secondary; HSec = Higher Secondary
Source: UDISE Raw Data, 2012-13

Educational Qualifications

There has been a steady increase in teachers' educational qualifications over the last decade. At the all-India level, the proportion of teachers not having completed higher secondary school (bottom two boxes on each column in Figure 2.21) fell from over a quarter in 2004-05 to less than one-seventh, at 13.4 percent. At the top of the qualifications' Table, 64.4 percent of all teachers have completed at least a graduation degree (light grey box and above in the figure) in 2012-13, up from 51.9 percent in 2004-05, and the percentage completing a post-graduate degree or M.Phil. went up from 15 percent to 26.3 percent over this period.

Figure 2.19 Evolution of educational qualifications of elementary teachers (all-India) (all elementary schools)
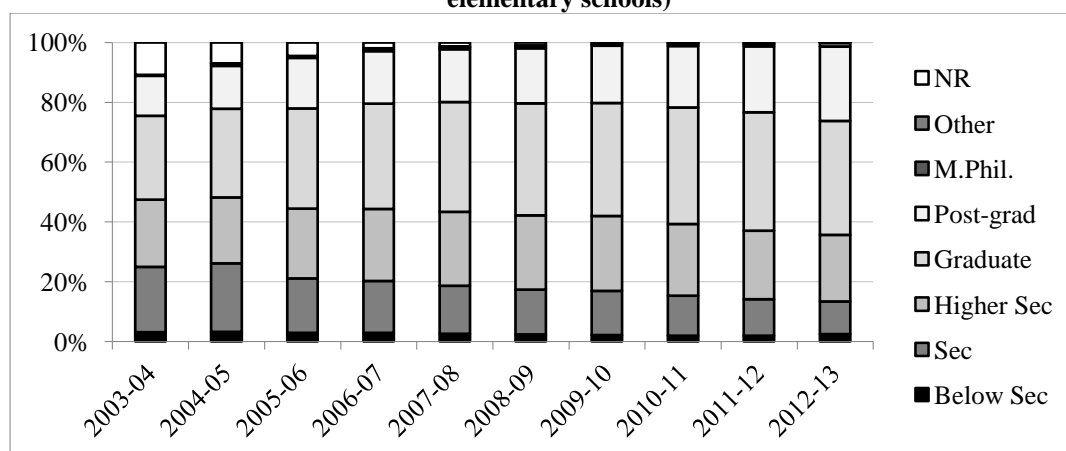
Source: DISE Report Cards data, various years

Across states, Punjab and Rajasthan have the most qualified teaching workforce with the highest percentage of teachers who are at least college graduates (Figure 2.). UP, Tamil Nadu, Jharkhand and MP are the other states where this percentage has consistently been over 50 percent. Mizoram and Odisha are the states where qualifications remain relatively poor.

Figure 2.22 Percentage of elementary teachers who are at least graduates (states) (all elementary schools)
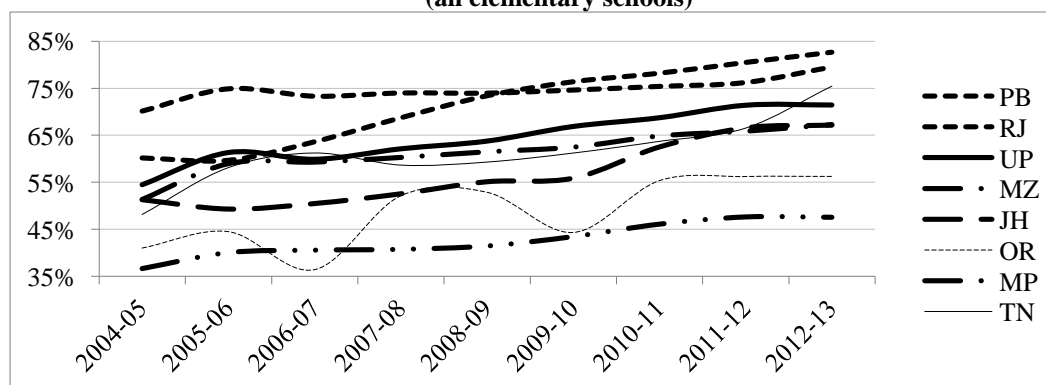
Note: Karnataka has been omitted on account of being an outlier with very low teacher educational qualifications, which is due to their hiring policies laying emphasis on professional qualifications too.
Source: DISE Report Cards data, various years

Data Gaps[26]

In the discussion of elementary school PTRs above, the analysis only included schools with PTR less than 150. This was because it was assumed that PTRs over 150:1 are likely to be the result of inaccuracies in the data rather than representing the reality on the ground. However, excluding these schools does exclude a significant number of schools (1.4 percent of schools across India), and it is important for policy- makers to understand the extent to which these are indeed data errors. To illustrate this, it is worth exploring PTRs if all data are included. The variance in school- level PTRs is even greater than those at the district- level, as can be seen from Table 2.12) For all nine states of the study, it can be seen that minimum school-level PTRs are as low as less than 1, indicating more teachers than students, which is the case with 644 schools in India as derived from the Raw Data. Maximum PTRs, on the other hand, are apparently as high as 8489 students per teacher in Odisha. In fact, maximum PTRs for all states, except Mizoram and TN, are well above 1000 elementary school students per elementary school teacher. And including these schools increases the average PTR significantly in most cases: from 41 to 50 in UP and from 41 to 47 in Jharkhand (comparing the relevant figures in Table 2.11 and 12). In UP and in Jharkhand, 3.1 percent and 2.4 percent of schools apparently have PTRs above 150.

Table 2.12 School-level PTR distribution (all elementary schools), 2012-13

PTR (Elem)	Min.	Mean	Max.	SD	SD/Mean
Mizoram	0.40	15.84	205	14.07	0.89
Punjab	0.20	25.21	1841	22.84	0.91
Tamil Nadu	0.06	26.90	846	24.46	0.91
Rajasthan	0.10	30.26	1178	27.65	0.91
Madhya Pradesh	0.14	39.89	2101	37.94	0.95
Karnataka	0.08	25.04	1864	28.76	1.15
India	**0.06**	**34.40**	**8489**	**40.10**	**1.17**
Uttar Pradesh	0.10	50.36	2362	58.84	1.17
Jharkhand	0.33	47.05	3125	57.39	1.22
Odisha	0.14	32.10	8489	50.35	1.57

Source: UDISE Raw Data 2012-13

The wide variance in the school-level PTR distributions for all states can also be seen from the large size of the Standard Deviation (SD) relative to the state Mean for all states. This can be seen directly from the SD/Mean column, which illustrates the deviation of school PTRs from the state average, and where values of more than 1 indicate that the standard deviation is larger than the mean itself. In absolute terms, the large size of SD relative to Mean for all states is, of course, attributable to the very large size of the maximum values relative to the mean PTR in each state. The fact that for most states SD/Mean is very close to or greater than

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[26] Further discussion of data issues is included in the Annex. to this Chapter.

1 confirms the fact of very wide variance in school-level PTR distributions in all nine states of the study. And the dramatic increase in heterogeneity of PTR distribution going from district-level PTR to school-level PTR can be seen from the fact that for TN and UP, compared to SD/Mean of 0.10 and 0.66 respectively for the district-level PTR distribution, the SD/Mean for the school-level distribution for these states is substantially higher at 0.91 and 1.17 respectively.

Conclusion

While the size of the teaching force has been increasing continuously, and overall PTR has been declining nationally and in all states, teachers remain very unevenly distributed across schools resulting in very different educational opportunities for children. There are a large number of schools where the PTR is below the norms laid down under RTE and a much larger number of schools where the PTR is considerably above these norms. This makes it important to understand how states recruit, appoint and deploy teachers, the subjects of the following chapters.

Annexure to Chapter 1: Data and Methodology

The objective of the analysis in this paper is to understand the evolution of key characteristics of the teacher workforce in elementary and secondary schools from 2003-04 to 2012-13, both at the all-India level as well as individually, for the states of Jharkhand, Karnataka, Madhya Pradesh, Mizoram, Odisha, Punjab, Rajasthan, Tamil Nadu and Uttar Pradesh.

For this analysis, DISE (District Information System for Education) data presented in the form of State Report Cards and District Report Cards for elementary schools for the academic years 2003-04 to 2012-13 ("Report Cards") has been used, as is publicly available on www.dise.in. Comparable data on secondary schools was available for a much shorter duration, and reported a limited range of pre-defined variables; hence, trend analyses for secondary schools has not been performed. Instead, raw respondent-level UDISE data, available only for academic year 2012-13 ("Raw Data"), has been used to present a current snapshot of the teaching workforce in secondary schools. The Raw Data has also been used to re-define certain variables of interest (vis-à-vis the definition used for the numbers presented in the Report Cards), and for elementary education, the analysis based on this alternative definition has been presented in the section on current scenario alongside the analysis based on data from the Report Cards.

The Report Cards' data was downloaded from the website, and then checked and cleaned to remove inconsistencies where possible. The main types of inconsistencies in the data, and their impact on our analysis, are:

- The set of variables reported is not identical across years and has generally expanded over time; our analysis, being conducted over time, was, therefore, limited by the common denominator of the (smaller) set of variables reported in the earlier years.
- Data for the earlier years (particularly 2003-04, 2004-05 and 2005-06 at the state level) is not reported under consistent variable names, and often variable / sub-variable names are not reported whatsoever (i.e. there are columns / sub-columns in the dataset without any heading / sub-heading); based on the better organized datasets of later years, certain inferences have been made regarding the missing variable / sub-variable names.
- Also for the earlier years (same as above), aggregate data for the districts in a state was checked against the data reported directly at the state level for key metrics such as total number of schools and total number of teachers – these were found to be discrepant to a large extent in 2003-04, and numbers for the other two years showed approximately 10% discrepancy; data for 2003-04 has, consequently, not been

- presented, whereas state data has been used for the other two years, but due note should be taken of these discrepancies in interpreting the results of the analysis.

- For 2004-05, data is not reported for the states / UTs of Manipur, Daman & Diu, Dadra & Nagar Haveli, Goa, Lakshadweep and Andaman & Nicobar Islands; therefore, numbers reported for India as a whole are only approximate (since numbers for India are not directly reported and have, for most years, been estimated as the aggregate of the data reported for all states, where such an aggregation was possible / sensible). These states / UTs, however, have only a very small number of schools, teachers and pupils.

- There are significant discrepancies of different kinds within the 2010-11 state dataset; numbers for 2010-11 have, for completeness, been presented as reported, but should be read into with a significant degree of caution.

- There is a discrepancy between number of female teachers reported in the 2012-13 state dataset for 2011-12, and that reported in the 2011-12 state dataset itself. This appears to be due to a change in the ordering of states in the datasets across years, leading to a mismatch of numbers across states; generally, therefore, data for a particular year has been taken from the dataset for the same year, even where such information was also available in the next year's dataset.

- Apart from the above, where minor inconsistencies / missing data were found, necessary and reasonable assumptions (based on inference from later / previous datasets) have been made.

The cleaned raw data was then aggregated into state / India level data, which has been presented in the ensuing analysis. Separate numbers for government schools only / private schools only / all schools (government + private) have been retained for the few variables where the raw data reporting allowed it.

CHAPTER 3: WHO CAN BECOME A TEACHER?

Teacher recruitment policies at the national and state levels influence the number and quality of the pool of candidates who want to become teachers. These policies prescribe the norms for minimum acceptable educational and training credentials of candidates that are screened from the pool of applicants towards final selection of teachers.

This chapter describes and discusses the qualification and eligibility criteria prescribed for teacher recruitment at the elementary and secondary school levels. These include educational and professional qualifications, the use of teacher eligibility tests, minimum and maximum applicable age limits, reservation quantum and categories, language requirements and criteria for merit list[27] preparation in the nine study states. Where information has been made available, this chapter also describes actual teacher recruitment practices followed. Some practices are aligned with, and some diverge from, the state policies and regulations.

National Level Regulations

In India, the National Council of Teacher Education (NCTE) is the apex body for determining standards of teacher education. The NCTE issues Notifications with standards for minimum educational and professional qualifications for recruitment of schoolteachers. All the States base their teacher recruitment policies, at the elementary and secondary school levels, on the norms and standards laid down by the NCTE.

Notifications of the NCTE on minimum qualifications for teachers since the NCTE Act, 1993

The National Council for Teacher Education Act, 1993[28], which came into force on 1st July, 1995, provided for "the establishment of the National Council for Teacher Education with a view to achieving planned and coordinated development of the teacher education system throughout the country, the regulation and proper maintenance of norms and standards in the teacher education system and for matters connected herewith". Section 12 of Chapter III of the Act describes the functions of the Council and clause (d) of the Section states as one of its functions to "lay down guidelines in respect of minimum qualifications for a person to be employed as a teacher in schools or in recognized institutions". Clause (d) (i) of Section 32,

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[27] The merit list is the final selection list of successful candidates. The results of the merit list are calculated using a combination of weighted results of class 10 and 12 board exams, bachelor's/master's degree (wherever applicable), TET, degree/diploma in education and reservation category (wherever applicable)

[28] The NCTE Act, 1993 and subsequent notifications are available at: http://www.ncte-india.org/regul.asp.

Chapter VII also reiterates the point that the Council may, by notification in the Official Gazette, make regulations generally to carry out the provisions of this Act and such regulations may provide for the following matters, namely, one of which is (d) the norms, guidelines and standards in respect of (i) the minimum qualifications for a person to be employed as a teacher.

Thereafter, the NCTE has issued five notifications in the Gazette of India till date that communicate the regulations and subsequent amendments to the regulations on teacher qualifications. The first three notifications were published between 2001 and 2005 in the pre-RtE Act phase and laid down the regulation for the minimum qualifications for recruitment of teachers in schools:

  ➢ Notification of September 4, 2001: This published the regulations for determining the minimum qualifications applicable for recruitment of teachers in all formal schools established, run or aided or recognized by the Central and State Government and other authorities for imparting education at elementary (primary and upper primary/middle school), secondary and senior secondary stages[29].

  ➢ Notification of April 28, 2003: This was a notification of amendment to the 2001 regulation and extended those to be applicable for recruitment of teachers in all formal schools at 'pre-school, nursery followed by first two years in formal school' in addition to the levels prescribed in the 2001 regulation[30]

  ➢ Notification of August 23, 2005: This notification published a further amendment to the 2001 regulations, as amended in 2003. This amendment extended the list of minimum professional qualifications to include B.Ed. (Nursery) for recruitment of teachers at the pre-school /nursery level and up to the first two years in a formal school (4 to 6 and 6 to 8 years)[31]

NCTE Notifications after Right of Children to Free and Compulsory Education Act (RtE), 2009

With the enactment of the RtE Act, 2009[32] and in exercise of the powers conferred by sub-section (I) of Section 23 of the Act, the Central Government authorized the NCTE as the academic authority to lay down the minimum qualifications for a person to be eligible for appointment as a teacher.[33] The NCTE issued a notification on 23rd August 2010[34] (2010

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[29] NCTE Regulations, September 2001: http://www.ncte-india.org/NOTI/noti27.htm
[30] NCTE Amendment Notification, April 2003 : http://www.ncte-india.org/noti/determ.htm
[31] NCTE Amendment Notification, August, 2005: http://www.ncte-india.org/noti/2.htm
[32] The Right to Free and Compulsory Education Act, 2009: http://www.ncte-india.org/Norms/RTE-1.pdf
[33] MHRD notification, April, 2010:
http://mhrd.gov.in/sites/upload_files/mhrd/files/upload_document/5.pdf

NCTE Notification) that laid down the minimum qualifications for a person to be eligible for appointment as a teacher in Class I to VIII in a school (as referred to in clause (n) of Section 2 of the Act.

The major change brought in was the introduction of the Teacher Eligibility Test (TET) as an eligibility criterion for teachers to be appointed.

The key additions in the 2010 NCTE Notification are described below:

   a. Minimum qualifying marks for the educational and professional qualifications specified (for e.g. for classes 1 to 5, senior secondary (or its equivalent) with at least 50 percent marks and two- year diploma in Elementary Education)

   b. Educational and professional qualifications required for classes 6 to 8 spelled out clearly (for e.g. B.A. /B.Sc. and B El Ed., whereever applicable)

   c. Additional eligibility criteria of passing in Teacher Eligibility Test (TET) to be conducted by the appropriate Government in accordance with Guidelines framed by the NCTE for the purpose.

   d. A diploma/degree course in Teacher Education recognized by the NCTE only to be considered

   e. Exception for teachers appointed before the date of the Notification (2011): for e.g. Teachers appointed for classes I to VIII, on or after 3rd September 2001(the Notification date of the NCTE 2001 regulation), need not acquire the minimum qualifications specified in the Notification of 2nd August, 2011, provided the teacher of class I to V, with B. Ed, B.Ed.(Special Education) and D.Ed. (Special Education) qualification, undergoes an NCTE recognized six-month special program on elementary education.

Thereafter, the NCTE issued a Notification of 2nd August 2011[35], with further amendments to the 2010 Notification, in which:

   a. The minimum educational qualification, that is B.A./B.Sc. has been substituted by Graduation to allow B.Com and B. Tech qualified candidates also to apply and two year Diploma in Elementary Education was added,

   b. The section on minimum graduation qualifying marks required for entry to B.Ed. has been further specified, and candidates with D.Ed. (Special Education)/B.Ed.(Special Education), after appointment, are required to undergo an NCTE recognized 6-month Special program in Elementary Education

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[34] NCTE Regulations, August 2010: http://www.ncte-india.org/Norms/RTE-3.pdf
[35] NCTE Amendment Notification of 2nd August, 2011: http://www.ncte-india.org/Norms/RTE-4.pdf

c. Relaxation of five percent in the qualifying marks is allowed to the candidates belonging to the reserved categories; and,

d. The section on exception related to date of appointments has been expanded to state that the minimum qualification norms of this Notification (2011) apply to teachers of languages, Social Studies, Mathematics, Science, etc. , and norms of the 2001 NCTE regulation are applicable for Physical Education teachers

Table 1 below lists the currently valid minimum qualifications, laid down by NCTE, for Elementary, Secondary and Senior Secondary school teachers, as issued in the August 2011 Notification (Elementary), and September 2011 Notification (Secondary and Senior Secondary).

Table 3.1: Minimum educational and professional qualifications for teachers laid down by the NCTE for Elementary and Secondary school teachers

NCTE standards for minimum educational and professional qualifications for recruitment of school teachers	
Elementary level	**NCTE Notification, August 2, 2011**
Classes 1 to 5	(a) Senior Secondary (or its equivalent), with at least 50% marks, and a two- year Diploma in Elementary Education (by whatever name known), OR Senior Secondary (or its equivalent), with at least 45% marks, and a two-year Diploma in Elementary Education (by whatever name known) in accordance with the NCTE (Recognition Norms and Procedure), Regulations, 2002 OR Senior Secondary (or its equivalent), with at least 50% marks, and four-year Bachelor of Elementary Education (B. El. Ed.) OR Senior Secondary (or its equivalent), with at least 50% marks, and a two-year Diploma in Education (Special Education) OR Graduation [36] and two-year Diploma in Elementary Education (by whatever name known) AND (b) Pass in the Teacher Eligibility Test (TET), to be conducted by the appropriate Government in accordance with the Guidelines framed by the NCTE for the purpose.
Classes 6 to 8	Graduation and two-year Diploma in Elementary Education (by whatever name) OR Graduation with at least 45% marks and one-year Bachelor in Education (B.Ed.), in accordance with the NCTE (Recognition and Norms and Procedure) Regulations issued from time to time in this regard OR Senior Secondary (or its equivalent), with at least 50% marks, and four-year Bachelor in Ele. Ed. (B. El. Ed.) OR Senior Secondary (or its equivalent), with at least 50% marks, and four-year B.A./B.Sc. Ed. or B.A.Ed./B.Sc. Ed. OR Graduation with at least 50% marks and one-year B.Ed. (Special

[36] Graduation is defined as Bachelor's degree

	Education) AND (b) Pass in Teacher Eligibility Test (TET), to be conducted by the appropriate Government in accordance with the Guidelines framed by the NCTE for the purpose.
Secondary level	NCTE Notification, September 4, 2001
Classes 9 and 10	Graduate with Bachelor of Education (B.Ed.) or its equivalent OR Four years' integrated B.Sc.,B.Ed. or an equivalent course

Source: NCTE August 2, 2011 Notification: http://www.ncte-india.org/Norms/RTE-4.pdf; NCTE September 4, 2001 Notification: http://www.ncte-india.org/NOTI/noti27.htm

Section 23 of the RtE Act also provides for a 'relaxation in the minimum qualifications required for appointment as a teacher, for such period, not exceeding five years as specified in that notification'. Additionally, the Section states that provided that 'a teacher who does not possess minimum qualifications as laid down by the academic authority shall acquire such minimum qualifications within a period of five years'. Following this provision, the Central Government allowed this relaxation to a few states that had a huge shortage of qualified teachers and applicants. Of the states under the study, Jharkhand, Madhya Pradesh, Odisha and Uttar Pradesh were granted this relaxation. In the Notification of 13th September 2012, issued by the MHRD to the Government of Uttar Pradesh[37], a relaxation to recruit unqualified teachers was provided because of the unavailability of qualified teachers in sufficient numbers in the state. However, these applicants were required to pass the TET and, once recruited, they were required to complete their training within a specified time period from the date of their appointment.

NCTE Notification of 28th November, 2014[38]: At the time of writing this chapter, the NCTE issued a notification in exercise of the powers conferred by the NCTE Act, 1993, and in supersession of the NCTE Regulations, 2009 with the NCTE (Recognition Norms and Procedure) Regulations, 2014. These regulations are applicable to teacher education programs for preparing norms, standards and procedures for recognition of institutions, commencement of new programs, addition to sanctioned intake in existing programs, eligible categories of institutions for consideration of their applications, application process and time limit, processing fees, processing of applications, conditions for grant of recognition, norms and standards for various teacher education programs, financial management, academic calendars, power to relax any of the provisions of these regulations, and repeal of NCTE (Recognition Norms and Procedure) Regulations, 2009.

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[37] http://mhrd.gov.in/sites/upload_files/mhrd/files/upload_document/rtesep2012.pdf
[38] http://www.ncte-india.org/regulation/Regulation_2014(Hindi%20&%20English).pdf and http://www.ncte-india.org/Minimum%20Qualification_2015.pdf

Some of the highlights of the new norms for teacher professional qualifications are: B.Ed program to be a two-year course, integrated four-year course leading to a B.A. and B.Ed. degree to be introduced, admission to B.Ed. programmes to open for B.Com and B.Tech graduates, 20 weeks of practical work included in the B.Ed. course out of which at least 16 weeks to be spent in teaching, and unqualified secondary school teachers required to complete three-year part-time B.Ed. course in classroom mode during vacations.

TET as an eligibility criterion for teacher recruitment[39]

As per the NCTE Guidelines for conducting the TET issued to the states in February 2011[40], the rationale for including passing of the TET as a minimum qualification for a person to be eligible for appointment as a teacher is three-fold: (a) to bring national standards and benchmark of teacher quality in the recruitment process, (b) to induce teacher education institutions and students from these institutions to further improve their performance standards and (c) to send a positive signal to all stakeholders that the Government lays special emphasis on teacher quality.

The Central Board of Secondary Education (CBSE), authorized by the Central Government, conducts the TET at the national level as the Central Teacher Eligibility Test (CTET). The CTET exam consists of two papers: Paper I for persons intending to be a teacher for classes 1 to 5 and Paper II for a person who intends to be a teacher for classes 6 to 8. A person applying to teach either Classes 1 to 5 or Classes 6 to 8 is required to take both papers at the exam. Twenty percent of the questions in Paper I are on Child Development and Pedagogy and 80 percent on subject content (languages, Mathematics and Environmental Studies). Paper II has 20 percent of questions on Child Development and Pedagogy and 40 percent on languages for all applicants; and, 40 percent on Mathematics and Science for teacher applicants for these subjects and 40 percent on Social Studies for teacher applicants for this subject.

Given the heavy emphasis on subject content in the TET, it is, therefore, more likely that the school and graduation level education of the candidate will have a greater impact on his/her performance at the TET than what is taught at the Teacher Education institutions (i.e. B.Ed. / D.Ed./ B. El. Ed. / D/ El. Ed.) which emphasise child development and pedagogy in their curriculum.

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[39] See also the next chapter for a further discussion of the TET.
[40] NCTE guidelines for conducting the TET available at : http://www.ncte-india.org/RTE-TET-guidelines[1]%20(latest).pdf

The qualifying score for the CTET is 60 percent. NCTE guidelines also allow the appropriate level of government to conduct its own TET, subject to NCTE guidelines. NCTE regulations allow school managements (Government, local bodies, government-aided and unaided) to consider giving concessions for reserved categories in accordance with their extant reservation policy and give weightage to the TET scores in the recruitment process. *However, qualifying the TET does not confer a right on any person for recruitment, as it is only one of the eligibility criteria for appointment*. The Guidelines state that the appropriate Government should conduct a TET at least once every year. The validity period of the TET qualifying certificate is upto a maximum period of seven years, but there is no restriction on the number of times a person can take the TET in order to acquire a certificate. A person who has qualified TET may also appear again to improve his/her score. All legal disputes, with regard to conduct of TET, are subject to the jurisdiction of the appropriate Government.

State- level regulations/policies for teacher recruitment in the nine States

In general, the public service commission of the respective states undertake teacher recruitment. The exception is Tamil Nadu, which created the Teacher Recruitment Board in 1997.[41] Punjab has recently (2013) created a recruitment board, while Jharkhand has formed the Staff Selection Commission. At the time of writing, Rajasthan was also considering having a separate recruitment board for all non-gazetted government officers, which would include schoolteachers. States must mandatorily follow the minimum qualifications laid down under the NCTE Notifications. They may, however, have additional criteria such as age, subject specialization, language proficiency, etc. In the nine study states, therefore, we find variations in the eligibility criteria (educational and professional qualifications, TET qualification, minimum and maximum age limit, and reservation policies for various categories) for recruitment of teachers at the elementary and secondary levels that correspond to states' policies.

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[41] The Teacher Recruitment Board in Tamil Nadu, headed by a senior IAS officer, undertakes all teacher recruitment pertaining to teachers in elementary, secondary schools, high and higher secondary schools as well as colleges. The Board announces vacancies on its website, www.trb.tn.nic.in. The Board conducts certificate verification, written and oral exams pertaining to teacher selection. (Oral exams are conducted for college teachers). All complaints regarding teacher recruitments, especially the TET, are also filed against the Recruitment Board.

Educational and professional qualifications

Table 3.2: Minimum educational and professional qualifications for Elementary and Secondary school teachers prescribed by the States under the study

States	Minimum qualifications for Elementary school teachers	Minimum qualifications for Secondary school teachers
Jharkhand	Primary: Higher Secondary/Inter passed + trained teachers for primary grades. Upper Primary: Graduate + trained teachers for upper primary grades	Secondary: Graduate with 50% marks and B.Ed
Karnataka	Primary: Class XII/PUC + D.Ed/TCH (Primary). Upper Primary: B.A/B.Sc + D.Ed(yet to be implemented) (Upper Primary)	B.A/B.Sc + B.Ed
Madhya Pradesh	Primary level (Grade III): 50% in Higher Secondary + 2 yrs. Diploma in Elementary Education OR 45% in Higher Secondary + 2 yrs. Diploma in Elementary Education, according to NCTE 2002 OR 50% in Higher Secondary + B. El. Ed. OR 50% in Higher Secondary with 2 yrs. Diploma in Special Education. Upper primary level (Grade II) : Graduation in the subject concerned. Diploma in Elementary Education or any equivalent degree OR 50% marks in Bachelor's Degree in subject concerned + B. Ed OR Graduation with 45% marks, according to NCTE 2002 norms OR 50% marks along with Higher Secondary and B. El. Ed. OR 50% in higher secondary + 4 years Bachelor's degree (B.A., B.Ed./ B. Sc., B.Ed.) OR 50% in graduation subject concerned + B.Ed. in Special Education. Relaxation: 5% less for SC/ST/OBC/and disabled in qualifying marks for the qualifying educational qualifications.	
Mizoram	Primary: HSSLC with at least 50% marks or Graduate degree and above, with Diploma in Elementary Education with a duration of not less than 2 years from recognized University and approved by NCTE or HSSLC with at least 50% marks OR Graduate degree with 2 years D.Ed. (Special Education) recognized by RCI. Upper Primary (Middle School): Graduate degree and above, with Diploma in Elementary Education with a duration of not less than 2 years from a recognized University and approved by NCTE OR Graduate degree and above with at least 50% marks and 1 year Bachelor in Education (B.Ed.) from a recognized University and approved by NCTE OR B.Sc. (Science and Mathematics) and above with at least 50% marks with 2 years Diploma in Elementary Education from a recognized University and approved by NCTE OR 1 year Bachelor in Education (B.Ed.)from a recognized University and approved by NCTE or Graduate degree with at least 50% marks with 2 years D.Ed. (Special Education) or B.Ed. (Special Education) recognized by RCI	Secondary: Graduate with Bachelor of Education (B.Ed.) or its equivalent OR 4 years' integrated Bachelor of Science (B. Sc), Bachelor of Education (B. Ed) or an equivalent course from a recognized University
Odisha	Primary: HSC or equivalent higher secondary examination Upper primary: TGT, the candidate must have a Bachelor's degree in arts/science along with a B. Ed degree from a recognized university.	Secondary: TGT, the candidate must have a Bachelor's degree in arts/science along with a B.Ed. degree from a recognized university.

Punjab	Primary: Senior Secondary (10+2) with 50% marks with JBT/ETT course. Eligibility conditions have been expanded to include candidates with B.El.Ed, graduation with 2 year diploma in elementary education, 10+2 and 2 year diploma in education (special education) or any other qualification as per NCTE norms 2002; Upper Primary: Graduate with 50% marks and B.Ed. All these candidates without JBT/ETT will be required to undertake a 6 months course in elementary education.	Secondary: Trained Graduate Teacher (TGT) with the basic qualification of a Bachelor's degree in the relevant subject with 50% marks and a B.Ed.;
Rajasthan	Primary level : 12th Pass (with 50% marks) +2 year Diploma in education; (Secondary with five subjects in which Maths, English, Hindi as compulsory subjects) OR 12th Pass, with 45% marks, and 2 year diploma in Elementary Education as per the norms of NCTE 2002. OR Graduate and 2 year Diploma in Education Upper Primary level: Graduate and 2 year Diploma in Elementary Education OR Graduate, with min. 50% marks, and 1 year B.Ed. degree.	Secondary: Recognized Diploma/Degree in Education and Graduate in the related subject
Tamil Nadu	NCTE Stipulated norms for Primary: High School and Diploma in Education / Graduation with Diploma in Education; Upper Primary: Graduation with Diploma in Education Pre-qualification in TET mandatory	Secondary: Bachelor Degree in relevant subject and B.Ed.
Uttar Pradesh	Primary (Assistant teacher): 1. High school exam from Madhyamik Shiksha Parishad (U.P.) or equivalent as recognised by U.P. Government + B.T.C. or equivalent (Notification 1981) 2. Passed Intermediate exam from Madhyamik Shiksha Parishad (U.P.) but for the candidates who have passed B.T.C. or equivalent previously, the essential qualification will be same as for the admission in training programme (fifth amendment 1993) 3. Graduate from a University established by law in India or equivalent + B.T.C. or equivalent (8th Amendment 1998) For Shiksha Mitra- 12th class Upper Primary (Assistant teacher): For Math/Science (Direct 50%) recruitment 1. Graduation, BTC/ B.Ed or equivalent 2. TET (6 to 8) qualified. 3. Graduate from University with at least one subject - Science or Mathematics. 4. B.T.C./ B.Ed./ B.Ed.(Spl.Ed.). For Anudeshak: graduate	Secondary: 1.Graduate from a Recognized University of India as established by law 2.B.Ed./L.T. from a university or training college recognized by State Government

Source: State Reports

All nine-study states prescribe the same minimum requirements as the NCTE for educational and professional qualifications for teacher candidates at the elementary and secondary level. There is variation in the level of detail issued in the Government Orders in the states with respect to eligibility criteria. Madhya Pradesh, Mizoram and Uttar Pradesh have issued more detailed and clear qualification and eligibility criteria in comparison to the other study states. This raises the question as to how clearly are Notifications communicated in Government Orders or to what extent are they revised from time to time – thereby requiring more detailed explanations. Both Tamil Nadu and Karnataka, essentially, follow NCTE guidelines and these have remained the same for several years.

As noted above, to meet the RtE-prescribed Pupil-Teacher ratio (PTR) norms, a few states have recruited teachers in large numbers within a short period of time. Many in the pool of available candidates do not meet the minimum professional qualifications (pre-service training), and some states have, therefore, relaxed this criterion as per provisions of the RtE Act. For example, in Punjab, candidates without Junior Basic Training / Elementary Teachers Training (JBT/ETT) can become eligible if they complete a six-months' course in elementary education. Madhya Pradesh, on the other hand, has allowed candidates without pre-service qualifications to appear for the TET exam, on the condition that once recruited, these teachers will complete their required qualification within a stipulated timeframe.

Teacher Eligibility Test qualification

All the nine states have introduced qualification in a Teacher Eligibility Test (TET) as an eligibility criterion in their recruitment policies, for candidates applying to teach at the elementary level. States have designed their own TET (rather than using the CTET) within the Guidelines for conducting TET provided by the NCTE, with a few exceptions. As of writing this chapter, all states have completed at least one or two rounds of their respective TET. The TET is discussed in more detail in the next chapter.

Age criteria for recruitment

All nine states prescribe minimum and maximum age limits for candidates to be eligible as teachers. The age limit criterion is quite similar in all nine states, with a few exceptions. In most states, the minimum age for elementary teachers is 18 and secondary teachers 21 years; while the maximum age (to start as such a teacher) is typically between 32 and 35 years. In Punjab, the prescribed maximum age limit for Senior and Senior Secondary teachers has been changing in different recruitment advertisements over the years since 2007. The rationale for these differences is not clear. Table 3.3 below provides this information.

Table 3.3: Maximum age limit for Senior and Senior Secondary teachers advertised between 2007 and 2012 (Punjab)

Year of recruitment notification	No. of teaching posts advertised (Senior and Senior Secondary)	Age limit (without reservation) (in years)
2007	4000	42
2008	405	42
2009	7654	37
2010 (January)	694	42
2010 (November)	3725	37
2010	560	42
2011	3442	37
2012	5178	38

Source: Punjab State Report

In the relaxation provided to the upper limit for age for the reserved categories (discussed in greater detail below), there is substantial variation among the states as shown in Table 3.4.

Mismatch of minimum age and educational qualification requirement:

Rajasthan and Karnataka have prescribed 18 years as the minimum age requirement for the elementary level (for both the primary and upper primary education levels). However, candidates need to have at least a bachelor's degree, and this is typically obtained after the age of 21 years. Similarly, in Rajasthan, the minimum age for candidates who want to become secondary school teachers is 18 years whereas the minimum educational qualification required is a Bachelor's degree in Arts /Science (B.A./B.Sc.), with a professional qualification of a Bachelor's in Education (B.Ed.) degree. For teaching in senior secondary classes, the minimum age for teachers is 21 years; however, the minimum educational qualification is a post-graduate degree, and it is extremely unlikely that anyone could obtain this qualification before the minimum age limit. In these cases, the age limit seems redundant.

Table 3.4: Minimum and maximum age limit for elementary and secondary level teacher recruitment

States	Age limit for Elementary School Teachers	Age limit for Secondary and Senior Secondary School Teachers
Jharkhand	Minimum: 18 years; Maximum: 35 years (General); 37 years (BC and EBC); 38 years (Women from BC and EBC);40 years (SC and ST); 40 years (Handicapped); 43 years (Handicapped Women from BC/EBC); 45 years (Handicapped from SC/ST); 50 years (Contract teachers)	Minimum: 21 years
Karnataka	Minimum: 18 years, Maximum: 40 years for general category, 43 years for OBC category, 45 years for SC/ST categories	Minimum: 21 years, Maximum: same as for elementary school teachers
Madhya Pradesh	Primary- Minimum: 18 years; Upper primary (graduate teachers): 21 years; Maximum age: 35 years	Secondary and Sr. Secondary level: 21 yrs; Maximum age: 35 yrs. Age relaxation for elementary and secondary: 10 years for women (+ 5 for widows and divorcees); Guest teachers/ part-time vocational teachers, Additional 5 years for earlier Samvida who have not been taken into Adhyapak (i.e upto 15 years)
Mizoram	Minimum: 18 years, Maximum: 35 years	Minimum: 21 years, Maximum: 30 years
Odisha	Minimum: 18 years, Maximum: 32 years. In case of SC & ST, women, ex-servicemen candidates there is 5 years relaxation and for SEBC it is 3 years in the maximum age limit.	Minimum: 21 years, Maximum-42 years. In case of SC & ST, women, ex-servicemen candidates there is 5 years relaxation and for SEBC, it is 3 years in the maximum age limit.
Punjab	The age limit for direct recruitment as teacher / headmaster / headmistress / lecturer is 32 years as on 1st January of the year in which posts are advertised (PEP2002). However, in practice, it is not followed and age limit changes with different recruitment advertisements. Age relaxation is allowed, as per Government of Punjab rules from time to time. However, the relaxation cannot be 10 years more than the prescribed limit (PEP2002).	In case of secondary and senior secondary school teachers, data of the recruitment notifications from 2007 to 2012, shows varying age limits in every notification starting from 42 in 2007 to 38 in 2012.

Rajasthan	Elementary: Minimum: 18 years, Maximum: 31 years. Upper age limit relaxed by 5 years in the case of women candidates and candidates belonging to the Scheduled Castes and Scheduled Tribes; OBCs No age-limit in the case of widows and divorced women	Secondary: Minimum: 18 years, Maximum: 31 years. Upper age limit relaxed by 5 years in the case of women candidates and candidates belonging to the Scheduled Castes and Scheduled Tribes; OBCs No age-limit in the case of widows and divorced women Senior Secondary: Minimum: 21 years, Maximum: 31 years. Relaxation of 5 years for: Male of SC, ST, OBC, SOBC, and economically backward group and females of general caste. Relaxation of 10 years for: Female of SC, ST, OBC and SOBC. Relaxation for 5 years for state government employees Relaxation of 15 years for employees of Rajasthan Education Subordinate services (Teacher grade II & III). No age-limit in the case of widows and divorced women.
Tamil Nadu	There is no upper age-limit for the recruitment of elementary teachers since 2001, and there is no mention of minimum age for recruitment. It is, therefore, assumed that the minimum age requirement is the same as for recruitment of government servants – 18 years.	Since 2001, the upper age limit was removed, however notifications in the TRB advertisement state "not more than 57 years". No lower limit is mentioned.
Uttar Pradesh	Primary-Minimum: 18 years, Maximum: 30 years, 5 years age relaxation for reserved categories or as government decides from time to time. (Rules 1981) now amended as minimum age to be 21 years and maximum age 40 years (amended in 2011). For Shiksha Mitra- In addition to the above, the candidate has to be a resident of the village or at most the Nyaya Panchayat. Upper primary - Minimum: 21 years, Maximum: 35 years, 5 year age relaxation to SC/ST/OBC; 3 year age relaxation to Ex-Service men;10 years age relaxation to Handicapped; Nationality- Indian; Resident- residing in U.P for the least 5 years. For Anudeshak, in addition to the above, has to be a resident of the district where applying.	Secondary: TGT- 1. Indian Citizen 2. Minimum: 21 years, Maximum: 40 years (as amended in 2014) Higher Secondary: PGT (Government lecturer) - Indian Citizen, Minimum: 21 years, Maximum: 32 years now amended to 40 years (as per service rules 1992, Part-3, Regulations 7, 10)

Source: State Reports

Reservation policies for recruitment

Reservation criteria are an important item of the eligibility requirements. Recruitment is directly influenced by the reservation norms and policies in all states. This, in turn, has a bearing on the number of teachers recruited versus the total requirement for teachers based on the reserved positions that are filled or left vacant.

In the matter of recruitment, states follow the reservation policy laid down by the Central Government, which is also reflected in the NCTE Notifications on teacher qualifications. In addition, states have their own reservation policy, including reservation for several categories such for women, widows, ex-servicemen, etc. with varying percentages. Reservation criteria also vary from one state to another, reflecting the shares of the dominant castes and tribal population in the states. Some states like Madhya Pradesh, Tamil Nadu and Uttar Pradesh have made provisions for vertical (for SC, ST, and OBC categories) and horizontal reservations (for women, disabled persons, ex-service men, and outstanding sportspersons)[42].

Apart from these general reservation criteria in the states, there are a few additional reservation practices being followed in some of the states. For example, since 1996, Tamil Nadu has followed the practice of hiring women teachers for classes 1 to 5 and hires male teachers (only upto a maximum of 10% of the applicants) if female candidates are not available.

In various states, the roster system is used to implement the reservation policy for recruitment and promotion of teachers for e.g. the 100-point roster system followed in Punjab[43].

States have different ways of resolving the issue of reserved vacancies. In Rajasthan, despite the reservation quota of 30 percent for women, over 70 percent of teachers at the elementary level, and 77 percent of teachers at the secondary level are men. Another challenge from the policy-practice perspective is that a number of positions for Math, English and Science teachers remain vacant due to lack of available candidates from the reserved categories.

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[42] Social Reservation in favour of SCs, STs and OBCs under Article 16(4) of the Constitution of India are "vertical reservations". Special Reservations in favour of Physically handicapped, Women etc. under Articles 16 (1) or 15 (3) of the Constitution of India are "horizontal reservations". Horizontal reservations cut across the vertical reservations.

[43] Explained in greater detail in the Punjab State Report

Table 3.5: Criteria for reservation categories

State	Reservation policy with respect to:						
	General	ST	SC	OBC	Persons with disability	Women	Other categories/Comments
Jharkhand	27	26	10	14			23% adhoc/provisional. Within the 14% reserved for backward classes, 8% is reserved for extreme backward castes (Schedule I) and 6% for backward castes (Schedule II)
Karnataka	50	3	15	32		50	Rural candidates (25%); Ex-soldiers (10%); Physically Handicapped (5%); Unsheltered (5%); Kannada Medium (5%); General Merit (50%)
Madhya Pradesh		SC/ ST/OBC as per population in the district			6	50	10% for ex-servicemen
Mizoram							None, except for people with disability
Odisha		22.5	16.25				Socially and Educationally Backward Classes: 11.25%.
Punjab			25	5	3		Rural areas 7%, Border areas 3%, Defence personnel / wards / spouses etc. 2%, children of persons killed in violence / Sikh migrants (after 1984 riots) 2%
Rajasthan		12	16	21	3	30	SBC-5%; EBC- 14%; Outstanding sports persons- 2%; tribal areas- 45% reservation for STs and 5% for SCs
Tamil Nadu		1	18		2	30	Backward Class (other than Muslims) - 26.5%, Backward Class (Muslims) - 3.5%, Most Backward Class / De-notified Category - 20%; persons studied in Tamil Medium at 20%
Uttar Pradesh		2	21	27	3		Ex-servicemen- 2%

Source: State Reports

Language requirement

A few states have prescribed qualifications in the official state language as part of the mandatory eligibility criteria.

a. Jharkhand has a requirement that the candidate successfully qualifies in at least one regional language test as part of the TET.

b. Odisha has made Oriya mandatory — candidates must have had Oriya as the medium of examination in non-language subjects at Class 10 examination.

c. Punjab has a requirement that candidates complete their matriculation with Punjabi as a subject. Candidates who do not have this qualification are given a chance to clear the examination within a prescribed time, at the time of offer of appointment.

Criteria for Merit List preparation

All or most of the eligibility criteria described thus far are used to prepare the merit list, which then becomes the basis for the final selection of successful candidates. The merit list is the most critical part of the recruitment process since each successful candidate is given a ranking on the list and, as will be described in the next chapter, this rank determines which teachers get to be appointed first and they have the first choice of school to which they will appointed. Once generated, the lists are published to give opportunities for individuals to challenge their placement on the list.

The construction of this merit list is, however, a very complicated process. Those constructing the list have to consider all the different criteria and reservation policies. It is, perhaps, not surprising that there are many court cases challenging the lists. Below we give a few examples of the specific criteria and formulae used to prepare the merit lists in the study states.

> ➢ **Jharkhand**: For recruitment of teachers who have passed class 12 and have pre-service training, the final score used to create the merit list is made up of the sum of the following two scores:

>> ○ The average score of academic achievement calculated as follows: marks obtained in Matriculation (Class X), Intermediate (Class XII), Teacher Training Exam are added and the sum is divided by three to obtain the average marks/percentage. In this calculation, the subjects taken as extra/ additional are not included.

>> ○ The score assigned for marks obtained in the TET is as follows: if the TET marks are >90%, then a score of 10 is awarded, for 80% and above but <

90%, a score of 6 is awarded, for 70% and above but < 80, a score of 4 is awarded and for 52% and above but < 70, a score of 2 is awarded.

➢ In case there are many candidates with the same scores, the date of birth is used as a criterion to rank the senior candidate over the junior candidate. If the date of birth is also similar, then the ranking is done based on the ascending Roman alphabetic order in the candidates' first names.

➢ **Karnataka**: The selection of candidates is based on SSLC/PUC/B.A/B.Sc. marks, TCH / D. Ed / B. Ed scores and percentage of marks scores in CET, ensuring that three kinds of reservation criterion, namely social category, sex and individual characteristic, for overall recruitment are met. Post-2013, additional reservation for Gulbarga Division (comprising of six districts: Gulbarga, Yadgir, Bellary, Raichur, Koppal and Bidar) has been introduced due to enactment of Article 371J (of the Constitution) in the area. This special status means that 80 percent of the seats for teachers (Group C cadre) are being reserved for local cadre/domicile of Gulbarga Division (GoK, 2013; S. Rajendran, 2013). This is the reservation criterion for selecting candidates only in the Gulbarga Division, in addition to the above mentioned social category-wise, sex-wise and individual characteristic-wise criterion.

➢ **Punjab**: The weightage to decide merit for elementary level teachers is as follows: 10+2 (25 percent), Elementary Teacher Training test (ETT) (25 percent), PSTET (30 percent), Higher education (20 percent – this was later changed to 25 percent; as per recruitment advertisement of 2011). For the secondary level, the weightage of points for the merit list is as follows: basic academic qualification: 25%, professional qualification: 25%, post- graduation: 10%, M.Phil. and Ph.D.: 10% and TET: 30%. As per the roster (described above), if for the last available vacancy for candidates of a particular category, two or more candidates of that category have exactly the same merit, the candidate older in age is given preference and, if that is also the same, then both the candidates are appointed (which means the sanctioned posts are increased).

➢ **Uttar Pradesh**: For primary and upper primary levels teachers, the selection criteria is based on weightage given to 10th class exam results, 12th class exam results, graduation results, training qualification and TET. For secondary and senior secondary level teachers also, a similar weightage is given. Selection criterion for different kind of teachers changes very often, based on the requirement at the time of the advertisement and change of the government.

Conclusion

Though they are not required to do so, states in India base their teacher recruitment policies on NCTE guidelines; but they add requirements corresponding to their particular contexts.

With the RTE coming into effect and the need to fulfil PTR norms, many states have had to recruit large number of teachers within a short period of time. This has resulted in a gap in some states between minimum criteria for teacher eligibility and actual teacher characteristics. Reservation quotas also create vacancies, especially in particular subjects, and are vulnerable to manipulation by different stakeholders – including administrators and political leaders – since they can change for each recruitment drive. The use of TET has introduced some measurement of teacher knowledge as one of the criterion for determining eligibility. However, TET use is still in its early stages, and there has been little investigation of the format and content of the tests to determine their validity and reliability.

Some states' recruitment policies are based on the older NCTE Notification for Elementary school teachers and need to be aligned to the latest one. Further scrutiny is needed with regard to the processes followed for recruitment that deviate from policies to ensure that the best intent of the policies is put into practice. Of critical importance is the clear and transparent communication of the qualification and eligibility criteria in recruitment advertisements. This will reduce delays, legal and extra-legal disputes, and political influence in teacher recruitment.

CHAPTER 4: TEACHER RECRUITMENT

Introduction

Effective teacher recruitment policies and practices are not just about ensuring high standards for who becomes a teacher (the issue discussed in the last chapter). They also involve having clear recruitment policies, as well as timely and transparent procedures at different stages of recruitment, including prompt appointment and deployment as the recruitment process culminates. Uncertainty about how and when recruitment will happen, whether meritocracy will be rewarded and school-specific needs would be met has serious implications for the quality of the teaching force. This uncertainty gives teaching a non-serious reputation, discourages applicants from investing systematically in building pre-service teaching skills, and attracts applicants with little interest in teaching. In so doing, poor recruitment policies and practices make school teaching a second-class profession.

Teacher Recruitment: Direct and Indirect

Teacher recruitment in states across the country, at both the primary and secondary levels, is undertaken through either a direct process (recruitment of people who are not currently in the teaching force) or indirect process (promotions of existing teachers or on compassionate grounds) or a combination of the two. In Karnataka, for instance, roughly 50 percent of all recruitments are direct and at least 50 percent of all recruitments (beyond primary school) are based upon promotions. At the other extreme, in Mizoram, all recruitments are direct. One reason for all recruitments being direct in Mizoram is that the state is increasingly hiring contract teachers; indeed, since 1998, it has hired no teacher on regular services, but only on contract. Another reason is that there is no scope for inter-cadre movement in Mizoram, in the sense that a primary school teacher cannot become an upper primary school teacher and so forth. Since promotions are only possible if teachers are on regular contract, Mizoram's method for recruitment is consistent with the term of recruitment. In Odisha, in contrast, at present there is little direct recruitment, with most recruitment either resulting from promotion of teachers or through regularizing contract teachers. In Rajasthan, all recruitment into elementary schools is direct, while for grades 9th and 10th , it is evenly split between direct and indirect.

In general, indirect recruitment happens on the basis of experience and/or qualifications of teachers. In Tamil Nadu, for instance, if primary school teachers want to move to upper primary, they have to upgrade their qualifications — merely accumulating years of teaching is not enough. Regardless, indirect recruitment policies do not consider the performance of the teacher in terms of improving student learning, except for Madhya Pradesh, where there is no

direct recruitment into the Adhyapak (regular teacher) cadre; instead, all recruitment into this cadre happens from teachers in the contract cadre (SSS) based on a set of objective (albeit unambitious) criterion:

1. The class(es) taught by the SSS must have attained the following results in the examinations – 50% pass for classes 1 to 5; 40% pass for classes 6 to 8 and 30% pass for classes 9 to 12;

2. They should have the requisite professional qualifications (viz. D. Ed or B. Ed) for the relevant grade;

3. They should have completed three years of service without any disciplinary action or leave without pay.

This study found little evidence to suggest that these criteria, especially the criterion related to student performance, are considered or followed in actual practice in Madhya Pradesh. The methods of recruitment also vary from state-to state (see Table 4.1) and, in some cases, they change every year.

Table 4.1: Direct and Indirect Recruitment Practices in Sample States

STATE	Direct	Indirect
Jharkhand	100% Primary teachers Direct recruitment on Contract, and ~70% of subject teachers in high school	50% of regular teacher recruitment at all levels done from cadre of contract teachers, ~25% of subject teachers in high school recruited from primary and middle schools
Karnataka	< 50% (all categories) except primary school teacher	At least 50% (all categories)
Madhya Pradesh	100% (only SSS cadre recruited)	50% from parallel SSS teachers; 50% through promotion
Mizoram	100% all categories	
Odisha	100% Direct recruitment to the lowest cadre (Level V) teachers. At Secondary Level also 100% Level IV by Direct Recruitment (employed on contract).	100% from level V to IV and from IV to III. These are District Cadre Posts. At secondary level, 100% posts above Level IV (meaning III, II and I) contract done by promotion. 100% Senior Grade posts (Head Masters etc.) by promotion.
Punjab	Direct as contract teacher, no overarching policy changes from year- to- year.	Now 100% regular indirect (from cadre of contract teachers) for regular teachers, however policy changes from year to year.
Rajasthan	100% for elementary, 50% for 9th and 10th grade	50% for 9th and 10th
Tamil Nadu	100% in primary, 50% upper primary.	On upgrading qualifications, can be promoted or in some cases appear for entrance examination
Uttar Pradesh	100% primary through direct recruitment. Until 2013, no direct recruitment for upper primary. Since 2013, 50% direct in upper primary. In aided schools 100% direct. No policy in secondary, but practice change almost every year	50% upper primary, no clear policy at higher level.

Source: state reports

Both direct and indirect recruitment methods have advantages. Direct recruitment allows the government to inject fresh blood into the teaching force, while also being able to raise standards (minimum qualifications) for teachers more easily than possible once teachers are in service. At the same time, indirect recruitment has the advantage of providing career progression opportunities to teachers. Unfortunately, merit plays little role, and across states, priority in indirect recruitment is given to more experienced teachers. The exception is Madhya Pradesh, where as noted, the policy suggests that merit is taken into account, although practice differs.

Yet, allowing direct and indirect recruitment at the same time may not be easy from the perspective of building collegiality in schools. In Tamil Nadu, for instance, the senior-most teachers teaching grades I-V expressed their displeasure at the state's recent decision to recruit 50 percent of teachers for grades VI-X through the direct method. Previously, these teachers who managed to get additional qualifications through correspondence would expect to get promoted with the passage of time. With the new system in place, however, their professional ambitions have been thwarted because 50 percent of such posts will now go to newly-recruited teachers. The net effect is that these senior elementary teachers, who pursue degree courses or await results of their degrees, think of the new recruits as rivals for the post of Middle School headmaster and not as junior colleagues who need mentoring.

In general, the public service commission of the respective states undertake teacher recruitment. The exception is Tamil Nadu, which created the Teacher Recruitment Board in 1997.[44] Punjab has recently (2013) created a recruitment board, while Jharkhand has formed the Staff Selection Commission. At the time of writing, Rajasthan was also considering having a separate recruitment board for all non-gazetted government officers, which would include schoolteachers. In most states, the role of the recruitment agency is to conduct the entrance examination (Teacher Entrance Test (TET) or equivalent), conduct the interviews and declare the list in order of merit and reservation (as discussed in the previous chapter). Once the list is prepared, it is then handed over to the concerned department (primary / elementary / secondary) – and the appointment orders are issued by the competent authority. Depending on the policy of a given state, the appointing authority communicates with the selected teachers. In Tamil Nadu and Karnataka, once the list is declared by the recruiting

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[44] The Teacher Recruitment Board in Tamil Nadu, headed by a senior IAS officer, undertakes all teacher recruitment pertaining to teachers in elementary, secondary schools, high and higher secondary schools as well as colleges. The Board announces vacancies on its website, www.trb.tn.nic.in. The Board conducts certificate verification, written and oral exams pertaining to teacher selection. (Oral exams are conducted for college teachers). All complaints regarding teacher recruitments, especially the TET, are also filed against the Recruitment Board.

agency, taking into consideration merit and reservation, computerized counselling is organized and teachers called on the basis of their position on the list to discuss their preferences. The authorities, who conduct the counselling sessions, then issue the appointment letter.

In general, appointment and recruitment (once the merit list has been constructed) is undertaken by the Education Department in each state. There are three exceptions regarding appointments at the elementary level: in Madhya Pradesh, appointments in elementary schools come under the purview of Panchayati Raj institutions (Janpad Panchayat for primary, and Zilahh Parishad for middle). In Rajasthan, the Department of Education issues appointment and school placement order for schools that are either at the secondary or higher level, while the Panchayati Raj Ministry undertakes all appointments at the elementary level. This is because in the three states, primary / elementary education comes under the purview of the Panchayati Raj Department. However, with the exception of issuing the appointment letter, all other matters related to teachers are handled by the education department. Rajasthan also has a non-trivial number of schools run by the Sanskrit Department; appointments to these schools are done by that department. In Punjab, the Government transferred the management of 3449 Government Primary Schools and 232 Government Secondary Schools from under the control of the Punjab Education Department to the Department of Rural Development and Panchayats and the Department of Local Bodies for all intents and purposes in 2006. Teachers in these schools are governed by the Punjab Panchayati Raj Teachers Recruitment and Service Conditions 2006, amended in 2011.

The rules and procedures set out in recruitment notifications, whether for direct or indirect recruitment, have been changing from year to year in Jharkhand and Uttar Pradesh. It would, therefore, be appropriate to say that these three states do not have any "policy" as such[45]. All states do have some kind of base policy or education code – for example in UP, this dates back to 1921 and amendments / changes are made to this "basic act". However, in the last 10 years (the period covered by this study), the norm seems to be to take decisions afresh whenever teachers are to be recruited – depending on the political situation in the state.

Minimum Standards for Becoming a Teacher

As noted in the preceding chapter, an essential qualification for a person to be eligible for appointment as a teacher in classes I to VIII is that he/she should pass a Teacher Eligibility Test (TET). The TET is conducted by the appropriate Government (State, Centre or local) in

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[45] When this was presented to MHRD, GOI, the Secretary opined that all teacher recruitment happens with the approval of the Cabinet and any decision that is taken by the Cabinet is "policy".

accordance with guidelines framed by the National Council for Teacher Education. The rationale for including the TET as a minimum qualification for a person to be eligible for appointment as a teacher includes (a) setting national standards and benchmarking teacher quality in the recruitment process; (b) inducing teacher education institutions and students from these institutions to further improve their performance standards; and (c) sending a positive signal to all stakeholders that the Government lays special emphasis on teacher quality.

A number of states such as Tamil Nadu and Jharkhand have been conducting eligibility tests well before the RtE norms for teacher qualifications came into effect. At the time of this study, all nine states had conducted at least one round of TET. In general, at the primary level, state TETs focus on foundation skills, while at the upper primary and secondary level, they are subject-focused. In some states, notably Karnataka and Rajasthan, the TET is only a screening device to determine which applicants can take the entrance test for teaching. Upon clearing the TET, aspiring teachers are also required to take an entrance test in these states. At least in Rajasthan, there is discussion of unifying the TET and entrance test, such that teachers need to take only one test in order to be eligible for appointment.

The TET has helped states establish a floor for teacher eligibility, but has also thrown up a number of challenges. Two stand out. First, though many states have set cut-offs at a level which is hardly ambitious, far too few teacher candidates are passing the TET relative to the number of vacancies the states are trying to fill. As a consequence, states have had to lower their cut-offs, questioning whether the TET can serve its original purpose of setting standards. In fact, this dilution has happened even in the best-performing states. In Tamil Nadu, for instance, a senior officer from the Teacher Recruitment Board provided insight on how the state responded proactively to help the initially ill-prepared candidates. Although representatives of the state perhaps do not see it this way, such pro-activity ultimately leads to dilution in standards.

> "TET has been conducted at regular intervals from 2011, because the state rule for RTE was formed only after RTE Act 2009 came into being in 2010. TET was introduced and we have not compromised on the quality. In the 1st test, very low percentage of candidates passed. Only 2000 candidates out of 600,000 managed to get through. In the 1st TET, the percentage of people to pass was 0.39%. But the Honourable CM gave another opportunity for the first-time applicants writing the exam. Duration of 1st exam was only 2½ hours, but for 2nd exam, it was changed into 3 hours. Same test was conducted again and no fee was collected. With increased time and a positive environment, 20,000 teachers passed TET. 2nd test

result was 2.9%; in the 3ʳᵈ TET, it was 4.37%. TRB has never compromised on the quality. It had not relaxed any marks for any community or for any special category. The pass mark was 60%. During the 3ʳᵈ TET, the State Government reduced the mark by 5% for special and reserved category. Now, 55% is the pass mark. This has naturally influenced the results positively. More than 75,000 candidates have passed in the 3ʳᵈ TET." (Excerpt from Tamil Nadu State Report)

In Madhya Pradesh, the government claims to have set high standards for those who could take the TET, allowing only candidates with professional qualifications to apply. The Professional Examination Board (Vyavsayik Pariksha Mandal or Vyapam) conducted the MP TET for the first (and only) time in 2011-2012 for candidates aspiring to become Elementary and Secondary school teachers. Recruitment and appointment in two rounds were completed in August 2014. Interviews suggest that the online process has made this system transparent and efficient[46]. Results were declared on the online portal and the Director of Public Instruction (DPI) issued advertisements for vacant posts. DPI also takes the responsibility of consolidating all the advertisements for local bodies in order to avoid redrafting and duplication of work.

Table 4.2: An overview of the applications and dates of the Teachers Eligibility Tests held in MP 2011-12

Cadre	No. of Applications received	No. of Applications of D.Ed/B.Ed.	No. of candidates appeared for TET	Total pass candidates	Total no of Pass with D.Ed./B.Ed.
SSS (Grade I)	142,475	67,045	134,465	15,538	9,730
SSS (Grade II)	389,938	151,629	357,042	40,353	21,969
SSS (Grade III)	13,03,003	79,861	12,21,489	464,685	36,481
Total	18,355,416	298,535	17,12,996	520,576	68,180

S. no.	Cadre	Date of examination	Date of announced Result	Date of Revised Result
1	SSS (Grade I)	04-12-2011	21-01-2012	04-08-2012
2	SSS (Grade II)	19-02-2012	06-08-2012	--
3	SSS (Grade III)	22-01-2012	25-04-2012	04-08-2012

Source: MP state report

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[46] http://www.vyapam.nic.in

While it is clear from the advertisement for the TET that only applicants with the above mentioned professional qualifications (viz. B. Ed. and D. Ed.) need apply, as Table 4.2 above suggests, applications were not only accepted from people without the said professional qualifications but they were also allowed to appear for the TET exam. While only about 80,000 of the over 13,00,000 applicants for grade III had professional qualifications, over 12,000,000 sat for the exam. Although it is possible that those who sat for the exam were in the final year of obtaining a professional qualification, this explanation seems unlikely as about 4,65,000 cleared the exam, which is four times as many as those having the qualifications. As noted in an earlier chapter, MP asked for permission from the central government to recruit untrained teachers since it believed that sufficient trained teachers were unavailable. Permission was granted till 31st March 2013 and so candidates without B. Ed or D. Ed degrees were allowed to sit for the TET exam in Jan-Feb 2012. However, various delays meant that the appointment for the first round happened only by May 2013. The central government did not agree to the State's request to extend the permission beyond March 2013 for recruiting those without professional qualifications; this meant a large number of vacant posts of teachers could not be filled, even after two rounds of recruitment[47].

In Punjab, out of the 1273 candidates appointed in 2013, 515 candidates passed the Elementary Teacher Training Test (ETT), while 717 appointed candidates had B.Ed. qualification (see Table 4.3). Out of these 717 selected candidates, only 615 joined. Renewal of the contract of these 615 teachers was subject to passing of the six-month NCTE-recognized bridge course. Two of these 615 have done ETT in the due course of time, but the remaining 613 teachers have been pursuing the Department of General and Secondary Education (DGSE) for arranging for an ETT bridge course. The DGSE has extended the timing of passing this bridge course to March 2015. In the meantime, these teachers continue to teach without being fully qualified for the job.

Table 4.3: Summary of PSTET 2011, 2012, 2013 and 2014 in Punjab

Date of Test	PSTET (Year)	Candidates Appeared	Candidates Passed (Percentage)	Recruitment
3-7-2011	PSTET – 1 (2011)	1,10,052	1,736 (1.57%)	1273
	PSTET – 2 (2011)	1,27,079	8,412 (6.61%)	-
9-6-2013	PSTET – 1 (2012)	60,382	4,251 (7.04%)	-
	PSTET – 2 (2012)	1,68,396	5,141 (3.05%)	-
28-12-2013	PSTET – 1 (2013)	5,7815	1,040 (1.79%)	-
	PSTET – 2 (2013)	1,58273	266 (0.16%)	-
24-8-2014	PSTET – 1 (2014)	47,859		

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[47] MHRD, GOI did not agree to this point and said that as there is no shortage of qualified candidates, the question of asking for relaxation does not arise. When we pointed out the vacancies in reserved (ST) positions, MHRD said that there could be some other reason. Relaxation of norms was not the problem.

	PSTET – 2 (2014)	1,35,836		

The second important challenge with implementing the TET pertains to litigation regarding the correctness of the test and the extensive delays that have resulted. In Punjab, for instance, the recruitment process took almost two years and in Jharkhand, the recruitment exam for teachers was conducted in 2009 but the results have not yet been declared.

In Tamil Nadu, in a situation reflective of other states as well, a senior officer said:

"… After conducting the test, teachers go to the court on issues connected with question and answers, the validity of some answers etc. Transparency leads to lot of complications. TRB written examination pattern is very transparent. After taking the examination, the candidate can take the carbon copy of the answer sheet. After collecting all the answer sheets from the districts, TRB publishes the tentative answers for the written Examination. Candidates have the answer sheets and key answers are hosted on the TRB website. They can evaluate their own answer sheet. All are multiple-choice questions. TRB asks the candidate if there is any objection in the answers and they could report to TRB within 10 days' time. So if there is an objection from the candidate that it is not answers A, it is B, they produce evidence of that. The subject experts are called by TRB and they will scrutinize the answers and then TRB finalizes the answers and publishes the final results, along with the revised answers. Immediately after the publication of answer key, many candidates will go to the court if they find the answers wrong. Many litigations are based on the answer keys."

In all states, the TET is only one of a number of criteria used to determine whether a candidate becomes a teacher, the other set of criteria typically relating to professional qualifications (as seen in the previous chapter).

In a number of states, such as Rajasthan and Karnataka, teachers who have cleared the TET are required to take an entrance test as well. In Karnataka, for instance, those who clear the TET are required to take a central entrance test. If they score 60 percent or above in the entrance test, they can apply for a teaching position, subject to them having the requisite academic qualifications.

It is important to note that in no state are interviews of candidates conducted anymore, since interview outcomes are viewed as being easy to influence through political/bureaucratic connections. This is an important change in recruitment processes because mandatory tests and no personal interviews, perhaps, make the process more transparent and less arbitrary. At

the same time, it makes it impossible to find a good match between the expertise or interests of individual teachers and the needs or desires of individual schools. In fact, schools have no role at any point in the teacher recruitment process.

While states have made efforts to recruit candidates from socio-economically disadvantaged groups, they have, worryingly, had to relax the criteria for these candidates in the TET by 5-10 percentage points in order to get more 'qualified' candidates. Clearly, a major motivation for the effort to recruit more socially disadvantaged teachers is to create a teaching force that is closer to the student body socially; but, insofar as better qualified teachers make more effective teachers, lowering standards for recruitment reduces the chances for students in their efforts to learn. States also recruit teachers on compassionate grounds, and lower recruitment criteria for them, with similar consequences for students.

Although states follow NCTE norms on educational qualifications, it is difficult to miss the point that no state has attempted to go much beyond these norms and recruit a teaching force that is substantially more qualified. Without exception, states are satisfied with having a teaching force that comes from the lower end of the achievement distribution of any given cohort of those with XII pass/graduates.

Terms of Recruitment: Regular and Contract Teachers

One of the features of the drive to universalize elementary education has been to open more schools and attempt to staff these schools in accordance with RTE norms. Appropriateness has meant at least three things: (i) the state should be able to afford the salary and other costs associated with the additional teachers; (ii) formal qualifications may need to be modified in order to ensure that a steady supply of teachers exists for new schools; and in more local hiring of teachers, in order to ensure less social distance and more accountability between teachers and students. These three conditions have been met by most states by hiring teachers on fixed pay and time-bound contracts, with none of the benefits associated with regular employment such as pension and leave.

Every state in India has recruited at least some contract teachers over the past 15 years, with the exception of Karnataka. Most recently, Rajasthan, one of the earlier states to adopt the contract teacher model, announced that it would not recruit any more contract teachers as of 2014. Box 2 provides a detailed account of the court case that led to the decision to terminate the contract teacher cadre (Vidyarthi Mitra) in the state in which the court found the recruitment of unqualified people as teachers to be 'illegal and unconstitutional'.

Box 4.1: Decision of High Court related to Vidyarthi Mitra in Rajasthan

TILOK SINGH & ORS. VS. STATE OF RAJASTHAN & ORS. (S.B.CIVIL WRIT PETITION NO.10339/12) & 89 CONNECTED MATTERS.

Important parts of the decision are as follows:

---- This Court is firmly of the opinion that the Scheme introduced by the State Government providing for the engagement of even unqualified/untrained persons as Vidyarthi Mitra for their posting against the posts of Teacher Gr.III, Senior Teacher and School Lecturer dehors the relevant recruitment Rules and the eligibility criteria laid down by the NCTE exercising the power under the relevant statute, the provisions of the Act of 2009, and against the constitutional scheme of public employment, cannot but deemed to be illegal, arbitrary and falls foul of Article 14, 21 & 21A of the Constitution of India.

41. Since the Scheme providing for the engagement of Vidyarthi Mitra against the vacant posts of Teachers is found to be unconstitutional, no directions can be issued by this court to permit the continuance in employment of the petitioners and their likes under the said Scheme, which will obviously amount to perpetuating an illegality. Of course, the petitioners who have discharged the duties as Vidyarthi Mitra but have not been paid the honorarium for the period they have worked are entitled to relief to this extent inasmuch as the State Government cannot be permitted to deny the payment due to them as honorarium for the period they have discharged the duties against the posts of Teachers as Vidyarthi Mitra in various schools run by the State.

42. In the result, the writ petition No.8154/10 is allowed. The writ petitions preferred by the petitioners assailing their termination from service, claiming continuance/re-employment as Vidyarthi Mitra and against the insistence of the Government for execution of the fresh contract, are dismissed. The Vidyarthi Mitra Scheme, introduced by the State Government for engagement of 'Vidyarthi Mitra' on contractual basis on fixed honorarium against the posts of Teachers Gr.III, Senior Teachers and School Lecturers, is declared illegal and unconstitutional. The respondents are restrained from engaging the Vidyarthi Mitra under the Vidyarthi Mitra Scheme against the posts of Teachers Gr.III, Senior Teachers and School Lecturers. The respondents are directed to proceed with the recruitment process to fill in all the vacant posts of Teachers and School Lecturers in various services/cadres forthwith and complete the process as early as possible, in any case, within a period of six months from the date of receipt of certified copy of this order. It is made clear that pending completion of the regular recruitment process, the State shall not be precluded from engaging the eligible persons on the various posts of Teachers on urgent temporary basis in accordance with the relevant recruitment Rules. The State shall also ensure that henceforth the determination of the vacancies of Teachers in various services/cadres is made every year as mandated by the relevant recruitment Rules and all efforts shall be made to fill up the vacancies preferably before the next academic session starts in the schools run by the State. The petitioners who have not been paid honorarium for the period they had worked with the respondents as Vidyarthi Mitra, shall be paid the amount due within a period of two months from the date of receipt of certified copy of this order. It is made clear that on account of the Vidyarthi Mitra Scheme being declared illegal and unconstitutional, the petitioners and their likes who had worked with the respondents as Vidyarthi Mitra, shall not be deprived of the benefits already accrued to them. No order as to costs.

Source: Rajasthan state report

In terms of numbers of contract teachers and their relative proportion vis-à-vis regular teachers, in some states, such as Jharkhand, contract teachers form upto half of the teaching cadre. In general, however, the number of contract teachers does not exceed the number of regular teachers in any state.[48]

The practice of hiring contract teachers has opened up several debates (and court cases) in India on de-professionalizing the teaching cadre versus building greater accountability into the system.[49] The proponents of the de-professionalization argument believe that this practice has allowed the state to recruit low-cost and low-quality teachers and put them in schools in poorer areas, where the likelihood of parents complaining is relatively low. Another side to the de-professionalization argument is that even though well-qualified teachers may be hired on contract, with little job security, it lends an ad hoc character to their employment. This ad-hocism can hardly be motivating. Equally worrying is that the social status of a teacher goes down when people start commenting that anyone with minimum educational qualification can become a teacher. Proponents of the accountability argument believe that open-ended contracts for teachers have led them to believe they have a job for life, and their performance (or lack thereof) is unlikely to jeopardize their career. Term contracts, in contrast, are likely to keep such teachers on their toes, and motivate them to perform. Where contract teachers are given the opportunity to become regular teachers if they perform well (as in Madhya Pradesh, at least in theory), a contract position serves as a probationary period of clear and fixed duration, during which time a person's fitness to be a teacher can be assessed[50].

Reversal of the trend of hiring contract teachers:

In sharp contrast to the early 2000s, when there was an increasing trend in states to hire contract teachers on 1-2 year contracts, the trend appears to be reversing in a number of states. Although many states continue to hire contract teachers, there is an increasing trend to regularize them, either based on years of service or/and additional qualifications acquired. In a number of states, there is also a trend towards increasing the qualifications required to become a contract teacher. In Jharkhand, for instance, there is no difference in recruitment norms for contract teachers and regular teachers. In Madhya Pradesh, all new teachers are

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[48] As noted in Chapter 2 above, the exception is Mizoram, in which almost all teachers are on a contract basis.

[49] In addition, of course, an argument for contract teachers is based on urgent need in some states to fill teaching positions given the expansion of student enrolment.

[50] In addition to the above arguments, there are several econometric studies that examine the effectiveness and the cost of regular and contract teachers (Muralidharan and Sundaraman 2010, Goyal and Pandey 2010 and Atherton and Kingdon 2010). These studies point out that there is really no difference between contract and regular teachers especially with respect to effectiveness while contract teachers cost far less.

hired initially on contract for a period of three years. After three years of service, these teachers become due for regularization. Initially, it was expected that once such teachers were regularized, they would be put on probation for two years to complete all relevant in-service teacher training. This criterion was, however, never implemented. Similarly, in Odisha, contract teachers are regularized after completing six years of service. In Uttar Pradesh too, the government has decided to "regularize" the contract teachers and refrain from hiring more contract teachers. Table 4.4 provides an overview of the regularisation of contract teachers in the sample states.

Table 4.4: State-wise position on contract teacher recruitment

STATE	REGULAR	CONTRACT
Jharkhand	Yes	Yes, as per Government decision 50% posts reserved for contract teachers
Karnataka	Yes	No since 1989
Madhya Pradesh	Yes	Yes at all levels, during probation and they are made regular after 3 years
Mizoram	No since 1998	Increasingly all contract teachers at all levels
Odisha	Yes	Yes at all levels, during probation and they are made regular after 6 years
Punjab	Yes	Yes, initial contract is 1.5 years, then 3 years and then regularised
Rajasthan	Yes	No since 2013 - after order of the High Court of Rajasthan
Tamil Nadu	Yes	Yes, since 2002 as part-time teachers in specific subjects like arts, craft, PET
Uttar Pradesh	Yes	Only in IT and vocational in secondary. Gradual phasing out of contract teachers

The trend toward regularization has come from three sources. First, the recognition after RTE 2009 and the NCTE guidelines on teachers, that all teachers need to be qualified as per NCTE guidelines. If teachers are able to improve their professional qualifications, then there has to be some recognition / reward for this. Second, a change in the political scenario in the state where the political party takes a decision to reverse the long-standing policy of the previous government (such as in MP) or pressure from teachers' unions on the government to treat all teachers equally. Third, the judgement of the High Court based on the petition of teachers or public-interest litigation.

This study found little evidence to suggest that formal criteria were clearly defined or faithfully met in the regularization decision of contract teachers. Instead, the evidence suggests that many contract teachers do not acquire relevant qualifications, but being well connected politically, they were regularised. In some states, the contract teachers were assisted through part-time courses to acquire professional qualifications, and, for example, in Mizoram, they were given several chances to clear the required examinations.

During state level discussions, the teacher union leaders and teachers also spoke about easy access to formal degrees and diplomas required for regularization. In Punjab, there was a recent case wherein a large number of teacher candidates were found to possess bogus degrees[51]. Teachers in Jharkhand talked about a degree market where a proxy candidate appears for examinations on behalf of the teachers. Similar experiences were also narrated in other states. However, given that this is a grey market, there is little concrete evidence to confirm the availability of bogus degrees and diplomas.

The Process of Recruitment

Recruitment processes in states in our sample can be categorized into two broad types: (1) systematic and efficient and (2) politically driven.

Karnataka, Tamil Nadu and Madhya Pradesh and Odisha typify systematic and efficient systems. Here, estimates are made of the need for teachers – with each school sending their requests to the block where it is collated and sent to the district. The district officials then apply the RTE guidelines (district-wide ratio) and send their demand to the state government. These estimates are then sent to the Cabinet/Finance Department for approval. Depending on the budget situation of the government, the estimate may be revised downwards. Once the estimate is approved, vacant positions are advertised online and the process of recruitment formally starts.

We describe the case of Karnataka below, since it is the most systematic and fool proof. Indeed, Odisha is in the process of adopting the Karnataka pattern. Direct recruitment process for teachers in elementary and secondary government schools are very similar in the state, with slight variations in appointing authorities, geographical unit for application, calculation of number of vacant posts, age and educational qualifications. The major differences between elementary and secondary school teacher recruitment has also been highlighted. Both these recruitments are undertaken as per the guidelines prescribed in GoK (2001a).

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[51] Reference to newspaper stories in September 2013:
http://education.mathrubhumi.com/php/news_events_details.php?nid=12864 and
http://rajnewinfo.blogspot.in/2013/12/5178-teachers-fake-degrees-scam-punjab.html ; Bihar:
http://ibnlive.in.com/news/bihar-sacks-15000-teachers-for-faking-degree/81372-3.html ; Jharkhand
http://timesofindia.indiatimes.com/city/ranchi/For-Rs-20k-get-a-fake-BEd-degree-and-a-job/articleshow/18124955.cms

Description of the Karnataka recruitment process[52]

Figure 4.1: Direct Recruitment Process for Elementary and Secondary School Teachers
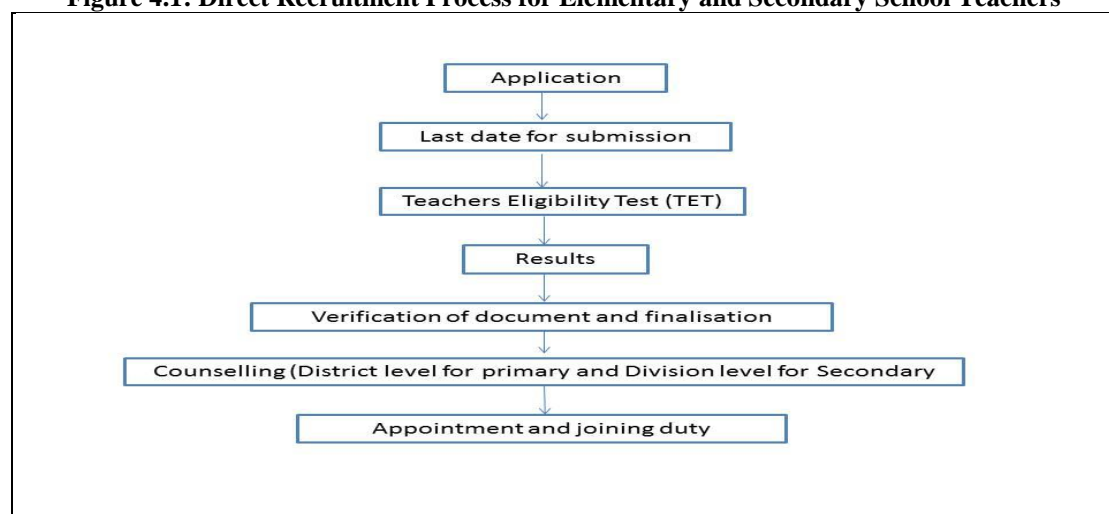
Table 4.5: An Overview of Direct Recruitment Norms for Teachers

Norm	Elementary Schools	Secondary Schools (Govt. and Aided)	Honorary Teachers
Geographical Unit for Application*	District Level	Division Level[53]	School/Block
Competent Authority	Block Education Officer (BEO) *(Appointing Authority)*	Deputy Director of Public Instruction (DDPI); District level *(Appointing Authority)*	School HM *(Appointing Authority)*
	Deputy Director of Public Instruction (DDPI) *(Selection Authority)*	Joint Director of Public Instruction (JDPI); Division level *(Selection Authority)*	Block Education Officer (BEO) *(Selection Authority)*
Calculation of Vacancies	PTR = 40 at the school level	Subject-wise Staffing	Appointed based on need
Educational Qualifications	Class XII/PUC + D.Ed/TCH (Primary) B.A/B.Sc + D.Ed[54] (Upper Primary)	B.A/B.Sc + B.Ed	Usually retired teachers, local experts.
Minimum Age	18 years	21 years	None
Maximum Age	40 years for general category 43 years for OBC (2A, 2B, 3A, 3B) category 45 years for SC/ST categories		None
Retirement Age	60 years		Appointed only one academic year ending on 10th April

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[52] Source: Karnataka state report prepared by CBPS, 2014

[53]There are 4 divisions in Karnataka: Bangalore Division (9 districts in south-east), Gulbarga Division (6 districts in north-east), Mysore Division (8 districts in south-west) and Belgaum Division (7 districts in north-west).

[54] Yet to be implemented; refer to footnote 2 above.

Reservation	(i) Social Category-wise: Scheduled Caste (15%); Scheduled Tribes (3%); Other Backward Classes (32%); General (50%) (ii) Sex-wise: Women (at least 50%); Men (Remaining) (iii) Individual characteristic-wise: Rural candidates (25%); Ex-soldiers (10%); Physically Handicapped (5%); Unsheltered (5%); Kannada Medium (5%); General Merit (50%)		None
Counselling for Selection of Block	Yes	Only for Government Schools	None
Database	State-level computerised database called HRMS	HRMS only for Government Schools; Individual Managements maintain database for Aided Schools	None

* This unit is also utilised for recruitment through promotion

Elementary School Teachers

The guidelines spelt out in the Recruitment Notification (GoK 2001b) guides the recruitment of elementary teachers (primary and upper primary). This notification specifies the eligibility criterion of age and qualifications, types of posts available, salary and non-salary benefits, retirement age, details about online application, admission and selection process, reservation criteria. The subsequent recruitment notifications, for each district, also list the vacancies available. The following are the different steps undertaken during the direct recruitment process:

i. Identification of vacancies:

The Block Education Officer (BEO) identifies the existing vacancies at the block level as per required PTR norms. Currently PTR = 40 is followed to calculate vacancies in Karnataka. A proposal to amend the PTR to 30:1, in order to calculate the vacancies, has been submitted to the Government and approval for the same is awaited (S9, 11 June 2014). Block-level vacancies are consolidated at the block level. The same is being conveyed to the Deputy Director of Public Instruction (DDPI) at the district level (D1, 08 April 2014). All district-level demand for new teachers is sent to the Commissioner of Public Instruction (CPI). The final decision regarding number of teachers to be recruited and when to initiate the recruitment process is undertaken by the CPI office in consultation with the Finance Department, Ministry of Primary and Secondary Education and the Chief Minister.

Once the number of vacancies is finalised, the department puts it up to the Finance Department, which takes a view regarding what size of additional burden the state exchequer can bear for this head. Based on this assessment, the total number of new posts for a

particular year is decided by the Education Department in consultation with the Finance Department. At times, the number of specified recruitments is less than the demand due to existing vacancies. In that situation, each district/block is allocated new recruits as a proportion of the existing vacancies (S4, 06 May 2014). The process by which vacancies in individual schools are filled is not clear.

The gap between required and sanctioned number of new recruits is filled by hiring honorary teachers or transferring excess teachers from other government/aided schools[55]. After the decision for recruitment is taken, the recruitment notification for each district, along with list of block-wise vacancies, is published. This notification includes eligibility criteria, selection process and criteria, pay-scale, reservation for different categories and specific deadlines.

ii. Eligibility criteria for application (full- time teachers):

Class XII (Pre-University College (PUC) or equivalent) and Diploma in Education (D.Ed.)/Teachers' Certificate Higher (TCH) is the basic requirement for applying for elementary school teacher posts in Karnataka.

Applicants can apply for that medium of instruction in which they have cleared their State School Leaving Certificate (SSLC) or have learnt it as first/second language in PUC (higher secondary). Those applying for Kannada medium schools need to clear Kaava / Jaana / Ratna Kannada examinations that are conducted by Kannada Sahithya Parishat. The minimum age requirement for both primary and upper primary teachers is 18 years (completed as on the last date of submission of application). The upper limit for applications is 40 years for general category, 43 years for OBC (2A, 2B, 3A, 3B) category and 45 years for SC/ST categories (GoK, 2001b, 2013b, 2013i).

iii. Application process:

An online application form for Rs. 400 (general category) / Rs. 200 (SC/ST/OBC category) (GoK, 2013b) is filled and submitted by a given date. Physically challenged candidates are exempted from this fee (GoK, 2007a). Those applying for more than one subject/medium and/or more than one district need to fill multiple forms. Based on the forms, eligible candidates appear for a district level Teacher Eligibility Test (TET) (GoK, 2013d) conducted by the Recruitment Cell, Bangalore. To clear the test, general category candidates need a minimum of 60 percent of marks, SC/ST/OBC candidates need minimum 55 percent of marks and physically challenged/ex-soldiers need minimum 50 percent of marks (GoK, 2013i).

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[55] See below for a discussion of teacher transfers. It is also important to note that the sanctioned strength of schools are not revised periodically to reflect enrolment or movement of students to other schools, including private schools.

Those who clear TET, have to appear for a Centralised Entrance Test (CET). Applicants from general category receiving minimum 60 percent marks and SC/ST/OBC categories receiving minimum of 50 percent marks in the entrance test are considered for recruitment.

iv. Selection and Appointment process:

Selection of candidates is based on SSLC/PUC/B.A/B.Sc. marks, TCH/D.Ed./B.Ed. scores and percentage of marks scores in CET (detailed in (iii) above), ensuring that three kinds of reservation criterion, namely social category, sex and individual characteristic, for overall recruitment are met.

Figure 4.2: Reservation Criterion for Recruitment
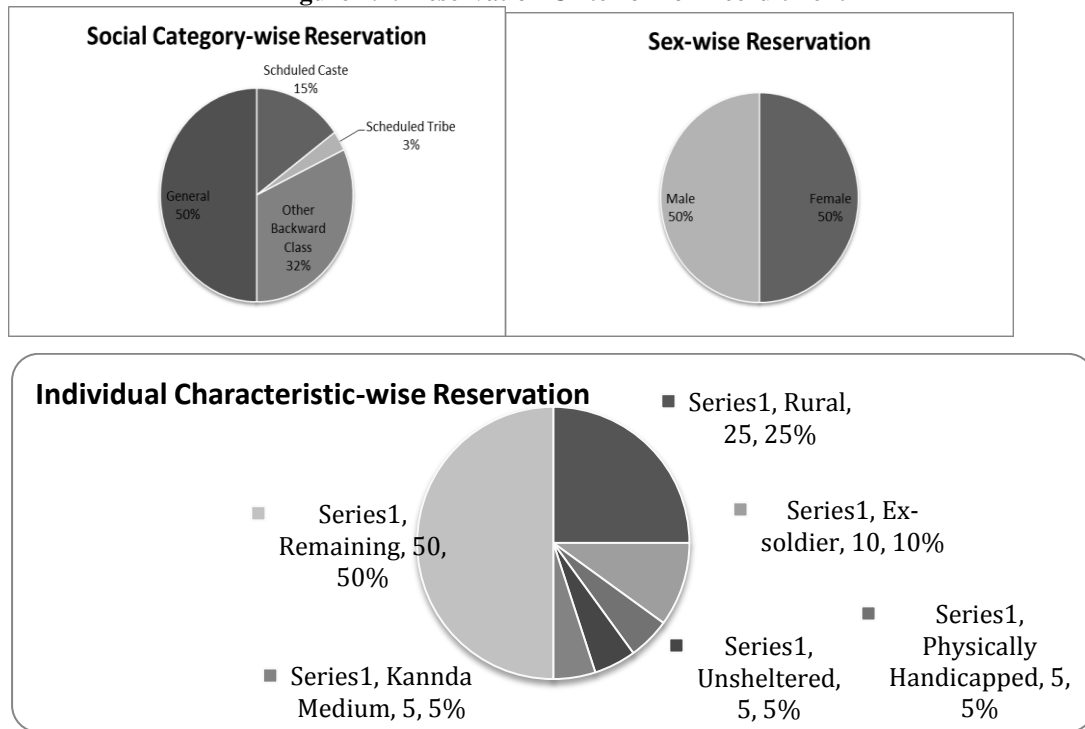
Source: GoK (2011a, 2012h, 2013i)

These criterion have been designed to be mutually exclusive in nature, implying that the below mentioned percentages need to be fulfilled for overall selection of teachers. For example, if 1,000 teachers are to be recruited, final selection will ensure 150 SC candidates, 30 ST candidates, 320 OBC candidates; it will also ensure at least 500 women constitute the selection list; among the 1,000 recruited, at least 250 will be from rural areas, 100 ex-soldiers, 50 physically handicapped, 50 unsheltered and 50 from Kannada medium.

Figure 4.3: Additional Reservation for Gulbarga Division
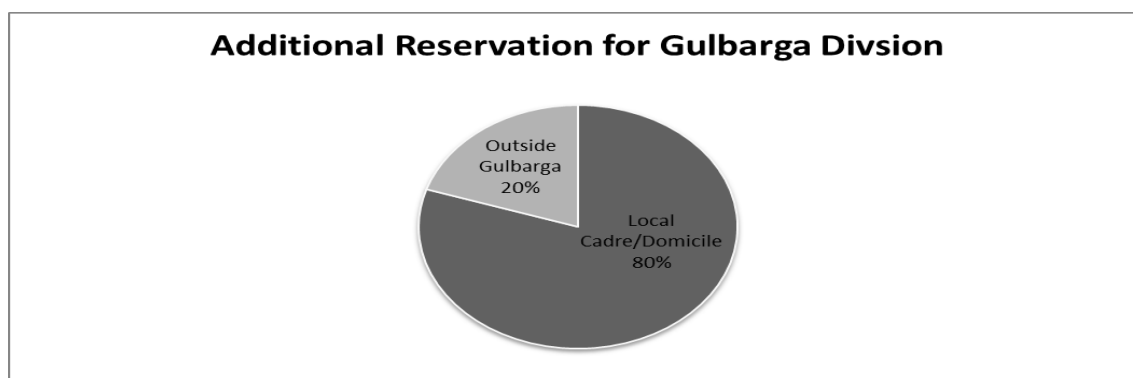
Source: S.Rajendran (2013)

Post-2013, additional reservation for Gulbarga Division (comprising six districts: Gulbarga, Yadgir, Bellary, Raichur, Koppal and Bidar) has been introduced due to enactment of Article 371J (of the Constitution) in the area. This special status means that 80 per cent of the seats for teachers (Group C cadre) are being reserved for local cadre/domicile of Gulbarga Division (GoK, 2013h; S.Rajendran, 2013). This acts as a reservation criterion for selecting candidates only in the Gulbarga Division, in addition to the above-mentioned social category-wise, sex-wise and individual characteristic-wise criteria.

These criteria act as parameters in short-listing and selecting candidates. Merit lists for each social category is prepared separately. This merit-wise list is utilised during counselling for final selection of candidates (based on the percentages mentioned above).[56] Figure 4.3 explains how GIS-enabled software ensures that reservation criteria are fulfilled for each geographic unit.

v. Counselling process:

After the preparation of separate merit lists for each social category, academic certificates of short-listed candidates are verified and district-level computerised counselling is held for deciding their first posting. The computerised counselling for final selection is conducted using a software programme that ensures that required number for each criterion (defined earlier) is met. The names of short-listed candidates are entered in the programme, which categorises them on the basis of their social category, gender, individual characteristics and geographical unit of application (district/division).

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[56] As noted in Chapter 3 above, post-2013, additional reservation for Gulbarga Division (comprising six districts: Gulbarga, Yadgir, Bellary, Raichur, Koppal and Bidar) has been introduced due to enactment of Article 371J (of the Constitution) in the area.

Short-listed candidates choose their block based on their district selection. Merit candidates from SC, ST and OBC categories are given first preference in block selection. They are shown the vacancy in their selected district and choose the block. Their selection is reflected immediately in the number of remaining vacancies in that particular block. After the required number for each of the three reserved categories is fulfilled, merit candidates from General category choose their block (Refer to Figure 4 below).

General category applicants are posted immediately after counselling. Those applying under various reserved categories have to produce necessary documents before final appointment (D1, 08 April 2014; D3, 09 April 2014). This process takes about four months. There are often delays due to administrative issues like verification of documents related to marks, caste, income and medical certificates (D1, 08 April 2014).

Figure 4.4: Computerised Counselling Process for Recruitment
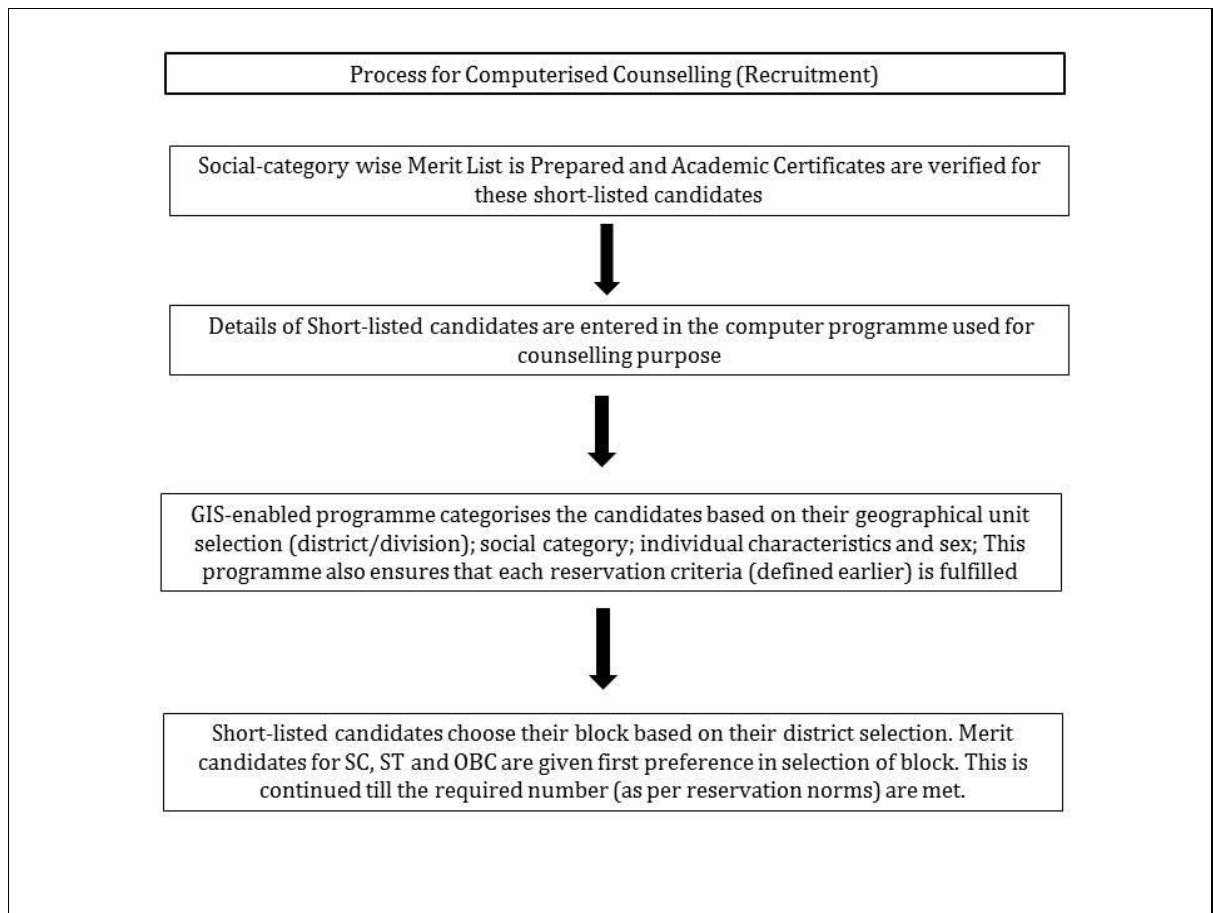
The selection authority for elementary teachers is the DDPI (at the district level) while the appointing authority is the BEO. Post- counselling and selection, a generic list of all selected candidates is displayed, inviting objections, if any, to the same. After receiving objections, if any, final list of candidates is displayed and the selected candidates are appointed in schools

within their selected block. They are initially posted in a rural school for the first five years of their service (D1, 08 April 2014; D3, 09 April 2014). However, no personal interviews are undertaken for the final appointment of the teacher. Teachers select their schools during the counselling process and this is done in the presence of the BEO.[57]

vi. Post-recruitment Maintenance of Records:

After the recruitment of a teacher, his or her data is maintained in an online centralised Human Resource Management System (HRMS) database at the block level. This database is managed at the state level. Some of the variables maintained in the system are: Name, date of birth, entry date, designation, qualifications, caste, service record (how many years in school/rural/urban), subjects taught, physical handicap/medical condition, salary details (including different allowances, loans, insurance deductions, pension deductions etc.), leave credits and encashment, seniority list, retirement details, release of/arrears in salary/allowances, complaints against the teacher and vacancies in that particular school along with their contact details and family background (D1, 08 April 2014; D3, 09 April 2014).

The system in other states

In contrast to the transparent and efficient system in Karnataka, Tamil Nadu, Madhya Pradesh and Odisha, in states such as Rajasthan, Jharkhand, Uttar Pradesh and Punjab, the teacher recruitment process is heavily influenced by political interests. Although the process in Rajasthan appears systematic on paper, beginning in April every year with a careful assessment of vacancies in the forthcoming academic year, in reality, recruitment drives commence only in response to political considerations, regardless of need. Indeed most of the major recruitment drives in the state have come shortly before election time (see Table 4.4). Importantly, the fluctuation in numbers recruited suggests that the careful calculation of vacancies that is supposed to take place every April perhaps does not take place, and if it does, it has little to do with actual recruitment decisions.

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[57] It is especially important to understand this process when there are fewer teachers recruited than vacancies available within the block.

Table 4.6: Teacher Recruitments in Rajasthan in the Last 10 Years

Year of Recruitment	Posts	Number of Post filled	Recruiting Agency	Status
2004	Teacher Grade III	33,000	RPSC	Process completed
2006 2007	Teacher Grade III	70,000	RPSC	Process completed
2008	Teacher Grade II	8,900	RPSC	Process completed
2011	Teacher Grade II	11,000	RPSC	Result pending. Dispute in Answer Key
2012-13	Teacher Grade III	32,963	Zila Parishad	Some cases pending due to court cases.
2013-14	Teacher Grade III	20,000	Zila Parishad	Exam conducted and result withheld. Dispute on TET eligibility criteria
	Vidyarthi Mitra	22,311 (all grade total)	At school level	
2014	Teacher Grade I		RPSC	Exam held on 13th July 2014
	Contract Teacher (Vidyarthi Mitra)	NIL Discontinued and fresh appointment not given		Started agitation. Education Minister on 15th July2014 said we are studying decision of the court and soon final decision will take place.
2014 (Proposed)[58]	Teachers in Grade II & III	Teacher Grade II -9,000 Teacher Grade III- 20,000	Rajasthan Subordinate Service board	Proposed

In Jharkhand, the vacancy rate in elementary schools is nearly 40 percent on average; yet, schools are often upgraded for political reasons, leading to even more vacancies. There are currently 1232 schools with no teachers. In Punjab, although there are clear criteria for teacher recruitment, in practice, the decision for new recruitment depends on budgetary provisions available with the state government in a given financial year and political decisions in response to pressure groups of prospective applicants. Our study suggests that as per the RTE entitlement, there is a shortfall of 2632 teachers at the primary level and 8858 teachers at the upper primary level in Punjab. These posts include Block Primary Education Officer (BPEO) and Centre Head Teacher (CHT) posts, which are teaching cadre posts and have been lying vacant. An implication of these posts lying vacant is that schoolteachers are deputed to take up the responsibilities as BPEOs and CHTs, leading to shortfall of teachers

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[58] Education Minister, on 22nd July 2014 in Rajasthan Assembly, declared that before 31st August 2014, all vacant posts of teachers will be filled (newspaper report)

from active teaching requirement at school level. Amritsar, Gurdaspur and Pathankot are the three districts where there are 494, 285, and 199 posts more than required respectively at the primary level (taking into account the RTE norms). Since the primary school teacher cadre is a district cadre, it seems that either more teachers than required were recruited in these districts or the primary schools closed down. We do not have enough data at the moment to arrive at an inference about the reason.

Our study also revealed that until 2013, most recruitment in Punjab happened through temporary recruiting committees. It often happened that the Chairman of the recruitment body selected and deputed the staff of their personal choice to the recruitment body. If the chairman retired, the new chairman would do away with the staff deputed by the previous chairperson and get new staff of his/her own choice. This practice of replacement of staff resulted in delays and errors. Temporary structure and fluid membership of the structures resulted in several errors in terms of declaration of rules /terms for recruitment or interpretation of rules. Indeed there have been a number of court cases against the state for appointing teachers without the requisite qualifications or for regularising teachers before the mandated number of years. Also, the responsibility to respond to litigations and inquiries arising due to any error because of misinterpretation of rules, or negligence of rules and procedures, justification of decisions by the previous recruitment team falls upon the new team.

In Uttar Pradesh, again, there is complete lack of clarity on how vacancies are calculated and the criteria required to be used for determining eligibility. A number of respondents, during the course of this study, said that the frequent changes in norms and timing of recruitment drives and so forth are meant to accommodate the interests of politically powerful teachers (and their relatives).

Finally, in Mizoram, the process of teacher recruitment is relatively muddled, with several departments involved in determining how many teachers should be recruited. As a result, the actual recruitment process is quite a long drawn process, requiring negotiation, concurrence and approvals at multiple levels. As the diagram below shows, the recruitment process set in motion by the Education Department in 2009 took two years before the teachers were finally issued appointment orders, and far fewer teachers were recruited than had been proposed by the Department.

Figure 4.5: The recruitment of teachers in Mizoram (2009)

Proposal for recruitment of 500 teachers submitted to the Government in 2009
Proposals examined and extensive queries made on various financial aspects
Manpower study unit of DP&AR examined the actual need
Concurrence sought from Administrative Department
Financial concurrence sought from Finance and Planning Department
Number of positions reduced to 270 and approval given
Notification of vacancies issued to District Employment Offices and Planning
Written test conducted for all stages by the Department
Interview of selected candidates conducted by DPC
Appointment order issued in second half of 2011, on contractual basis

It can clearly be seen from Figure 4.4 that the decision of recruitment is not just a matter of the Education Department, where it can decide upon the number of teachers needed and initiate the recruitment process on its own. Various other Departments of the state government review the proposal and share their views. The Department of Personnel and Administrative Reforms (DP&AR) and Department of Finance play key roles in this decision. The fact that the number of posts was brought down from 500 to 270 indicates that the concerns and imperatives of other Departments are quite different.

Across states, there is a long gap between recruitment and appointment. The exception is Odisha, where appointment typically happens within a couple of months of recruitment. In states such as Mizoram and Punjab, it can take several years, and even in relatively more efficient states such as Karnataka and Tamil Nadu, appointment can take anywhere between six months to a year. The main reasons for the delays include court cases relating to unqualified candidates being recruited, errors in TET and document verification. Regardless, these delays are likely to be demotivating for teachers, potentially encouraging them to look for other jobs, and unhelpful for students who wait for teachers to teach them.

Summing Up

This chapter suggests that states, in general, have low entry requirements for teachers relative to other professions, with recruitment policies and procedures not designed to attract the most academically talented people. Moreover, with the exception of two states—Karnataka and Tamil Nadu—teacher recruitment policies in India are ad hoc. States do not have a systematic or routine process for calculating how many teachers are needed, and what their specific qualifications and characteristics should be. In a number of states, the factors underlying recruitment are closely related to political interests, making teacher recruitment resemble political strategies rather than recruitment policies. Even in the states where recruitment is relatively less ad hoc (like Madhya Pradesh and Odisha), there are considerable delays in the actual appointment of teachers. In Karnataka, for instance, where the process of recruitment is relatively transparent and merit-based, there are long delays and gaps before a successful candidate can assume teaching duties. As a consequence, students go through months without a teacher; during this period the SDMC hires part-time or guest teachers (without the required qualifications) to fill the gap. In Tamil Nadu, the recruitment process is streamlined and transparent – however, teachers and teacher union leaders say that there are a small number of instances when vacant posts are filled without due process – invoking extraordinary circumstances. However, these instances are very few.

The chapter notes a number of important trends in recruitment practices that could hold promise for improving the quality of the teaching force. The first relates to a reversal in terms and conditions of recruitment, from contract to regular. Beginning from the late 1990s, states in India started hiring contract teachers, i.e., teachers hired for a specific period of time, with qualifications and pay that were below those of permanent regular cadre teachers. In states such as Rajasthan and Madhya Pradesh, there was a freeze on recruiting permanent teachers; all recruitment of teachers was, henceforth, to be on contract basis. Over the past decade, several states have gradually reversed the policy on hiring contract teachers; now there is a freeze on contract teacher hiring, all new recruitments of elementary teachers are to be on regular / permanent terms at the elementary level. However, it is important to note this is not the case at secondary level where RMSA project funds are used to hire secondary teachers on contracts. If regularizing teachers is accompanied by stricter standards for recruitment and building greater professionalism into the cadre, then this is a welcome trend. If it is motivated by other considerations like buying the loyalty of more teachers, then the consequences for the quality of the teaching force will be poor.

A second feature – a worrisome one – is that in most states (whether educationally backward states like Rajasthan and Uttar Pradesh or mid-level states like Punjab), the teacher recruitment process continues to be opaque (politically driven) and the government does not seem to have a well laid-down policy to estimate the number of teachers required and a process to move from there on to recruitment. This has led to a great deal of unrest among the teachers and also potential teacher candidates.

A third trend, that is visible across the country, is the adoption of Teacher Eligibility Tests (TET) for recruitment. This, in turn, has highlighted not only the poor quality of both school / college education of potential teachers but also the professional training degrees. The fact that TET has now become universal is a positive trend; however, in some states (MP, Odisha, Jharkhand, UP, Rajasthan), the number of qualifying candidates may restrict availability of qualified candidates. In some states, the number of ST and SC candidates qualifying remains low, leading to high vacancies in the reserved category. This may call for a more focused approach to enhance the pool of qualified candidates for teaching positions from ST and SC communities. It may also be worthwhile to explore if the situation is the same with regard to Muslim candidates.

Finally, it is worth noting that schools themselves have no role in the teachers that are appointed to them. Thus, they cannot express their preferences given their existing group of teachers; for example, for an elementary teacher who has experience in working with children with special needs or who is stronger in mathematics as opposed to science. This is, especially, a concern when not all their vacancies will be filled; and schools may have priorities of which the appointing authority is unaware or about which he/she is unconcerned. Equally significant is that there is no clear process for assigning schools to newly- recruited teachers – which, essentially, implies that there is no guarantee that teachers would be preferentially assigned to the most deserving schools wherein the need is the highest.

CHAPTER 5: TEACHER DEPLOYMENT AND TRANSFERS

Introduction

This chapter examines the system of teacher deployment (initial posting) and transfers in India. A teacher's initial posting has traditionally been centrally determined in India, in the sense that a teacher cannot choose which school he/she would like to teach in (with the exception of Karnataka and Tamil Nadu where teachers choose the school – among those that are displayed as having vacancies – during counselling). The school (and thereby Head Master) has no choice in determining which teachers they can hire. Depending on the state, teacher appointment and deployment decisions are made by the state, district or block-level officials.

Post-appointment, teachers often change schools for a variety of reasons. In general, government schoolteachers change schools (or get transferred) due to promotion, rationalization, special (personal) request, new vacancies created because of retirement, or disciplinary action/punishment. In some states, transfers are also done for political reasons – and teachers may be shifted every few years. As a result, their initial posting, their posting midcareer, and their posting at the end of their career may all be different.

Mundane as teacher transfers may appear, understanding them is important for several reasons.

> ➢ **First**, transfers can help correct the distortions in initial deployment through rationalisation of posts. For example, if a school ends up having more teachers of one subject and none for another – this situation could be corrected by the system through transfers. Similarly, such a system could also address skewed pupil-teacher ratios and provide adequate numbers of teachers where they are needed.

> ➢ **Second**, if transfers are done carefully and in a fair and transparent manner, the option of transfer can motivate and encourage teachers. Transfers could be a reward for good work – especially for teachers who spend several years in schools located in difficult areas, rural / remote locations. This could act as a motivating force if opportunities for change are available to all teachers in an impartial manner and there is a system to reward good work.[59] Transfers are also done during promotion – to fill

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[59] Indeed, if there were a system of rewarding teachers working in difficult circumstances, then transfers could be a way for teachers to volunteer to move to such schools.

the vacancy that is created by promotion. In some states, the HM cadre in primary school / upper primary school or both (joint) are drawn from the elementary teacher cadre. In some states, teachers, with the requisite qualifications, could be assigned to or promoted to work in BRC / CRC or even the DIET as teacher educators / trainers and master-trainers.

➢ **Third**, transfer could also work in a discouraging or debilitating manner when teachers try to move to better locations or better-resourced schools, and their ability to do so is influenced by criteria other than merit. This is particularly so when practices like rent seeking and building patronage networks determine who gets transferred, when and to what place.

➢ **Fourth**, transfers for disciplinary action, whereby teachers who are being "punished" are sent to remote areas or into schools that are seen as being more challenging, could send the wrong message to students who end up being "punished" for no fault of theirs.[60]

➢ **Fifth,** if large numbers of teachers attempt to move to schools they consider desirable, such as urban schools and well-resourced schools, from rural / remote schools and poorer schools, then the children there are likely to suffer. More importantly, teachers invest their energy in moving out or staying in a preferred location. This system reinforces existing hierarchies in schools.

The larger socio-political context in which teachers operate is important. Given the large number of teachers, their role in the electoral process (as returning officers during elections), frequent interactions with other voters (i.e. parents) and reach in rural / remote areas, teachers are seen as an asset by political parties and other interest groups. In several states in this study, interviews with key informants and focus group discussions revealed that transfers and postings are used to build patronage networks by both politicians as well as teachers themselves, and are an important source for rent seeking and corruption. It is in this context that teacher deployment policies and practices are central to any discussion on the working conditions of teachers.

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[60] This is a consequence of the difficulties of removing poorly performing teachers from the workforce; none of the states in this research reported a significant chance of government schoolteachers being dismissed from service. In the absence of such mechanisms, moving poorly performing teachers to another school might appear the only option. Dr. Dhir Jhingran commented "In Assam, transfer of teachers, based on adverse comments by a visiting supervisor, was quite common (in the 1990s and 2000s). Often these transfers were stopped because the teacher would approach an MLA or some other political leader. Since this kind of reversals of transfer became common, the DEO reduced the practice of such transfers. However some District magistrates continue to do this."

It is also interesting to note that teacher transfers are done more frequently at the elementary level and not so often in secondary schools. Across all the nine states covered in this study, transfers and posting seem to be troubling elementary teachers far more than secondary teachers as there is relative stability at the secondary level.

The teacher deployment process is influenced by two factors (a) which cadre the teachers belong to (block, district, divisional or state) and (b) whether they are on contract or have been categorised as regular teachers. There is huge variation across the nine states, as is evident from the Table below. The significance of the cadre is that promotions and the opportunity to request a transfer is dictated solely by seniority in the cadre. A teacher's cadre circumscribes the geographical area over which he/she can be transferred when the state is undertaking a rationalization exercise. When a teacher's cadre is at the block level, then a teacher can only be moved from one school to another within that block, unless the teacher requests to be moved outside the block or has been given a disciplinary/punishment posting. But when a teacher's cadre is at the state level, then he/she can be transferred anywhere in the state (at least in theory). It is easier to remain close to one's hometown or family if one can be transferred only within a block vis-a-vis the entire state. As the chapter shows later, this has important implications for the opportunities for corruption and patronage associated with teacher transfers.

- In Karnataka, Madhya Pradesh (for some teachers), Odisha and Tamil Nadu, elementary school teachers are essentially block level cadres. In some cases (for example, Karnataka), while the cadre may be block level, the seniority list may be maintained at the district level. This means that during initial deployment, a teacher is allotted to a cadre and this becomes his/her home cadre. Transfers beyond their cadre can be done, but the teachers may have to forfeit their seniority and be placed as newcomers in the new district or block. This acts as a disincentive to seeking transfer.

- In Uttar Pradesh, Jharkhand, Madhya Pradesh (some teachers), Punjab and Rajasthan, all regular teachers belong to a district cadre – this is where they are initially deployed and this is where their seniority list is maintained. Transfer outside the district could involve loss of seniority – however, in Punjab and Jharkhand, there is no clarity as there is no transfer policy. In Rajasthan, transfers of elementary teachers happen within the district and if they are posted out by the government, they can then retain their seniority but when they seek transfer outside their home district, they lose their seniority.

- The situation of secondary teachers is slightly different. In Karnataka, Madhya Pradesh and Rajasthan, it is a divisional level cadre (meaning a cluster of districts). In

Odisha, Punjab and Tamil Nadu, it is a district cadre. In the rest, secondary teachers are part of a state cadre.

- In Mizoram, which is a very small state, all teachers — elementary and secondary, regular or non-regular — are part of a state cadre.

- *In no state in India do government teachers belong to a school-level cadre* – with the exception of contract teachers / guest teachers who are appointed to a school (meaning that they cannot be transferred). Secondary aided teachers do, however, belong to a school-level cadre.

Table 5.1: Who belongs to what cadre?

	Elementary teachers			Secondary teachers			Specific to state
	Block / Municipal Cadre	**District / Zillah Cadre**	**State Cadre**	**Block Cadre**	**District / Divisional Cadre**	**State Cadre**	
Jharkhand		All regular teachers a district cadre				All regular teachers in a state cadre	Contract teachers assigned to specific school[61]
Karnataka	Block level cadre for elementary teachers				Divisional level cadre for secondary teachers		Seniority list for elementary maintained in district
Madhya Pradesh	Samvida and Adyapak are Janpad cadre	Shikshak are district cadre		Samvida / Adyapak are Janpad cadre	Shikshak are divisional cadre		No transfer when they are Samvida or Adyapak
Mizoram			Regular and non-regular elementary teachers a state cadre			Regular and non-regular secondary teachers a state cadre	
Odisha	Elementary cadre (regular)				Secondary cadre (regular)		All categories of non-regular teachers are appointed to a school
Punjab		Zillahh Parishad Teachers	SSA Teachers and Regular Teachers		Zillahh Parishad teachers	Secondary regular teachers and RMSA teachers	No clarity on who belongs to which cadre, fluid situation
Rajasthan		Elementary teachers			Divisional level cadre for secondary teachers		School level cadre contract teachers when they existed
Tamil Nadu	Elementary teachers are Block cadre				Secondary teachers a district cadre		
Uttar Pradesh		Elementary teachers are a district cadre				Secondary teachers are a divisional cadre	Shiksha Mitra a school cadre

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[61] Government of Jharkhand Resolution no. 273 dated 16/2/13 quoted in state report.

Initial Deployment

A teacher's initial deployment on appointment depends on the cadre (state, district, block) to which the teacher belongs, as well as the recruitment and appointment process followed in his/her state. In Karnataka, Tamil Nadu and Madhya Pradesh, teachers at the elementary level belong to a block level cadre. In Karnataka and Tamil Nadu, teachers can choose which block they would like to teach in, and depending on their rank in the entrance process, they can also select the school they would like to teach in (from among the existing vacancies displayed during the counselling process). In Madhya Pradesh, teachers can give their choices in order of preference and this is taken into consideration during initial deployment. In contrast, at the secondary level in states like Uttar Pradesh, Mizoram, and Odisha, teachers are part of a state-level cadre, which means that they can be posted at a school anywhere in the state.

Initial deployment is done in several ways. In Tamil Nadu and Karnataka, a computerised counselling process is used to enable the teachers and the administration to agree on where the newly-appointed teacher would be posted. In most other states – at both elementary and secondary levels – teachers give their preference and the decision is taken by the administration. The process may be based on rank or it could also involve the intervention of political leaders or teacher union representatives. Initial deployment is quite critical in the life of a teacher; therefore, where the process is opaque, teachers may spend time and money to ensure they are deployed in a district / block of their choice. Therefore, at the start of their career they end up forging linkages with middlemen or with local patrons, who, then, help teachers get a posting of their choice. As we will see later in this chapter, this process, once set in motion, becomes a critical factor in the professional life of a teacher.

Transfer Policy and Practice

Not all teachers can be transferred, whether for rationalization or disciplinary reasons, and not all teachers can request a transfer. Across states, teachers in aided schools and contract teachers cannot be transferred, with the exception of teachers in secondary aided schools in Karnataka. In some states teachers in aided schools can ask to move to another school run by the same management. However, teachers in aided schools cannot move from one management to another. In Madhya Pradesh, for instance, where all new teachers are hired on contract for three years before becoming eligible for regularization, no transfers are possible when they are on contract. In general, only regular government teachers (Shikshak Samvarg and Adhyapak Samvarg) can be transferred or can request a transfer.

Other than specifying which category of teachers can or cannot be transferred, with the exception of Karnataka, Tamil Nadu and Mizoram, states do not have a policy specific to teacher transfers. Table 5.2 provides details of the transfer policies in the sample states.

Table 5.2: Teacher Transfer Policies and Implementation

	Teacher Transfer Policy	Online system	Political interference
Karnataka	Regulation of transfer of teachers act 2007	Yes	Not evident
Jharkhand	No	No	Reported, no formal process
Uttar Pradesh	No	No	Reported, no formal process
Mizoram	Mizoram education (transfer and posting of teachers) rules, 2006	No	Reported, all transfers sent to MP / MLA for no-objection
Rajasthan	No	No	Reported, no formal process
Madhya Pradesh	Yes, GO specifically for transfers	No	Reported, no formal process
Odisha	Yes, GO issued from time to time	Under discussion	Formal representation in transfer committees
Punjab	No	Yes, but not used	Reported, no formal process
Tamil Nadu	GO 209, 1997, Counselling process notified in 2001	Yes	Not evident

Of all the states, Karnataka and Tamil Nadu teacher transfer policies are the most systematic and transparent. Madhya Pradesh and Odisha have Government Orders (GO) that clearly spell out the transfer process. Mizoram also has a policy that provides a broad guideline but it is not always followed. Jharkhand, Uttar Pradesh, Rajasthan[62] and Punjab do not (as yet) have a transfer policy. Annual government orders are issued in authorising what can / would be done in that year. These annual guidelines specify who can be transferred, who can ask for a transfer, who will get priority and the time-frame in which transfers would be carried out. These annual guidelines are not always based on any long-term policy but on the immediate pressures working on political leaders / administrators. Newspaper reports and our discussions with teachers, teacher-union leaders and administrators, across these states, suggest that the annual transfer guideline typically is a culmination of lobbying of competing interest groups.

Having a transfer policy could be seen as a first step towards nurturing a transparent and teacher-sensitive working environment. However, announcing a policy is not sufficient, if it does not protect teachers from the need to cultivate political connections. In Odisha, while the policy is quite clear, it provides a formal mechanism for the elected representative (Member

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[62] We were informed during the course of this research that Rajasthan is planning to announce a policy soon. No announcement has been made upto 31st December 2014.

of Parliament / Member of Legislative Assembly) to be consulted. In Mizoram, notwithstanding the 2006 Policy, political leaders (MP / MLA) can refuse to permit teachers in their constituency to be moved out. In Rajasthan, the "desire" of a political representative is a compelling reason for transfer. As a result, Rajasthan has seen waves of transfers (when thousands of teachers were transferred in one go) and periods when all transfers are prohibited by order of the Chief Minister of the state. Over the years, several research studies have documented how teacher transfers are closely intertwined with rent-seeking and political patronage (Béteille (2009); Sharma and Ramachandran 2009 and Ramachandran et al 2004).

Who initiates transfer?

Another important dimension of teacher transfers is the question of who initiates it and why. In Odisha, Tamil Nadu and Madhya Pradesh, transferring teachers is not a routine annual exercise. Here the teachers are transferred on request or for a specific purpose (rationalisation, post RtE). Sometimes, a rule stipulates the frequency of request-transfers – for example, in Odisha, they must have served a certain number of years in a location before they can ask for transfer; or in Tamil Nadu, where they can make a request for inter-district transfer only once in their entire career. In Mizoram (see Table below), Karnataka, Tamil Nadu and Odisha, schools are categorised as difficult / easy, remote / urban – and each of these categories are assigned a numerical value. Long tenure in such locations makes teachers eligible to request for transfer. The worrying part is that there are no such norms or guidelines in many states and the annual transfer guideline is done in an ad-hoc manner. Teachers in these states opined that they feel powerless / helpless without the right political connections or access to adequate finances to fund their transfer.

Table 5.3: Classification of schools for teacher deployment, Mizoram

Category	Location of Schools	Minimum Tenure	Consideration of Transfer (after completion of minimum tenure)
A	All schools within limit of Aizawl and Lunglei	6 years	May be considered for transfer to school of D, C or B category according to necessity as decided by appropriate authority
B	Schools in the district head quarters other than Aizawl and Lunglei, towns and villages along NH 54	5 years	May be considered for transfer to school of A category on his own application OR to a school of C or D category according to necessity as decided by appropriate authority
C	Schools in villages connected by all weather roads	4 years	May be considered for transfer to school of A or B category on his own application OR to a school of D category according to necessity as decided by appropriate authority
D	Schools not falling in A, B or C	3 years	May be considered for transfer to a school of A or B or C category schools subject to availability of a vacant post

Who can be transferred, why and by whom?

Across all states, contract teachers cannot be transferred (in effect, they belong to a school cadre, although they cannot typically choose their school). However, in Rajasthan (till 2014), with close to 50 percent of teachers on contract, despite a no-transfer policy for contract teachers, we were informed that transfers could be done if there is sufficient motivation and pressure from the "right" quarters.

Regular teachers can be transferred for the following reasons:

i. For **administrative reasons** – rationalisation of teacher-pupil ratios in schools and/or ensuring presence of all subject teachers. In Odisha, teachers cannot be transferred out of the KBK (deficit) districts, thereby limiting the opportunities of teachers working in the area. A similar scenario prevails for teachers working in 10 identified backward districts in Rajasthan; these teachers must complete service in the districts for 10 years before being eligible for a transfer.

ii. On **request of teacher** for (a) medical grounds; (b) to join spouse who is also a government servant, (c) illness – from a list of severe medical reasons, (d) personal reasons like marriage or being unmarried women, (e) persons with disability and (d) other compelling reasons that may be notified from time to time.

iii. **Mutual transfer** where two teachers agree among themselves and then submit a mutual-transfer request. In such cases, both teachers may lose their seniority if they are being transferred outside their home cadre and they may also have to bear the financial cost of the transfer (moving / relocating). Such transfers can happen across blocks and districts. Equally, in almost all states there is a limit on the number of times a teacher can ask for mutual transfer. In Punjab, it is once in three years. In Odisha, it is once in a lifetime as a teacher.

iv. Transfer on **disciplinary grounds or in public interest** – both these are invoked rarely. During the course of this study, we came across instances of disciplinary transfer in Karnataka.

v. **Swap transfers** are permitted in almost all states that have aided secondary schools, provided the teachers are from schools run by the same management or if the management of two schools agree. The government is not involved in this kind of transfer.

As discussed previously, in many of the states studied, the official reason for a transfer is likely to be one of the above, but the actual transfer happens due to political reasons/interference. In some states, the government, from time to time, stipulates a

percentage of teachers form each cadre / each district / each division (as the case may be) who can be transferred. The percentage is not the same across states, but it was five percent of cadre strength in Karnataka. In some states, there is also a clear jurisdictional norm for transfer – for example, in Odisha secondary teachers can be transferred only within a revenue district (sometimes this is different from an educational district).

Karnataka, Tamil Nadu and Odisha have clearly defined time-schedule for transfers. In all the three states, transfers have to be completed before the end of summer vacations (June or July, as the case may be). No such timeframe seems to be adhered to in Uttar Pradesh and Punjab. In Jharkhand, there is a time frame on paper, but it is not clear to what extent this is adhered.

Box 5.1: Glimpses about transfers from 9 states

Odisha:

There are two separate committees; one for Intra-Panchayat Samiti (PS) transfer and the other at district level for intra-district transfer. There is political representation in all these transfer committees: the President of the Zillahh Parishad is always the member in these committees as are MLA, MP or their nominees. Even in 2005, when there was no representation of any political representative at the PS level transfer committee, there was specific mention to give due weightage to the recommendations of the Sarpanch. In 2007 and 2009, the MLAs were made chairperson of the PS Level Transfer Committees. The 2013 transfer guideline also advises the transfer committee to collect recommendations from MLAs and MPs. Since 2010 onwards, there has been only one committee at the district level and the earlier system of transfer/rationalization within PS and within the education district has been replaced by transfer within the education district only. The policy is still evolving.

Uttar Pradesh:

In 2013, the annual transfer circular (known as Samayojan and Transfer) gave priority to teachers with disability, widowed / divorced, those (self or family) suffering from serious disease, mutual transfer, state / national awardee teachers, those who have served maximum in place of posting and husband-wife.

Madhya Pradesh:

There is a complex system of four types of teachers each with three levels and a different body manages each type of teacher - two of them are managed by not one but various different bodies; for eg. The Samvida Shala Shikshak and the Adhyapaks Samvarg are managed by either the Zillahh or Janpad Panchayat or the Nagariya Nikaya (municipal corporation) and the School education or the Tribal Welfare department – depending on who manages the schools that they are posted in. The Shikshaks – the older cadre- is managed by the School Education or the Tribal Welfare Department as the case may be. The Atithi Shikshak is managed by the school management committee. Transfers are not a norm in Madhya Pradesh – only regular teachers (Adhyapak Samvarg and Shikshak Samvarg) can be transferred.

Tamil Nadu:

The block is the basic unit for elementary school teachers. Transfers happen usually within a Block, and then from one Block to another and the third level is transfer to another District. Seniority-related issues are also clearly stipulated in the transfer policy. Transfers are not routine business but are initiated when there is a request from teachers or when there are vacancies. A No-Objection-Certificate from the school is essential for transfers. From 2001 to 2012, this was done manually in the presence of teachers at the district level. Now it is an online process where teachers wanting transfers assemble at the counselling unit. The transfer policy is transparent and could be taken as a good practice. Since 1997, when teachers got transferred from one unit to another (one block to another or from elementary to high school), they get placed as the junior-most and have to sever all rights they had in the previous position.

Rajasthan:

Teacher transfers in the state are characterized by ad-hocism. Guidelines are issued from time to time specifying the order in which teachers should be transferred depending on category (widow, terminally ill etc.) as well as duration in a rural area. However, these guidelines are rarely followed. In 1994, the Bordia Committee proposed a detailed policy and plan for transfers, but this was not adopted. In 2005, a new transfer policy was adopted, but this was abandoned within a year due to political pressure. As of 2013, again guidelines have been issued. While teachers apply for transfers through the formal process, there is a system of "desires", whereby connections with MLAs are the only way in which teachers believe transfers will be processed quickly. There is no regular time for transfers. The following types of teachers cannot be transferred: those who have joined government service from aided schools (when aided schools were abolished); those appointed post April 2011 and on probation; contract teachers; and teachers from 10 restricted districts that face shortages. Teachers in these districts can only be transferred after completing 10 years of service, assuming transfer ban is lifted.

Mizoram:

Teachers are a state cadre and deployment done by the Directorate - the state government can place teachers wherever they wish. Transfers guided by 2006 policy, schools classified into four categories (A, B,C and D) and minimum tenure is fixed for each category – A: six years, B: five years, C: four years and D: three years - the most remote are schools in D category. There is also a provision of compulsory posting in D category schools - and there are no restrictions as to inter or intra-district transfers. Transfers are normally initiated through teacher applications. While technically the Directorate can transfer teachers for administrative reasons such as rationalization - there are no instances (in the last 10 years) where such transfers have been done.

Karnataka:

Transfer on request is done every year, and done as per vacancy list. Minimum two-teacher norm followed. All transfers are as per Karnataka State Civil Service Act of 2007. It is usually started in March and completed by opening of school in June. First round of transfers and re-deployment is done with respect to excess teachers, subsequently, vacancies that arise are notified. Then the transfers on request are initiated - based on the 2007 Act. Mutual transfer requests are also considered at this time, but are taken up last. All transfer applications have to be sent through the Head of Institution, then service records are verified - after which the transfer process is initiated. Then the same process as deployment is followed. A merit list is prepared; it is displayed for five days to see if there are any objections. Then final list is made available. Transfers outside seniority list (from one district / division to

another) is done after the regular transfers are completed and vacancy lists notified. Transfer for disciplinary action also exists - teachers posted to remote and difficult areas - this is the only kind that is not done through computerised counselling and where a post can be shifted to a school to make this happen. However, this is extremely rare.

Jharkhand:

Jharkhand state government adopted the same transfer and redeployment rules as existed in undivided Bihar (i.e., before 2000). Currently, teachers are transferred and deployed through Zillahh Prarambhik Shiksha Samitis. District Commissioner chairs this committee and the DSE is the member-secretary followed by other members. Mostly teachers are transferred either on administrative or on personal grounds. These district level sthapna sammittees were given the power to transfer the teachers twice in a year (May-June and Nov.-Dec.). The duration of posting on any post and at any particular place generally is for a period of three years. However, for some places, this may be reduced to two years. Transfers are usually done in their home or neighbouring blocks. For inter-district transfers of teachers, Director Primary is the competent authority. In the last seven years, no mass transfers have taken place in Jharkhand. There is a provision for couple transfer in the rules laid down by the Personnel Department. Para teachers are not transferred and redeployed as they are managed and controlled by the local bodies that recruit them for a specific school.

Source: Respective state reports, 2014.

Deputation, another form of transfer

In Punjab, teachers informed us that when they are unable to get a transfer or when they have missed their chance they could arrange for a deputation to their preferred location through personal networking. Some of the teachers said that they have been deputed to work in the SSA / RMSA Directorate, or sent to SCERT or CHTs. They also informed us that science and mathematics teachers are more likely to be deputed to these non-teaching positions, because of their ability to manage numbers and data. The deficit of teachers is quite serious in the Indo-Pakistan border areas of Punjab and this was cited as an example of teacher-politician connections that prevented the administration from posting teachers in deficit schools.

Good practices that could show the way

Teacher transfer is a fairly complex and contentious process in states that have not yet worked out a long-term policy. It is also the one issue that evokes a lot of debate among teachers, teacher union leaders and administrators. Teachers in states that do not have a transparent policy and process are of the view that this is the root cause of low motivation and also the most important reason for teachers to nurture patronage networks. Administrators complain that teachers are so adept at networking to move from or to another location that they are not answerable to anyone in the administration. Parents in school-level committees say that they are powerless to enforce regular attendance because teachers depend on support from

powerful people in the system. Lack of accountability, teacher absenteeism, and low time spent on actual teaching-learning processes are all blamed as effects of teacher transfers.

At this juncture it may be pertinent to look a little closer into Karnataka and Tamil Nadu and ask if having a transparent system makes teachers more motivated, encourages them to spend more time on teaching-learning, and most importantly, reduces teacher absenteeism.

The Karnataka story:

Karnataka practices, at least in the last decade, have been policy-driven. All transfers (elementary and secondary teachers and HMs) are implemented as per the Karnataka State Civil Services (Regulation of Transfer of Teachers) Act 2007 (Karnataka Act No. 29 of 2007) (GoK, 2007b). This Act derives most of its provisions from the Transfer Guidelines (GoK, 2001c) issued for transfer of all government employees in the State. This was followed by rules guiding the implementation of the Act (GoK, 2007c). One of the key aspects of teacher transfers in Karnataka is that only five percent of the total number of the sanctioned posts of teachers in a particular cadre within that unit of seniority can be transferred in a given year and the total number of transfers outside the unit of seniority cannot exceed one percent of the total cadre strength of the unit. (D1, 08 April 2014; GoK, 2007b; S1, 12 February 2014; S4, 06 May 2014; S5, 06 May 2014).

Transfers are initiated in March and are finalised by the start of the new academic year (D1, 08 April 2014). The Deputy Director of Public Instruction of the district and Joint Director of Public Instruction of the division are the competent authorities for finalising transfers of elementary school teachers and secondary school teachers respectively (D1, 08 April 2014; GoK, 2007c; S4, 06 May 2014). Apart from issuing transfer and releasing orders, the competent authority also ensures that the first appointment of all teachers is in a rural area and that no teacher is transferred outside the rural area before completion of five years' service in the rural area (from the date of appointment). During this period, transfers from one unit of seniority to another are also prohibited. There are exceptions – in case for example, of female widow teachers, physically handicapped/disabled teachers, or in case of medical treatment of teachers or their spouse or children for serious ailments (open heart surgeries, cancer, kidney failure) and married teachers whose spouses live outside the unit of seniority. However, in case of teachers wanting to be together with their spouses, they should have completed three years' service and can avail of this only once during their service time. (GoK, 2007b). In case the Competent Authority or any other officer makes an order of posting/transfer in contradiction with the Teachers Transfer Act 2007, disciplinary action is taken against him/her.

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What is the sequence they follow? The first round of transfers includes redeployment of excess teachers to needy schools. The number of excess teachers in schools is calculated on the basis of the following two factors: (1) Pupil-Teacher Ratio (PTR) to be maintained in the schools (till 2013-14 academic year, 40:1 PTR was considered while calculating excess teachers/vacant posts. However, a proposal to decrease the PTR to 30:1, in compliance with RtE, has been sent to the Ministry for approval); and (2) Subject-wise vacancy in upper primary schools for teachers appointed after 2001[63]. While calculating excess teachers in schools, minimum two-teacher norm is maintained as per National Policy on Education (GoI, 1986). During the second round of transfers, remaining vacant posts are taken into account. Notification of such vacancies is done through notice-boards. These transfers on request (within the seniority and outside the seniority) are done, based on guidelines prescribed under the Teacher Transfers Act 2007 (GoK, 2007c). Mutual transfers are also finalised along with transfers on request.

Figure 5.1: Application Process for Transfers within same unit of seniority
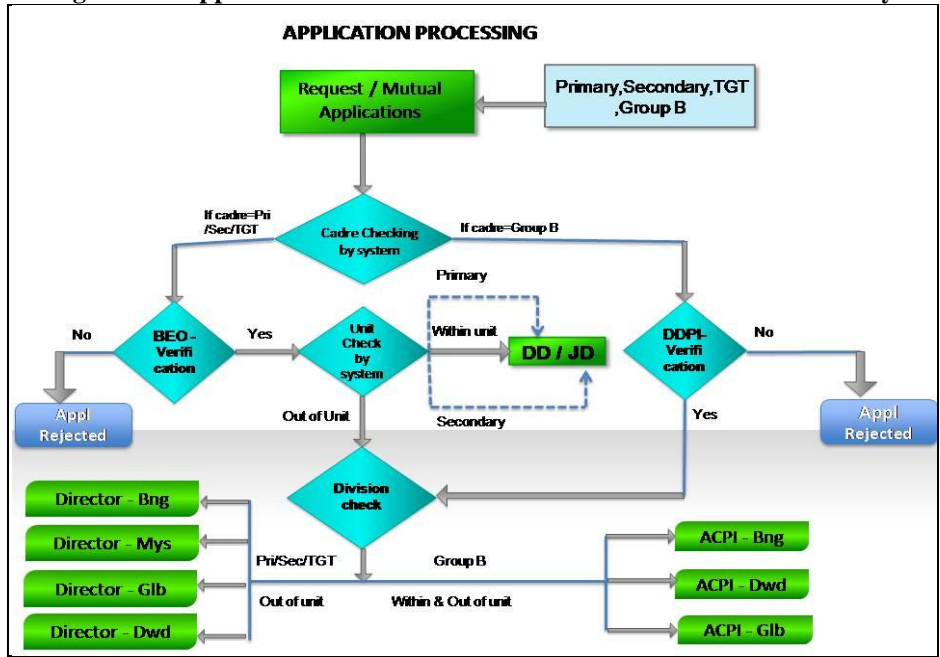
Source: MIS Section, SSA Karnataka

The process of transfers on request is conducted using a software programme (specially designed for Government Teachers Transfers in Karnataka), which ensures that the maximum allowed percentage of teachers (five percent per annum) is not breached. It also incorporates

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[63] Post 2001, the Department appointed subject-wise teachers for upper primary schools. While calculating excess teachers, the year of appointment is taken into consideration. For those teachers appointed before 2001, PTR is used as the basis for calculating excess teachers in a school. For subject-wise teachers, vacancy for that particular subject is taken into account.

the priorities, as per the Act, in processing the transfers, maintaining the service details of all teachers and facilitating computerised counselling for final placement.

All applications for the transfers are sent through the Head of the Institution. After verification of service records to ensure minimum five years' service in rural areas, the application is forwarded to the BEO (for elementary school teachers) and DDPI (for secondary school teachers). Post certification of the documents submitted with the application, the application is entered in the computer programme for initiating transfer process. Priority list, as specified in the Act, is prepared based on the following order of priority (D1, 08 April 2014; GoK, 2007b):

a. Cases of terminally ill (open heart surgeries, cancer, kidney failure) applicants

b. Cases of physically handicapped/disabled teachers with more than 40 percent disability (medical certificate required)

c. Cases of widow female teachers

d. Cases of married teacher, whose spouse is posted outside the seniority unit and has completed three years of service (can only avail this provision once during the service) (Highest priority given when both spouses are government employees)

e. Other female teachers

f. Elected office bearers of recognised associations of government schools

g. Other male teachers

Within each of the above priority categories, the priority list is prepared by multiplying the number of years of service of the applicant in all cadres in the places classified as A, B and C zones[64] as per their unit of seniority. Zone A is given the least weightage while Zone C is given the maximum weightage. The teachers with more weightage in service are given higher priority. In case of tie, the seniority of individual is taken into consideration. In case of tie in seniority also, the older teacher gets priority (GoK, 2007b, 2007c). Based on the above-mentioned priority list and specified weightage, the competent authorities (BEO and DDPI) prepare a provisional list. This list is displayed for five days so that objections can be raised. They examine the objections received and either reject the transfer or accept it, based on merit.

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[64] Zone A: Zillahh HQ/Taluk HQ/Highways/Bangalore City area;
   Zone B: 5km to 15 km radius from Zillahh HQ/Taluk HQ/Highways/Mysore-Hubli-Dharwad Municipal
   Corporations;
   Zone C: Beyond 15km from Zillahh HQ/Taluk HQ/Highways/Areas with population less than 5 lakhs
(GoK, 2013f).

Provisional list applicants are notified of a particular date for computerised counselling. An updated vacancy database is shown to the applicants on the day of the counselling as per the priority list. The applicants choose a position at a particular school from the list of vacant posts for transfer. The database is also updated for the next teacher on the priority list (GoK, 2007c; Jha et al., 2001). This process is repeated till the upper limit of number of transfers is reached or till all the applicants are exhausted within the timeframe communicated by Heads of Departments.

Figure 5.2: Preparation of Provisional and Final List for transfers
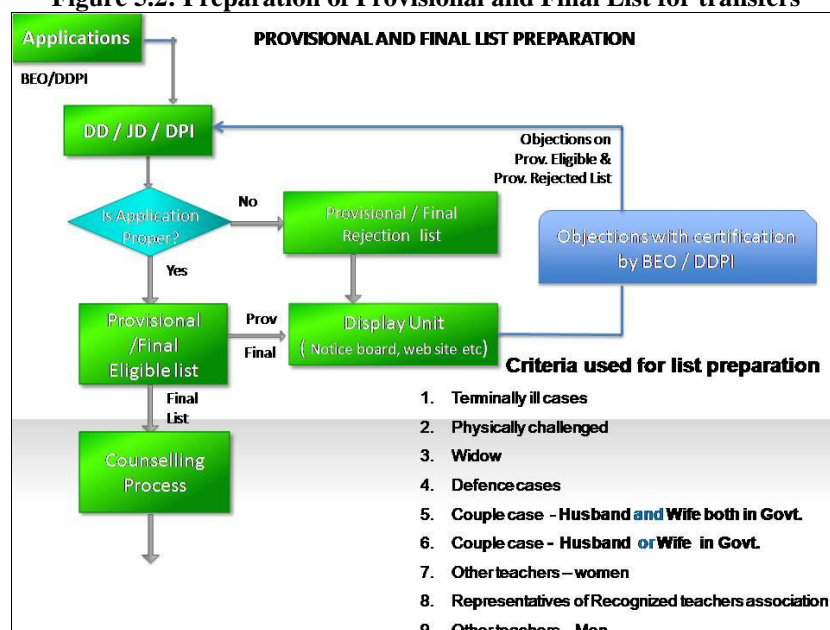
Source: MIS Section, SSA Karnataka

Figure 5.3: Counselling Process for Transfers on Request

Process for Computerised Counselling (Transfer)

Priority List is prepared as per the Act

Details of Short-listed candidates and existing vacancies are entered in the computer programme used for counselling purpose

Applicants select their choice of school as per the priority list

Post-selection of a school, the applicant is given the transfer orders immediately. The vacancy database is also updated for the next teacher.

Figure 5.4: Flowchart for the Counselling Process
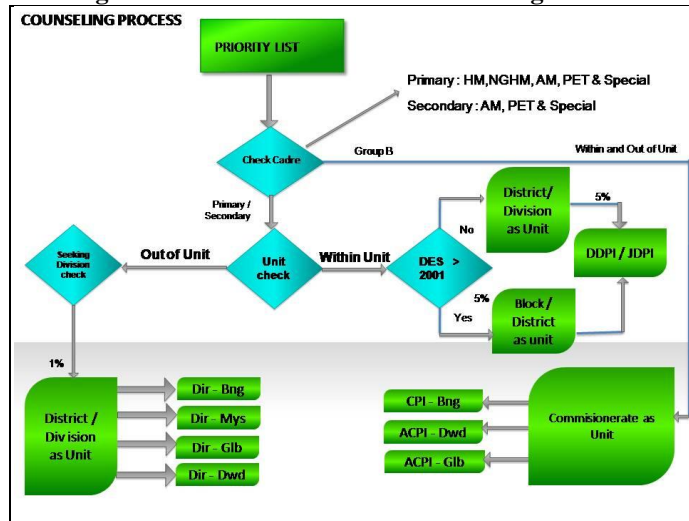
Source: MIS Section, SSA Karnataka

Figure 5.4: Excess Teacher Transfer Process
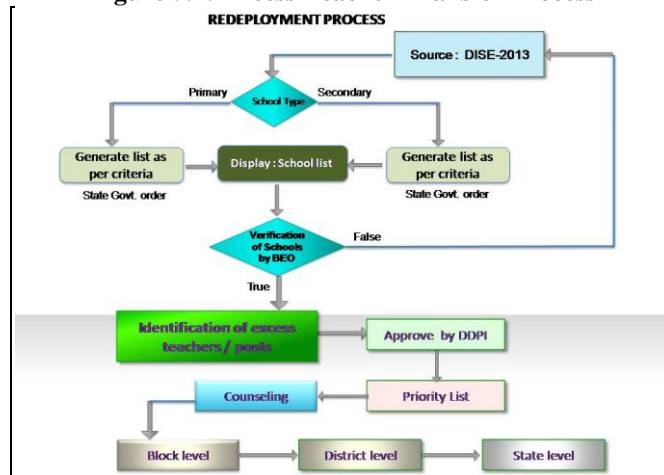
Source: MIS Section, SSA Karnataka

Once the process is complete, the competent authority issues transfer orders reflecting the choice of the applicant and then deletes that vacancy from the list. A copy is sent to the concerned official and another is given to the applicant. The final list of teachers transferred, along with the places of transfer is displayed on the notice board. No transfer is allowed after the display of this list. If any transfers are made after display of the list, the Competent Authority concerned is held personally responsible and disciplinary action is taken against him/her. The competent authority formally releases the teachers, who get transfer orders, after verifying their service particulars.

Transfer of teachers outside the seniority unit is implemented on the basis of the GoK policy of 2005. Such transfers (apart from the exceptions mentioned above) are undertaken after the district-level counselling for transfers within the seniority unit is completed. The competent authority shares information about the remaining vacant positions in the district/division for inter-district/inter-division transfers. Inter-unit transfers take place only for schools in Zone A and Zone B.

Transfers for Disciplinary Action: Teachers are, sometimes, transferred to educationally backward / remote areas on disciplinary grounds. Such transfers are considered after the second round of transfers. If the teacher is working in an urban area and faces time-bound penalty under Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 (GoK, 1957) or faces criminal charges can be transferred to Zone C. If no vacancy exists in Zone C, a vacancy can be created by transferring an eligible teacher from Zone C to Zone B/Zone A. This is the only kind of transfer that is not done through computerised counselling (GoK, 2001c). Field interactions indicated that this is rarely practised. Initially, warnings are given and if the teacher still does not comply, then the teacher concerned can be transferred on disciplinary grounds.

Transfers for public interest: If the Government feels it necessary to transfer a teacher from/to a particular school/area for smooth functioning, the Government can do so by citing public interest as a reason. However, no evidence gathered in the course of this study indicates that this process happens at all frequently.

There are a number of important features in Karnataka's transfer policy.
- First, there is an upper limit on the number of transfers that are permissible in a given academic year. These transfers take place just once in a year, and happen before the new school year starts.

- Second, all teachers are expected to have served in rural areas for a period of five years before they are eligible for transfers. In the case of transfer requests, the more time a teacher has spent in a difficult location, the higher are the chances that his/her transfer request will be granted.
- Third, there is an online system that implements the policy seamlessly.

The Odisha story of evolving clarity:

It is, indeed, noteworthy that in Odisha, there is almost no mention of teacher transfers in the Odisha Education Act of 1969, Odisha Education Service Rules 1971 or the Odisha Subordinate Education rules of 1993. This was corrected from 2005 when the Odisha government sent officials to Karnataka and Tamil Nadu to understand their teacher transfer systems and gradually started issuing orders that provided a policy framework for teachers' transfers. Today, the transfer policy in Odisha is quite clear and, in many ways, the government is trying to move towards a more transparent system – albeit slowly and step-by-step. There are three notable characteristics of the system in the state:

a. Teacher transfer committees at the block, district and state levels provide for formal representation of elected representatives – Member of Legislative Assembly / Member of Parliament – thereby formalising political oversight of teacher transfer.

b. Not more than 10% of teachers in the district can be transferred in one year.

c. Contract teachers are also eligible for transfer within a specific area – the rules regarding such transfers are evolving.

Discussions with officials and teacher union representatives in Odisha revealed that policies are changing. They plan to come out with a comprehensive policy, covering all aspects of deployment and transfer, soon.

Contentious and complex situation in Rajasthan:

Teacher transfer has long been a contentious issue in Rajasthan. Several studies done in the last 10 years have documented the highly contentious terrain of teacher transfers in Rajasthan (Béteille 2009, Sharma and Ramachandran 2009, Ramachandran et al 2004). The situation is not dissimilar in Uttar Pradesh, Punjab and Jharkhand – where, in the absence of a clear policy or norm, teachers are both victims of a transfer-posting regime and also work the system to their advantage (but to the detriment of schools).

The state does have some overarching policies like Rajasthan Education Code 1957, RESR 1970, RESSR 1971, Departmental Rulebook 1997 and guidelines/policies issued in year 2005 and 2013. Notwithstanding this, transfers have been highly politicised in the state. Teachers

across the state believe that irrespective of the political party in power, teacher transfers are always subject to political influence. During interviews with district and state officials, they also agreed that politicians believe that influencing transfers is a right. Teachers and administrators informed us that rent-seeking and patronage networks are an inherent part of teacher transfers.

Given that teacher transfer is a politically sensitive issue in Rajasthan, the recent government has placed a total moratorium on transfers since 2012. A senior officer placed in the directorate said that "It is like Madhu Makhi Ka Chatta (a beehive) and once you touch it will be difficult to manage" Generally, the government puts a ban on transfers but then relaxes it for a short duration. In one FGD with teachers, one teacher said that teachers have started receiving calls from "agents" informing them that the "ban" would be lifted soon. When we asked them who these agents were, they informed us that most of them were politically networked teachers.

The status in Madhya Pradesh:

Madhya Pradesh has separate rules for transfer of regular teachers and of contract teachers (on probation). Administrative transfers for the regular cadre are usually done for rationalization of posts from teacher-surplus institutions to teacher-scarce institutions. This is allowed from urban to rural areas but not the other way around. The rules that govern teacher transfers are the same as for other government employees, namely the State and District Level Officers/Employees Transfer Policy 2012-13 Serial Number F 6-2/2012/One/9 Dated 1, May 2012.

Table 5.5: Transfer norms in Madhya Pradesh

NORMS	ADHYAPAK SAMVARG	SHIKSHAK
Timing of transfers	• There does not seem to be any date for transfers in the new 2014 policy. • In 2008, when decision regarding Adhyapak Samvarg transfer was taken – transfers were opened in July 2008.	• Open only between 1st May and 15th June every year.
Priority List	Priority List for on-request transfers: • Any Person (or Spouse) suffering from cancer, brain tumour, open- heart surgery, by-pass surgery, paralysis or kidney transplant • Persons with Disability- with more than 40% disability. • If both husband and wife are in government service may be transferred to the same location • Women who are widowed or divorced • Other categories of women • Other categories of men	• Administrative transfers for rationalization • Mutual transfers, certified and NOC given by head of institution where posted • For husband and wife wanting posting together in one institution can apply to DEO and can be posted where there are posts vacant. • Priority for voluntary transfer is same as in Adhyapak Samvarg.
Competent Authority	• All matters related to Transfer and Deployment at Inter- District level are dealt by Commissioner Public Instruction or Commissioner Tribal Welfare depending on management of the Institution and for Intra- District level between one local body and another - by the Collector • For within the local body – Varisht Adhyapak (Grade I)- CEO, Zila Panchayat • For Adhyapak&SahayakAdhyapak (Grades II & III)- the CEO Zila Panchayats	
Upper limit for Transfer	• In a situation where one position has two eligible applications for transfer then preference will be given on priority basis	

Since transfers are restricted and the appointments are made to particular schools, there are still large numbers of schools where there is an adverse teacher- student ratio and there are a large number of single-teacher schools as well. There is now a policy to transfer for rationalization particularly into rural schools – however, given the overall shortage of teachers, rationalisation has not been effective. Freshly recruited teachers are given a choice (from among vacant positions) and they rarely opt for rural / remote schools.

During FGD and interviews, teachers and teacher-union leaders expressed concern over distance from home to school for those teachers who work in remote / rural areas. Teachers

feel that if they get residential facilities in rural areas, it would be helpful as they would not then have to travel long distances. The reality in MP is that there are no policies or regulations that stipulate the number of years a teacher has to serve in rural / remote areas. As a result, teachers without influence or resources end up serving in difficult areas, while those with influence or resources manage to avoid rural / remote postings.

Summing Up

The presence of thousands of schools in every state that have either too many teachers or too few is an immediate indicator that staffing plans for schools are likely to be inefficient, manipulated or non-existent. As previous work shows, transfers are important for teachers (and not just for schools aiming to be fully staffed). In a system that is otherwise uniform in terms of pay and emoluments, transfers can either improve or worsen a teacher's working and living conditions considerably. At the end of the day, not all teaching assignments are created equal; some are in urban areas with better amenities and/or easier students. As a result, teachers assigned to a school they do not wish to teach in are given the opportunity (at least in theory) to apply for transfer to another school. If such requests are entertained without jeopardizing the interests of the school, and a teacher leaves or he/she joins, the system does not suffer. However, when teachers are able to get a transfer regardless of the school need, it distorts the overall allocation of teachers to schools, seriously compromising the education of large numbers of children.

As this study shows, effective teacher transfer policies are rare in India. Where they exist (Karnataka and Tamil Nadu), they are recent. Transfer policies in these two states specify the number of years all teachers must spend in rural areas, the number of teachers that can be transferred in a given year, and the prioritization rules for the transfer of different groups of teachers. Importantly, transfer policies in these states are implemented using an IT-based system having its checks and balances. In states like Odisha and Madhya Pradesh, a series of Government Orders / Guidelines spell out the criteria and the process. Odisha is indeed an interesting case – political leaders are formally represented on transfer committees – thereby making their involvement "official". While a series of Government Orders and Guidelines may not be categorised as "policies" – they are, nevertheless, followed in letter and spirit. Both states have tried to streamline the system in the last two years. In all other states, transfer practice shares certain similarities.

- First, they are mostly ad hoc.
- Second, in most states, only regular teachers in government schools can be transferred.

- Third, teachers often need powerful connections and report paying bribes in these states in order to get a transfer of their choice (or impede one against their interest) or get a transfer relatively quickly. In some states, such as Rajasthan, transfers are given as rewards to politically helpful teachers. In states other than Karnataka, Tamil Nadu, Madhya Pradesh and Odisha, adverse reassignments are used as threats against politically uncooperative teachers.

- Fourth, if teachers, who want a transfer to another school, cannot be transferred because no vacancy exists, they can, nevertheless, get to their location of interest by requesting a deputation to an administrative office[65].

- Finally, transfers can used to discipline erring teachers (though, in practice, these remain rare). Such a practice focuses on punishment, and shows little regard for the interests of students who receive the errant teacher.

As this chapter shows, if teachers want to leave a school for another assignment, they find a way. This consumes a considerable amount of their time, energy and financial resources, and depletes needy schools of teachers. Designing a transfer policy along the lines of states such as Karnataka and Tamil Nadu is crucial, but requires strong political will. Madhya Pradesh and Odisha are trying to streamline the system – it would, perhaps, take some more time before a comprehensive recruitment and deployment policy is adopted by the states. It also requires technical skills to design a policy that is fair and offers opportunity to those who are most in need/eligible for transfers. Importantly, it requires software to facilitate transfers and checks and balances to ensure that the system is using correct information to generate transfer lists, and teachers who are comfortable using technology.

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[65] Clearly, the RTE has not changed the situation and there is no fear of RTE norms.

CHAPTER 6: SALARIES AND BENEFITS

Over the past decade, in India and globally, massive investments and reforms have been put in place to increase teacher effectiveness and one of the major focuses of these reforms has been on salary. This chapter provides an analysis of salaries and other benefits given to teachers (both regular and contract) in India. It also includes a brief discussion on the impact of the 5th and 6th Pay Commission on teachers' salaries.

Expenditure on elementary education in India – A brief snapshot

Although, at present, India spends less than 3% of its GDP on education, there has been considerable increase in the overall education expenditure in the last 10 years. This is illustrated by the fact that elementary education budget allocations have doubled from Rs. 68,853 crore in 2007-08 to Rs. 147,059 crore in 2012-13 (PAISA report, 2012). A major reason for this increase has been the introduction of an education cess of 2% in 2004, which was further increased to 3% in 2009 (Mukherjee and Sikdar, 2012; The Hindu, 2014). In fact, large increases in overall spending have been attributed to investments at the national level. Since 2000-2001, the central government's education budget has increased significantly, especially after the introduction of centrally sponsored schemes such as Sarva Shiksha Abhiyan (SSA), Mid- Day Meal (MDM) and Rashtriya Madhyamik Shiksha Abhiyan (RMSA).

Out of the total elementary education budget, a huge percentage of allocations are spent on teachers' salaries and, according to some reports, it is more than 80 percent (Cheney, Ruzzi and Muralidharan, 2005; Kingdon, 2010). In the past, teachers have demanded higher pay scales, and pay scale revisions after 5th and 6th Pay Commission were expected to ensure teachers in state government schools were paid at par with other central government employees. The main objective of these pay commissions was to remove any anomalies with respect to salaries by reducing the number of pay scales. For example, the number of pay scales was reduced from 51 to 34 during the 5th Pay Commission and was further reduced to 20 under the 6th pay scale. These changes resulted in higher pay scales for teachers and Table 6.1 compares the salaries of teachers before and after the 5th and 6th pay commission.

Table 6.1: Pay scale of government teacher (INR)*

	4th pay commission (1986)	5th pay commission (1996)	6th pay commission (2006)
Primary school teacher (selection scale)	1640-2900	5500-9000	PB-2 of 9300-34800 along with grade pay of 4200
Trained Graduate Teacher (selection scale)	2000-3500	7500-12000	PB-2 of 9300-34800 along with grade pay of 4800
Post Graduate Teacher (selection scale)	2200-4000	8000-13500	PB-3 of 15600-39100 along with grade pay of 5400

* The above data is based on the information taken from the links given below. The data is an estimate only as it could not be confirmed from government sources. Also, each state adapts the central pay scale according to its needs.

http://dpe.nic.in/important_links/dpe_guidelines/wage_policies/glch4aindex/glch04a8

http://karnmk.blogspot.in/2012/11/4th-5th-and-6th-cpc-pay-scales-and.html

Along with a salary hike, 5th and 6th Pay Commissions also include other benefits such as increase in annual increment (3% of total pay), increase in the percentage of dearness allowance and HRA, medical insurance scheme for new government employees and revised pension schemes. However, in comparison, the salary of a contract (or a para) teacher continues to remain a fraction of what a government teacher earns. In some cases, the salary of a contract teacher is only 11 percent of what a regular teacher earns in the same state. Based on the findings from state reports, the next two sections compare the salaries and benefits (monetary and non-monetary) available to both regular and contract teachers.

Comparison of salaries across different states

In this study, all states, except Karnataka and Punjab, reported that the states have adopted the recommendations of the 6th Pay Commission. However, although most states, in principle, have adopted the recommendations of the 6th Pay Commission, each state has contextualized it and hence, we see some differences in the salaries of teachers (see Table 6.2 and 6.3). For example, although Rajasthan has adopted the Sixth Pay Commission and revisions were made after the Bhatnagar Committee recommendations in 2013, pay scales of state government teachers are lower than those of central government. Similarly, Odisha adopted 6th Pay Commission in 2009 but teachers are given lower pay scale (scale of 5200-20200 and grade pay of 2200), which teachers feel is a blatant violation of the 6th Pay Commission.

Table 6.2: Pay scale of government schoolteachers in INR

State	6th Pay commission	Primary		Upper Primary		Secondary	
		Basic Pay	Grade Pay	Basic Pay	Grade Pay	Basic Pay	Grade Pay
Tamil Nadu	Yes	5200-20200	2800	9300-34800	4600	9300-34800	4600
Karnataka*	No	13,600 – 26,700		13,600 – 26,700		17,650-32000	
Jharkhand	Yes	9300-34800	4200-4600	9300-34800	4200-4600	9300-34800	4600
Odisha#	Yes	5200-20200	2200	5200-20200	2200	9300-34800	4200
Rajasthan	Yes	9300-34800	3600	9300-34800	3600	9300-34800	4200
Mizoram	Yes	9300-34800	4200	9300-34800	4600	9300-34800	4600
Uttar Pradesh	Yes	9300	4200	NA	NA	12540	4600
Punjab^	5th Pay commission	10,300-34,800	4200	-	-	10300-34800	5000
Madhya Pradesh	-	5200-20200	2400	9300-34800	3200	NA	NA

Source: State reports – Working conditions of teachers in India

* In Karnataka, only consolidated salary were given.

In Odisha, there are different levels of services at elementary cadre. On promotion from level-V to level-IV, scale remains the same and GP increases from 2200 to 2400. From level-IV to level-III, scale increases to 9300 while GP increases from 2400 to 4200. From level–III to level-II only GP increases to 4600.

^ Punjab does not have any specific recruitment for Upper Primary teachers. They are appointed for classes 1st to 5th; 6th to 10th and 11th-12th.

Differences in salaries become more glaring if we compare the actual take-home salaries of teachers (new appointees, salary after 15 years and 25 years of service) across eight states (see Table 6.3).

Table 6.3: Actual take- home salaries of teachers# (in INR)

State	Primary			Secondary		
	Salary of new appointee	Salary after 15 years	Salary after 25 years	Salary of new appointee	Salary after 15 years	Salary after 25 years
Tamil Nadu	15,345	28,660	50,140	26,370	48,750	84,410
Karnataka	18,794 (R) 21,814 (U)	26,098 (R) 30,198 (U)	33,672 (R) 38,892 (U)	24,272 (R) 28,102 (U)	34,618 (R) 39,978 (U)	44,762 (R) 51,622 (U)
Jharkhand	28,650 (R) 31,600 (U)	39,780 (R) 43,260 (U)	44,400 (R) 48,100 (U)	37,494 (R) 39,208 (U)	57,523 (R) 60,160 (U)	78,637 (R) 82,247 (U)
Odisha	14,031	26,659	27,347	25,625	37,806	43,034
Rajasthan	26,013	NA	NA	28,331	NA	NA
Mizoram	16,504	NA	NA	NA	NA	NA
Uttar Pradesh	29,293	39,683	44,783	37,226	47,716	52,996
Punjab^	35,936 (R) 36,588 (U)	59,113 (R) 60,194 (U)	79,288 (R) 80,742 (U)	40,602 (R) 41,340 (U)	66,868 (R) 68,092 (U)	89,699 (R) 91,346 (U)

Source: State reports – Working conditions of teachers in India

R – Rural; U - Urban

Actual take-home salary includes basic pay, grade pay, dearness allowances, HRA, city compensatory allowances, any other benefits and deductions. Also, actual take-home salaries for teachers might differ from district to district. The above is only a generalized indicator for each state.

^ Salaries are given for Mohali district because the salaries of teachers vary across districts.

In the above Table, information on Madhya Pradesh has not been included because, as discussed in previous chapters, the cadre system in Madhya Pradesh is far more complicated as compared to other states. Teachers are recruited as Samvida Shala Shikshak on a fixed term contract and are paid Rs. 5,000 if they are a primary school teacher and Rs. 7,000, if they are middle or high school teacher. After the three-year period, if a teacher continues to be a part of the system, they get an increment of 15 percent on the fixed amount. Pay scales of Adhyapak samvarg, although were revised substantially in February 2013, are lower than the pay scale of regular teachers who are drawing salaries as per the 6th pay commission (see Table 6.4). However, in the latest order by the Urban Administration and Development Department, it has been announced that the salary of Adhyapak samvarg would be at par with that of regular teachers by September 2017.

Table 6.4: Salary structure of teachers in Madhya Pradesh

Level	Primary				Middle			
Cadre	LDT	Sahayak Adhyapak	SSS grade III	Atithi Shikshak	UDT	Adhyapak	SSS grade II	Atithi Shikshak
Salaries	5200-20200 +2400 (grade pay)	4500-25,000+1250 (grade pay)	5000	100 per day	9300-34800 +3200 (grade pay)	4500-25,000+1600 (grade pay)	7000	150 per day

Source: Working conditions of teachers in India - Madhya Pradesh state report

It is also important to point out that out of all nine states, data on Punjab is especially noteworthy. Although Punjab follows the Fifth Pay Commission, it is equivalent to the Sixth Central Pay Commission[66]. Yet, elementary school teachers in Punjab are among the highest paid teachers in all nine states (Table 6.3) possibly because the basic pay scale is slightly higher than that of Central Pay Commission (Table 6.2). Interestingly, in some districts like Patiala, salaries of teachers in rural areas are marginally higher than those posted in urban areas because teachers also get Rural Area Allowance (RAA) in addition to HRA (Table 6.5). However, salaries of teachers may not necessarily be higher in all rural areas because in certain urban areas, HRA is higher than RAA+HRA (Table 6.6). In spite of high salaries, Punjab continues to grapple with skewed recruitment and transfer policies and, as shared by teachers during group discussion, rent-seeking is rampant, which adds to the challenges faced by teachers.

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[66]Punjab, in the present form, came into being after the trifurcation of the larger Punjab in three states in 1965. Therefore, the first pay commission of Punjab was constituted in 1966. Hence, Punjab's First Pay Commission corresponds with the Second Pay Commission of the Centre.

Table 6.5: Salaries of teachers in Punjab

District/ Habitation	Primary (JBT Cadre)			Secondary (Master Cadre)		
	Salary of new appointee	Salary after 15 years	Salary after 25 years	Salary of new appointee	Salary after 15 years	Salary after 25 years
Mohali Urban[1]	36,588/-	60,194/-	80,742/-	41340/-	68,092/-	91,346/-
Mohali Rural[2]	35,936/-	59,113/-	79,288/-	40,602/-	66,868/-	89,699/-
Patiala/ Rajpura Urban[3]	39,956/-	58,168/-	78,015/-	39,956/-	65,796/-	88,258/-
Patiala/ Rajpura Rural[4]	40,602/-	59,113/-	79,288/-	40,602/-	66,867/-	89,698/-
Patiala/ Sanaur [5]	34633/-	56,952/-	76,379/-	39,126/-	64,419/-	86,404/-

Source: SCERT, Punjab

Table 6.6: Break-up of salary for two districts in Punjab

District/ Habitation	JBT Cadre		Master Cadre		HRA	RAA	DA	Mobile Allowance	Medical Allowance
	Initial Basic Pay	G.P	Initial Basic Pay	G.P					
Mohali Urban	12090/-	4200/-	13450/-	5000/-	20%	Nil	100%	250/- PM	500/- PM
Mohali Rural					10%	6%	100%		
Patiala / Rajpura Urban					12.5%	Nil	100%		
Patiala/ Rajpura Rural					10%	6%	100%		
Patiala/ Sanaur					8%	Nil	100%		

Source: SCERT, Punjab

Another issue that came out in this study was that in some states (Odisha and Tamil Nadu specifically), teachers with the same qualifications and teaching same grades are paid differently. That is because their pay depends on the type of school (primary, upper primary or secondary) in which they teach. In other words, the salary of a teacher, who teaches Grade 6 in an elementary school, will be different from one who teaches the same grade but in a secondary school.

Salaries of contract teachers:

In most states, government teachers reported that they are mostly happy with their salaries and other benefits. However, just like those of regular teachers, salaries of contract teachers vary considerably across states (see Table 6.7). In addition, not only are they paid less with no extra benefits or annual increments, their salaries are often delayed. An important reason is that most of these teachers are hired as a part of some project (usually either SSA or RMSA)

or are locally hired by Zillah Parishads and hence, their salaries are mostly dependent on the availability of project funds.

Table 6.7: Salary of contract teachers in 9 states

		Elementary	Secondary
		Consolidated pay	**Consolidated pay**
Tamil Nadu	Under SSA, part-time special teachers (for Arts, PET, Music etc.) are hired.	Rs. 5000/- per month	-
Karnataka		Not Applicable	Not Applicable
Jharkhand	Contract teacher hired under SSA/JEPC	5700/-untrained, 6200/-trained & 6700/-trained +TET	-
Odisha	Shiksha Sahayak (under SSA)	5200	-
	Junior Teacher (under SSA)	7000	-
Rajasthan	Vidhyarthi Mitra Level I (under PRI)	4800	-
	Vidhyarthi Mitra Level II (under PRI)	4800	-
	Vidhyarthi Mitra Secondary (under PRI)	-	5300
Mizoram	Trained undergraduate (Primary	16,200	-
	Trained graduate (UPS/Secondary)	20,568 (UPS)	20,568 (Secondary)
Uttar Pradesh	Shiksha Mitra	3500	
	Anudeshak (UPS)	7000	
Punjab	IERT	19,200	
	SSA Primary	28,000	
	SSA Upper Primary/RMSA	31,500	31,500

Source: State reports – Working conditions of teachers in India

Electronic transfer of salaries

A major change that has taken place in respect of salary disbursement is the electronic transfer of salaries directly into the account of teachers (both regular and contract), which has considerably reduced the delay in payment of salaries and has brought in more transparency. However, teachers in Punjab have raised serious concern related to delay in salaries. According to them, salaries get delayed by 3-6 months for every cadre of teacher. Similarly, salaries of centrally sponsored scheme-teachers in Mizoram and SSA and Panchayati Raj Institutions teachers in Rajasthan often get delayed. This is because their salaries are dependent on project funds and often there are delays in the allotment and release of funds.

Are salaries withheld?

Except for Karnataka and Rajasthan, in most states, salaries are not withheld for any reason. In Karnataka, though rare, salaries can be withheld for major and minor penalties, such as not filing IT returns, not submitting medical certificates on time (after taking leave on medical grounds) or if there is a major complaint (including criminal cases) that has been registered

against a teacher. In such cases, only half the dearness allowance is given to the teachers until the case is resolved. Similarly, in Rajasthan, salary of a teacher can be withheld if they have been absent from duty without informing the authorities or without the approval of leave. During such time, teachers receive only monthly maintenance allowance, which is equal to half the monthly pay.

Other monetary and non-monetary benefits

A range of monetary and non-monetary benefits is provided to regular teachers, though it varies across states (see Table 6.8, 6.9 and 6.10). As evident from Table 6.8, teachers are eligible for leave in all states, although their nature and duration varies. The main categories of leave in all states are: casual, earned, paid, half-pay and medical. Apart from these, in some states, teachers are also entitled for privileged leave, extraordinary leave and unpaid leave. In comparison to regular teachers, contract teachers are not eligible for any leave in most states. The only exceptions are Tamil Nadu, Mizoram, Madhya Pradesh and Punjab, where contract teachers too are entitled for casual leaves. Mizoram is also the only state where contract teachers are eligible for vacations and half-day leave.

Maternity leave for regular teacher is 180 days in all states and male teachers are entitled for 15 days of paternity leave, except in Tamil Nadu where they are entitled for only one week. In comparison to regular teachers, contract teachers are entitled for leave (casual, maternity, paternity and vacations) only in some states. Another interesting phenomenon that was observed is the availability of childcare leave to teachers. In some states, childcare leave includes leave in case of miscarriage (Uttar Pradesh) and leave in case of adoption (Tamil Nadu and Uttar Pradesh).

Table 6.8: Leave sanctioned for regular teachers in 9 states

	Casual	Earned	Paid	Half pay	Medical
Tamil Nadu	12+3 restricted	17 pa or 240 in entire service			90 days for every 5 years or maximum of 540 in entire service
Karnataka	10	10			
Jharkhand	16	14	60	Yes	
Odisha	15	13 pa or 300 in entire service		180 in entire service	180 in entire service
Rajasthan	15			20	All govt. teachers are entitled for medical leave
Mizoram	8	No	No	20	No
Uttar Pradesh	14			20	
Madhya Pradesh	13				
Punjab	Female: 20 Male: 10 days upto 10 years of service; 15 days upto 15 years of service and 20 days after 15 years of service	8	10	20	10 pa

Source: State reports – Working conditions of teachers in India

In addition to above, regular teacher are also entitled to academic leave (see Table 6.9) in order to encourage teachers to pursue higher education. For example, in Karnataka, teachers can take paid leave upto four years (three years for B.A./B.Sc., one year for B.Ed., two years for post-graduate course) to study further. The government also bears the real costs of their higher education (i.e. tuition and examination fees) and, on re-joining service, teachers are given a promotion based on degree acquired, as per their service/seniority and vacancies available. This facility (paid leave and promotion) is provided only if the teacher signs a contract to work for the government for at least 10 years after the completion of the degree. Similarly, in Tamil Nadu, teachers are given incentives (in the form of increments) when they complete higher education. Madhya Pradesh is the only state where contract teachers are also eligible to take paid leave if they get enrolled into a regular course.

Table 6.9: Academic leave available to teachers in select states

Tamil Nadu	Regular: Study leave to complete higher education (paid leave for a period up to 1 years)
Karnataka	Regular: Study leave to complete higher education (paid leave for a period up to 4 years)
Odisha	Regular: To appear in the examination
Rajasthan	Regular: Academic leave for participation in seminars, exams etc.; Academic leaves for higher study/degree - maximum of 2 years
Mizoram	Regular: 12 months at a time and 24 months during the entire career
Uttar Pradesh	Regular: Study leave for 2 years; academic leave for participation in seminars, exams etc.
Madhya Pradesh	Contract: Leave with pay if they are enrolled in a regular course

Source: State reports – Working conditions of teachers in India

Apart from the benefits mentioned above, regular teachers are also eligible for allowances that include city compensatory allowances, travel and medical benefits, loans and advances, insurance, pension, special increments, awards etc. (see Table 6.10 for more details).

Table 6.10: Other benefits available to teachers in 9 states

	Loan/Advance	Pension/PF	Special increment	Awards
Tamil Nadu	Interest -free festival advance (Rs. 2000); House building advance with low interest rates (up to 25 lac); computer loans; Two-wheeler and car loan of upto Rs. 2 lac; Education advance to teachers' children for higher education; Advance towards various diseases; TANSI advance; winter clothes purchase advance (Rs. 1000);	CPF, PF for staff of aided schools since 1986 (maintained in same manner as state govt. employees); Aided and local body teachers comes under Liberalized Pension Scheme	Teachers can get four increments in their teaching career, if they acquire higher degrees; Rs. 2500 given to teachers who complete 25 years of flawless service	Dr. Radhakrishnan awards for teachers who have completed 15 years of service and have produced excellent board exam results (cash award of 5,000);
Karnataka	Housing loan facility through HUDCO; Interest- free vehicle loan; interest- free festival loan; KSIC and other Karnataka govt. co-operative discounts	Provident Savings Funds	Time- bound increment after 10, 15, 20, 25...years of service; Stagnation increment: additional increment on completion of 25 and 30 years of service for those teachers who have not been given a single promotion	District and special awards to teachers through Karnataka State Teachers Benefit Fund, Rajiv Gandhi Memorial awards, District and State-level literacy and cultural activities
Jharkhand			Teachers retire at the age of 60 years with PF, Gratuity and Leave Encashment benefits (for those recruited before 01/12/2004). For those teachers who were recruited after December 2004, contributory PF and gratuity benefits are available after retirement;	Time -bound increment (hardy paid); additional increment for 25, 30 and 35 years of service (hardly paid);
Odisha	Festival advance depending on allotment	Regular Teachers prior to 2005 have pension. After that, there is New Pension Scheme on contributory mode. All contractual teachers are covered under EPF	On promotion, one additional increment	Governor's award and President's Award for deserving teachers
Rajasthan	Loan from Provident Fund - Temporary withdrawal for Medical treatment, education of children, repair of house. Amount is equal to 50% of his/her deposit in PF account or total salary of 5 months (basic salary), whichever is less. Permanent withdrawal is for house construction, higher education of children etc. Employee is entitled only after completion of	There are two pension schemes - those for teachers employed prior to 2004 and those after 2004. In the former scheme, teachers were eligible after 15 years; in the latter, they are eligible upon retiring (10% of salary and DA is deducted and same amount is contributed by the govt.);	Government teacher as a state employee gets relaxation in the maximum age in the recruitment process if he/she applies for other government post in the state	62 state awards are given on Teachers' Day on the basis of performance. Recently, state has revised the norms for consideration for awards. Teachers' Union are demanding review of new norms as they feel that new norms are very stringent and very less number of teachers would qualify norms for

	15 year of service and maximum limit of withdrawal is 50% of total deposit in PF account.			the awards.
Mizoram		Regular teachers have pension (converted to CPF in 2010 for new recruits only), contribution to P	Double increments to teachers promoted to HMs at Primary and UPS Level	
Uttar Pradesh		All Teachers are covered with the state insurance scheme. Premium against the state insurance is deducted from the salary and on accidental death of the teacher, total policy amount is payable to the family of the teacher; The teachers having joined before 1stApril 2005 come under scheme of General Provident Fund (GPF). A deduction of 10% of their basic salary is contributed into GPF every month; Pension – for those who joined service prior to 2005 (full pension on completion of 20 years), those who joined after 2005 (CPF - 10% of basic salary are made by employee and employers each and the sum accrued is managed by fund managers appointed by Government	The government of Uttar Pradesh has now decided to absorb all 1.71 lakh Shiksh Mitras as regular teachers, which means they will get salary at par with assistant teacher. In the first phase, 58,826 Shiksha Mitras have already been absorbed as Assistant Teachers after completing BTC course through distance mode. A second batch of 64,000 teachers is currently undergoing BTC programme, again through distance mode. They are expected to join service by the end of 2014 or early 2015. The final batch of 46,000 teachers will begin their BTC henceforth.	
Madhya Pradesh	Loan and medical insurance for Shikshak and Adhyapaks	Adhyapaks are also eligible for gratuity and govt. have instituted a new pension scheme for them; Adhyapak recruited after 2011 come under contributory pension scheme (not clear whether it will be monthly payment of lump sum amount); Shikshak Samvarg get regular pension as other govt. employees, SSS - no pension.	The Adhyapak and Shikshak cadres get two advance increments for family planning operations after one child and one advance increment after a family planning operation after two children. The Samvida Samvarg is on a fixed salary for the period of three years. If the period is extended for another three years – a one-time 15% increase is given for the next period of three years	
Punjab	Loan can be taken from GPF refundable and non-refundable	Full pension after completion of 25 years of service.		State Award may be applied for after completing five years of service. National Award may be applied for after completion of 15 years of service by normal teachers but the condition of 15 years is relaxed by five years for teachers teaching

Source: State reports – Working conditions of teachers in India

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As evident from the above Table, some states give cash awards to teachers if the performance of their students has been satisfactory. There are also various districts, state and national level awards for teachers in many states. While awards and recognitions have a positive impact on the motivation of teachers, sometimes the bar may be too high (as in Rajasthan currently), as a result of which there are more awards than eligible teachers and sometimes, it may favour teachers teaching subjects where students score higher marks more easily, such as Mathematics versus English.

In the end, a major issue that was flagged during this study was the issue of rent-seeking. Although various states pointed out this issue, it was most prominent in Punjab. During group discussions, teachers and even senior administrative officials shared that rent-seeking is a norm when it comes to claims such as arrears, medical claims and even pensions.

Conclusion

In order to achieve universal elementary education, Kothari Commission (1966) reported that India should invest six per cent of its income on education. However, at present, India spends around three percent of its GDP budget on education (see Table 6.11). According to the latest report by Accountability Initiatives (Dongre, Kapur, Tewary, 2014), expenditure on education is only about 2.5 percent of GDP, out of which 1.75 percent comes from public expenditure and the rest from private expenditure. In fact, developed economies such as China and Singapore also spend similar percentage of their GDP on education (Jain and Dholakia, 2009). However, while China and Singapore have been able to achieve universal education, India continues to struggle.

Table 6.11: Government expenditure on education % of GDP

Country	2007	2008	2009	2010	2011	2012
Bangladesh	2.56	2.39	2.23	-	-	-
Cambodia	1.60	-	-	2.60	-	-
Hong Kong	3.45	3.26	4.39	3.51	3.42	3.51
India	-	-	3.21	3.32	3.85	3.79
Indonesia	3.04	2.90	3.53	2.99	-	3.57
Malaysia	4.37	3.96	5.97	5.12	5.94	-
Nepal	3.52	3.81	4.66	4.72	-	-
Philippines	2.60	2.69	2.65	-	-	-
Singapore	-	2.78	3.03	3.11	3.07	3.13

Source: http://data.uis.unesco.org/ (Data extracted on 14th May 2015)

Many reports have indicated that more than 80 percent of our education budget is spent on salaries and it is a well-documented fact that teachers in India get higher salary as compared to other countries (De and Endow, 2008; Jain, 2009; Kingdon, 2010; Dongre, Kapur, Tewary, 2014). In fact, teacher salaries constitute a major proportion of education expenditure by state. For example, Rajasthan spends nearly 88 percent of its education budget on teachers' salary,

while in Madhya Pradesh it is close to 75 percent. On the other hand, expenditure on school infrastructure is five percent and 11 percent for Rajasthan and Madhya Pradesh respectively, which leaves very little money for other inputs to improve quality of education.

Furthermore, if we only look at salary of teachers in the last decade, it has gone up by more than 100 percent for regular teachers in some states. For example, in her paper, Kingdon (2010) has established that after the implementation of 6th Pay Commission, salaries of regular primary school teachers in Uttar Pradesh increased by 115 percent, 101 percent increase for high school teachers and 103 percent increase for senior secondary school principals. Likewise, in their paper, Jain and Dholakia (2009) have calculated that the increase in salaries was close to 285 percent in 2006 and was further increased by 200 percent in 2011. In fact, according to some reports, government teachers enjoy higher pay grade than other non-teaching occupation in India (Kingdon, 2010; World Bank, 2014).

One consequence of these large increases in teacher salaries is an increasing social and economic distance between teachers and students, especially in rural areas. Most teachers belong to upper social groups, while students studying in government schools usually come from socially and economically backward groups. In India, on an average, a teacher earns five times more than the average per capita income and this ratio is higher than the national average in some states. It is quite possible that when teachers belong to upper social groups and are more affluent than students, it can result in prejudices towards students. Additionally, a significant percentage of teachers are absent and/or engaged in non-teaching activities (World Bank, 2010; Muralidharan et al, 2014), which further adds to the fiscal burden.

CHAPTER 7: TEACHERS IN SCHOOL

ROLES AND RESPONSIBILITIES; DAY-TO-DAY MANAGEMENT

This chapter discusses three aspects of the working conditions of teachers in schools and that have a direct bearing on how teachers feel as they work. First, it looks at roles and responsibilities of teachers as prescribed and practiced; how teachers become aware of the same; and how teachers are given feedback and support. Second, it examines the challenges faced by teachers in schools. Finally, it investigates issues faced by school leaders and their relationship with teachers.

Roles and Responsibilities of Teachers

The terms 'teacher' and 'teaching' invoke a classroom full of students who are being taught. However, the role of a teacher, especially that of a government teacher, is far more diverse. According to section 24 of the RtE Act, all teachers should perform the following duties:

- Maintain regularity and punctuality in attending school;
- Conduct and complete the curriculum
- Complete entire curriculum within specified time
- Assess the learning ability of each child and, accordingly, supplement additional instructions, if any, as required
- Hold regular meetings with parents and guardians and apprise them about the regularity in attendance, ability to learn, progress made in learning and any other relevant information about the child
- Perform other such duties as may be prescribed

Most state governments have incorporated the RtE provisions into their own rules and regulations and, therefore, these duties are applicable for all teachers in government elementary schools at least. However, translating these duties into practice in spirit is a challenge that is yet to be addressed fully in almost all states. The diagram below depicts the diversity of teacher roles as it plays out in practice.

Figure 7.1: Roles and duties of teachers in Karnataka
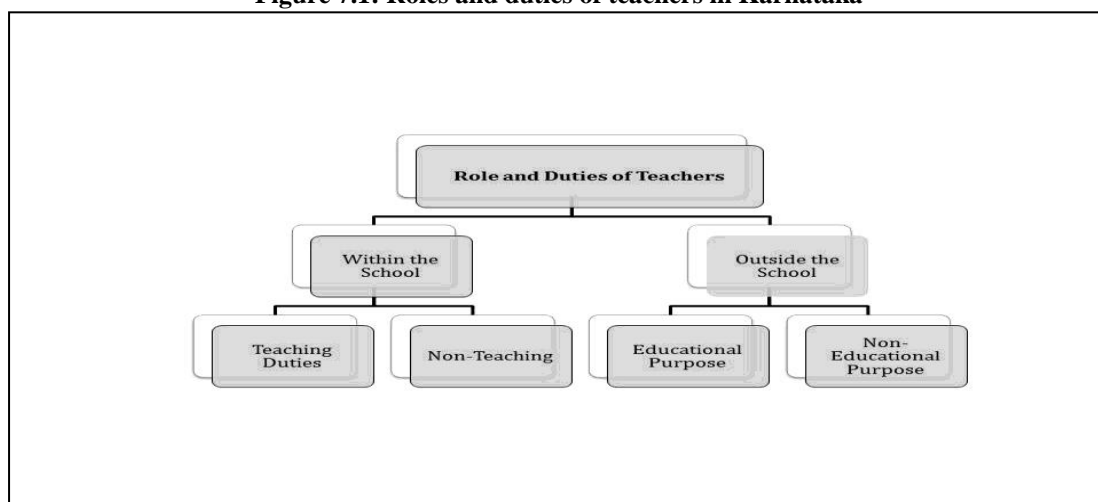
Source: CBPS 2014, Karnataka State Report

Teaching itself comprises various facets – planning and preparation, classroom transaction, assessment and reporting. The NCF 2005, in addition to these, also visualises active engagement with parents as one of the important roles of a teacher. Almost all states assign these responsibilities to the teachers, with emphasis on 'maintaining results'. There is a spectrum in terms of the degree of detail different states have gone into while assigning such responsibilities. At one extreme is Tamil Nadu, which has specified the daily and weekly schedule of government elementary school teachers of the state. Then there are states like Rajasthan, which have a broad definition of teacher roles. For example, **Grade II Teachers** have the following duties specified in the job charts:

(i) Maintain result of class 8 and 10 in consonance with the overall result (More than minimum 30 percent)

(ii) Organize minimum two co-curricular activities in a year

(iii) Participate in training /orientation/creative writing/professional enhancement activity once in a year

(iv) Participate in school administration activities, class teacher, work-in-charge, examination- in- charge, subject- in- charge etc. like activities and take responsibility of minimum one activity.

(v) Prepare question papers, evaluate answer books, conduct practical exams etc.

(vi) Facilitate inspection by DIET lecturer once in three months. (Source: State Report)

Finally, there are states like Mizoram where no job charts seem to exist, in the absence of which, it is left to the teachers and the officers to define the roles of the teachers on a day-to-day basis. Naturally, this leads to a vague definition of the roles. (Source: State Report)

Karnataka, perhaps, has the most balanced and comprehensive definition of teacher roles. In a series of notifications published over 2014, teaching duties have been defined as follows (Source: State Reports):

i. Framing the weekly time-table for the class

ii. Ensuring that all students have the relevant textbooks (provided by the government)

iii. Preparing lesson plans as per the time-table

iv. Explaining topics/chapters using simple teaching-learning materials

v. Maintaining student-related records (socio-economic profile of students, parent-related information, attendance and academic (CCE) records)

vi. Remedial classes for slow learners

vii. Conducting tests and assessing tests

Non-teaching functions

Then there are **non-teaching functions within the school** including administrative support, organising events, managing mid-day meals, managing construction, collecting and maintaining data about school students, organising events, facilitating visits of officials, distribution of uniforms, books, etc. These are, typically, functions of the head master, but given the fact that in most states, support staff have not been appointed in government schools, it is but natural that the head masters turn to teachers. Some of these tasks are quite sensitive as they involve managing large sums of money, supervising other workers and maintaining multiple records.

Teachers are also involved in various **functions outside the school** that may be classified into educational and non-educational. Training programmes, attachment with CRC/BRC/DEO's office, curriculum development, marking of board examination answer sheets, etc. are some of the educational engagements of teachers outside the schools. At one level, these tasks augment capacities of teachers and may lead to their growth in future. At the same time, they are likely to divert the attention away from pupils at their school.

Non-educational responsibilities outside school are perhaps the most talked about. Teachers have been involved in census, elections and disaster management and continue to be. For some period of time, the diversity of such tasks had become quite alarming and teachers were being used for tasks such as migration surveys, livestock surveys, family planning targets and immunization.

Teachers informed us (in discussion conducted in the nine states) that after RTE 2009, non-teaching duties have been streamlined and clearly specified – however, we did not come across any government order or notification to this effect. In Tamil Nadu, the teachers informed us that in addition to elections and census-related duties, they also distribute incentives like textbooks and uniforms. These are viewed as "educational / school-related tasks". As these do not come in one go, this work carries on for several months. Equally, teachers in several stated sais that they have to go to the block office to collect the incentives. In Mizoram, the teachers particularly mentioned the MDM programme and said that they get little administrative support when they have to go out of the school to purchase items or organise fuel-wood. In Jharkhand, since the RTE, apart from the mandated duties like census, out-of-school-children survey and elections, teachers are not assigned any other duties outside the school. However, this is not true for all states. During one FGD with teachers in Odisha, they reported, "Non-teaching duties (post-RTE) has reduced on paper, but not so on the ground. Work related to civil works and MDM are quite excessive… The Headmaster/Headmistress has the responsibility of procuring and maintaining bill vouchers in this regard. It is, of course, a regular practice that the HM cannot/does not alone do it and he/she involves other teachers also. Experience shows that MDM is quite a sensitive issue and there are many registers such as Cash Book, Daily Expenditure Record, Bill Vouchers, Purchase Register, Stock Register, *Janch* (Verification) Register to be maintained by them. The present per student budget allocation for MDM was Rs.3.79 for primary and Rs. 5.65 for upper primary that have recently been increased to Rs.4.03 and Rs. 6.04 excluding rice. This is insufficient to maintain prescribed quality of MDM. Moreover, the factors such as maintaining equation with the Self-Help Group/SMC, arranging firewood etc. are quite cumbersome affairs and this really puts the teachers on the back foot... when the supervising officials come their monitoring and supervision remain confined mostly to MDM and civil work. They verify bill, vouchers, record, quality etc. and do not bother/find time to monitor academic aspects of the school". (Odisha State Report)

The Karnataka state report has compiled statistics from the UDISE to demonstrate this point as shown in the Table below.

Table 7.1: Percentage of Teachers involved in Non-Teaching Assignment in Elementary Schools in Karnataka (Year-wise)				
	2009-10	**2010-11**	**2011-12**	**2012-13**
Number of Teachers involved in Non-teaching assignment	20,514	35,738	34,096	4974
Total Number of Teachers	2,80,282	2,97,502	3,87,130	3,06,117
Percentage of Teachers involved in Non-teaching assignments	7.32%	12.01%	8.81%	1.62%

Source: Compiled from UDISE data for 2009-10, 2010-11, 2011-12 and 2012-13

Madhya Pradesh has, however, reported that a window has been kept open for utilising the services of teachers for other purposes, albeit with the consent of the education department. At the field level, however, there are reports where teachers continue to be deployed beyond the tasks stipulated in the RtE. It must be noted here that such deployment is sometimes at the behest of teachers as well as this allows them to be located at their preferred location. (MP State Report)

According to a recent study on Teacher's Time-on-Task, conducted by The World Bank in three states of India[67], Andhra Pradesh, Madhya Pradesh and Uttar Pradesh, actual teaching time is only 81-87 percent out of 223-231 school-calendar days. The balance days are spent in various non-teaching and non-school tasks. The study goes one step further and explores whether the teaching time is spent on student-centric activities or otherwise, through classroom observation. Of all the teaching-time observed, only 24 percent was deemed to be student-centric. This is not surprising for anyone who has observed government schools in India where both teachers and the education system have not internalised NCF 2005 in spirit.

Additionally, this diversity of roles: "*learning facilitator vs. school administrator vs. civil servant vs. community mobiliser*" creates a **sub-optimal identity** where the teacher experiences conflict between different roles that s/he is expected to play. Naturally, this has a negative impact on teaching. This also affects accountability to the learning outcomes of students.

Support, feedback or inspection?

The **inspection, feedback and support systems** in most states was found to be dysfunctional. Teachers and administrators, we interacted with, said that the numbers of schools have expanded rapidly over the past two decades. For example in Uttar Pradesh, schools have more than doubled since 2000 – however, the inspection and support system has not grown proportionately. While there is no hard data on the ratio of administrators to teachers, in several states, the district and block education officers we interviewed mentioned this as a serious issue. For example, in Lunglei District of Mizoram, the officers said that the staffing patterns of the district and block offices have not changed in the last 20 years, though the number of teachers has increased and so have the range of administrative duties that they have to perform. The attempt made through the SSA, of creating CRCs and BRCs, has not

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[67]How much and what kind of teaching is there in elementary education in India? Evidence from three States, Deepa Sankar and Toby Linden, February 2014

worked out either because appropriate manpower could not be placed at these centres or because of short-sightedness of senior officers, who loaded these centres with administrative work. Consequently, a large number of schools are never visited (See Table below).Only a few are visited regularly; invariably these are easily accessible 'model' schools of some sort. As the Table below shows, 49% of schools across the country were not inspected at all in 2011-12 and 32% were not even visited by CRCs.

Table 7.2: Schools visited by CRC and inspected

States	Percentage of Schools Visited by CRC Coordinators in 2011-12	Percentage of Schools Inspected in 2011-12
Jharkhand	79	45
Karnataka	96	44
Madhya Pradesh	71	54
Mizoram	90	51
Odisha	78	42
Punjab	32	28
Rajasthan	54	61
Tamil Nadu	86	67
Uttar Pradesh	52	40
All India	68	51

Source: Elementary Education in India, DISE Analytical Tables 2012-13

Even the schools visited by the officers/CRCs are not provided feedback or given academic inputs. Most of the time is consumed in completing administrative formalities or, worse, in faultfinding. This situation has been persisting for years and the government has made limited efforts to address this. This unintentional '*laissez faire*' kind of autonomy given to teachers by the government not only contributes in making the schools ineffective, it also makes it convenient to place the blame on the teacher as and when some issue comes to light. Equally, teachers also find it easy to deflect the onus onto the system or administration.

Though some states do mention 'maintaining results' as one of the responsibilities (for example, Tamil Nadu and Rajasthan), even when that is the case, very **low expectations** are placed on the teachers by the system. If teachers are able to show that all chapters given in the syllabus for the year have been 'taught', that is considered enough towards completion of their primary responsibilities. The teacher is allowed to explain poor learning and development of the student by citing various constraints; the biggest being the students and their backgrounds. No value is given to commitment and innovation. While autonomy is

conceptualized in the policy documents as an important element of professionalism, teachers rarely express the need for or consider that they lack autonomy.

Accountability

Related to the above issues is that of **lack of a sense of accountability** among teachers. Teacher absenteeism is a fairly common complaint of the government and community against teachers. This has been confirmed by research as well, namely: Kingdon and Muzzammil, 2008, PROBE Report 1999, PROBE Revisited 2011, Dreze and Gazdar, 1996 and Sharma and Ramachandran 2009. The MHRD, GOI commissioned a study on students' and teachers' attendance in primary and upper schools across the major states of the country and found that the average attendance of primary and upper primary teachers in 2006-07 was 81.7% and 80.5 % respectively. The attendance system of most states is weak and they do not have data on actual attendance of teachers. Lack of data also means that little action can be taken as well and even where data is made available through independent surveys and studies, there is serious lack of administrative and political will to address these issues.

Another alarming problem reported from a few states in the study (Uttar Pradesh, Mizoram) is that of 'proxy teachers' whereby a teacher appointed by the government illegally 'appoints' another person to work in her/his place for some consideration. The teacher uses this opportunity for either taking up another occupation or for some personal reasons like construction of house, etc. Proxy teachers are more common in remote rural areas but it is also practised in urban areas despite the proximity of government offices and officials. The extent of the practice of proxy teachers could not be determined during the preparation of this study, but it was openly discussed during focus group discussions.

Such practices of teachers are possible because of the **absence of effective monitoring and the low probability of disciplinary action**. Teachers find a way to get around whatever limited monitoring is done. All state governments have provisions for disciplinary action, but it becomes very difficult to actually indict a teacher and take any serious action. A different interpretation of rules, pressure from teacher unions, humanitarian reasons, etc. are all invoked when a situation of dereliction of duty or misconduct comes to light. The officer/committee, considering the case, tends to also consider the political affiliations of the teacher, status of vacancies in the school, etc. while taking the decision. Almost all officers at the district and block levels interviewed during the study cited such instances, on the condition of anonymity. As discussed in Chapter 5 on teacher deployment, the provision of transfer for disciplinary action is rarely invoked. More often than not, the teacher is able to get away. Every such instance further encourages teachers to be errant. At the same time, it

was also reported during FGDs with teachers and teacher unions that **officers could misuse their powers** to harass certain teachers. Some cases were reported from Uttar Pradesh, Rajasthan, though most such cases do not come in public notice, as the teachers are afraid to rake the issue further. This is one area where it is difficult to find "hard evidence".

Induction and orientation

Teachers are expected to learn about the roles and responsibilities on the job as **induction or orientation programmes** are not a regular feature in any of the states. Though all positions seem to have a 'probationary' period of two years after which the teacher is to be confirmed, in practice, this has no relevance. The officials and the teachers are unable to state any difference between what happens or is expected from the teacher during the probationary period and otherwise. Madhya Pradesh has, of course, taken the idea of probation to another level by converting the initial three years of service into contractual appointment. By doing this, the state has kept open the option of taking severest action against teachers, which could act as a deterrent for otherwise errant teachers and force them to focus on their responsibilities. We could not get adequate evidence to explore this issue further.

Challenges being faced in discharging their roles and responsibilities

Responsibilities without capacity building and adequate support

Typically, the system engages with an issue early in the launch of the new intervention and then expects the teacher to take it forward whether s/he has been adequately empowered or not. The implementation of Continuous and Comprehensive Evaluation (CCE) is a clear example of this. In most states, CCE processes have been spelt out only partially and teachers often complain about the inadequate orientation and capacity building on the issue. Another interesting issue that came to light in Mizoram was that of conversion of government school from Mizo language to English medium following demand from the community. To the credit of the state government, it has instituted a system of screening where the SCERT assesses the English capabilities of the teachers of the applicant school and recommends whether the school should be converted or not. Notwithstanding the subversion of the screening process that was reported in some cases, the teachers of the converted school are expected to teach the entire syllabus of all the subjects in English with no capacity building or support from any quarter.

Lack of infrastructure, teaching aids

The status of school infrastructure in India has improved significantly, including in states that have started quite late. Yet, when measured against what would be desirable, a lot more needs to be done.

As the Table below demonstrates, many schools lack basic facilities like electricity, libraries and playgrounds. Despite so much emphasis being ostensibly placed on ICT, large number of schools do not have computers at all even in the southern states like Karnataka and Tamil Nadu. A similar situation prevails in Secondary schools also as discussed in Chapter 2. Teachers in such schools have to surmount these challenges while attempting to help young children learn and grow.

Table 7.3: Lack of infrastructure facilities (2012-13)

Facilities lacking in schools	Percentage of Schools in States								
	JH	**KN**	**MP**	**MZ**	**OD**	**PJ**	**RJ**	**TN**	**UP**
Schools without Drinking Water Facilities	10	5	5	11	6	1	7	2	3
Schools without Girls' Toilets	17	1	8	3	32	5	3	5	3
Schools without Boys' Toilets	40	4	28	76	79	21	23	38	5
Schools without Electricity Connection	89	4	77	51	77	1	52	4	62
Schools not having Computers	92	72	88	73	91	50	78	47	90
Schools not having Libraries	23	4	40	64	24	14	43	5	27
Schools not having Playgrounds	69	38	44	51	71	19	52	25	27

Source: Drawn from Elementary Education in India, DISE Analytical Tables 2012-13

It was observed and reported during FGDs that working spaces and furniture for teachers inside or outside the class are virtually non-existent. In fact, there is no monitoring mechanism for such indicators and the DISE does not capture the availability of furniture and other teacher-specific facilities. Teachers posted in remote areas or where the habitations are very small often struggle to find a decent place to stay in such locations and are, consequently, forced to undertake long and arduous journeys. Also, given that a large number of schools are located in rural areas, which lack basic as well as aspirational amenities, teachers feel frustrated about living and managing their families in such areas.

Teacher Vacancies

Teacher vacancies continue to plague the system, putting undue pressure and responsibilities on the existing teachers. Though state governments have been giving a lot of attention to recruitment in the last few years, goaded by the RtE, and state-level PTRs have improved substantially, a school-level analysis reveals that the problem is yet to be solved. This is discussed at length in Chapter 2 of this report. Creation of new posts and recruitment are long and cumbersome processes influenced greatly by the willingness of the leaders of the state

and the financial situation of the state governments (discussed in Chapter 3). Also, State governments find it difficult to rationalise teachers across districts and regions (discussed in chapter 4). It is common to find a stark difference in the PTR between urban and rural schools since most teachers wish to be located in urban areas. As a result, teachers in deficit schools are forced to take on the responsibilities of the vacant positions. Though many teachers reportedly make spirited and praiseworthy efforts, these are more likely to be sub-optimal.

Multi-grade teaching[68]

Primary school teachers often find themselves in a multi-grade situation, either due to the lack of adequate teachers or due to an inadequate number of students of different grades or due to inadequate classrooms in the school. As noted in Chapter 2, approximately 42 percent of government elementary schools have only one or two teachers for the elementary grades. However, the teachers are not equipped to effectively conduct multi-grade teaching despite clear policy directives at the national level. The NCF 2005 suggests that teachers must undertake much more careful class and lesson planning when working in such scenarios. However, the entire teacher education process still treats the multi-grade situation as an anomaly. A research monograph titled Small, Multi-grade Schools and Increasing Access to Primary Education in India: National Context and NGO Initiatives, 2007, authored by Blum and Diwan, cites a teacher educator from Delhi as stating "*Multi-grade has a really negative reputation in India. In many places, both urban and rural, that I have visited, schools have big classes of 80 or more students in each grade. The teachers receive some discussion about how to manage multigrade, but it is really theoretical and it doesn't address all the different situations that teachers may face in their postings...*" . The same monograph also cites a leading NCERT policy- maker "*There is a general confusion about multi-grade in India. Is it a quality improvement measure – in which case you need skilled teachers working in small schools – or is it just an attempt to make the best of the bad situation, which many schools are currently in?...*" It is not, therefore, surprising to find that most teachers see multi-grade as an impediment, which further complicates the issue. Though a few state governments — Karnataka and Tamil Nadu, (through ABL) and Rajasthan (through Lehar Programme) — have taken proactive measures to support teachers in multi-grade situations, teachers, in general, do not see this positively.

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[68] During presentation of this research to MHRD, GOI, the Secretary opined that the "government has spent a lot of funds on multi-grade and CCE training. Therefore, the teachers' claim, that multi-grade related training is insufficient, is not correct. This report should highlight the funds that have been spent on training and also how many teachers have attended multi-grade training…" We tried to access information on multi-grade training done in the nine states, with the exception of Tamil Nadu, where the ABL programme is being implemented, and Karnataka, where NaliKali is being implemented, we did not find any data on "multi-grade" training. Equally, there is no robust MIS on the number of teacher training attended by teachers along with the topics covered. This remains a serious lacunae.

Continuous Comprehensive Evaluation

As mentioned earlier, CCE has emerged as a big challenge for teachers and the education system alike. Teachers in the nine states talked about the bane of CCE. Notwithstanding the fact that several states have conducted orientation and training programmes for teachers on CCE, teachers and administrators opined that, given the existing pedagogic practices in India, the concepts of 'comprehensiveness' and 'continuity' in evaluation are difficult to comprehend. Consequently, the efforts to transplant CCE into the traditional pattern of education has not met with success – except in pilot projects where the government / NGO / UNICEF partners have worked with teachers to develop the formats for CCE. The teachers see CCE as something that has increased their workload significantly in terms of checking of examination papers, assignments and maintaining different records pertaining to students. There is a strong feeling among teachers that the abolition of examinations (in elementary education) and their replacement by CCE has resulted in poor student and teacher performance. This idea is contested by government officials – especially MHRD, GOI and their academic counterpart, NCERT. As there is no study or evaluation – so far – of the implementation of the CCE system in India, it is premature to make any definitive statement on CCE.

Mismatch between curriculum and students' abilities

As has been widely reported, teachers are often faced with the situation where the students are unable to engage with the curriculum prescribed for a certain grade (World Bank 2014). This happens because the students lack prior knowledge or experience, which has been assumed by curriculum formulators. Many a time basic language and numeracy skills are even missing in upper primary classes. In such a situation, teachers, quite naturally, blame the students and their background, teachers of previous classes, and the education system, which has allowed students to move up the grades without acquiring the necessary skills. The problem is further exacerbated for students who are absent for long periods due to seasonal migration or health reasons. Ten years of ASER Survey (2005 to 2014) have repeatedly pointed out that over 50 per cent of children in classes 5 are not able to negotiate a class 2 text for reading or simple arithmetic (ASER 2005-2014). A recent MHRD commissioned study on inclusion and exclusion of children in schools and in classrooms also captured prevalent attitudes of teachers towards children from disadvantaged and marginalised social groups (Ramachandran et al, 2012)

Though one may argue that teachers should expect to encounter such situations and be able to ensure student learning, this is obviously not a happy situation to be in as a teacher. The concepts of bridge courses or remedial teaching exist in the system to address such problems;

these have, however, not proven to be effective. Teacher development processes do not address this issue as well. In this unfortunate situation, it is the students who often bear the brunt of the frustration of the teacher because dissatisfied teachers are not good teachers.

Single Teacher Schools

Single teacher schools continue to be present in the system. This is, especially, true for remote, rural areas, as most teachers do not want to be posted in such areas. In such schools, the teachers, and the students, struggle to meet the multiple responsibilities of running the schools. Teachers have to teach multiple grades simultaneously without adequate empowerment for the same. Every time the teacher is called for any responsibility outside the school, the school practically shuts down for the day/s. Making up for lost time is very difficult in such schools.

Mid- Day Meals

Despite RtE provisions and subsequent notifications by the state government as well as an order from the Supreme Court on not giving teachers the responsibility of managing the mid-day meal – head masters and teachers continue to be given responsibilities of managing the mid- day meal scheme. This involves multiple challenges – ensuring rations are available on time, a functional cooking space is available on a daily basis, managing the cooking staff, ensuring hygiene, ensuring all students receive at least the stipulated quantity, maintaining records, managing fund flow situation, facilitating audits and so on. Naturally, this takes up significant time and energy away from the teaching functions. It is also a sensitive responsibility as some recent unfortunate incidents, like the Chhapra, Bihar school meal poisoning on July 16, 2013, in Bangalore, Karnataka on September 21, 2014 and Naiveli, Tamil Nadu July 18, 2013 have demonstrated. This adds to the frustration that many teachers undergo.

Some states have reported good practices in this area, where self-help groups, formed under various departments, have been given the responsibility of providing the meals. This has eased the pressure on the head masters and teachers.

Construction

This is another area which teachers have to struggle with. It is quite common to find ongoing construction activities in the schools for either expanding or repairing the infrastructure. These activities have to be supervised / managed by the head master and teachers. Like mid-day-meals, this, too, is a sensitive issue where the teachers have to handle materials, money, construction workers and records.

Implications of RtE provisions

Most teachers have yet to come to terms with several provisions stipulated by the RtE like "no detention" and "no corporal punishment". Teachers in the nine states said that such provisions have impinged on their professional rights and have made their tasks more difficult. Though teachers have cut down on corporal punishment, it is more out of compulsion than any real belief in the concept. Teachers and senior officials critique the no-detention policy; they said that this takes away the imperative of students to actually study. While they recognise the principle behind the concept, they continue to feel the need for the possibility of retaining a student in a class if her/his learning level is inappropriate. The teachers have not been empowered to see these clauses in the light of the larger transformation that is being attempted through the RtE.

Management of SMCs

Various instruments and institutional forms have been used to facilitate the involvement of parents and communities around a school in its functioning with the aim of building ownership as well as strengthening school accountability. The RtE has put a legal stamp on this issue with the provision of a School Management Committee (SMC) for all schools with the mandate to manage all aspects of the school. The RtE has also specified that parents of children studying in a given school will form at least 75 percent of the SMC. The school system is coming to terms with this shift in power from the headmaster-officials to the parents and community. A recent NUEPA study (A K Singh, 2011) that explored the status of school level management committees in 14 states reported that the headmasters continue to direct and control the committees. However, during discussions with teachers and headmasters , it emerged that in some places, the community has started asserting itself – with regard to civil works and school functioning.

During discussions conducted for this study, some teachers also talked about interference and harassment at the hands of SMC members. While we do not have hard evidence to back this claim, and because the research tools did not specifically explore this issue, it is difficult to make any general statement on the relationship between teachers and the community. If one looks at this objectively, not all of what is reported as interference would be undesirable. In fact, that was the whole reason such provisions were introduced in the first place. What needs to be done, however, is to build capacities of teachers and head masters to engage with SMCs and communities in a meaningful way, both academically and administratively, and also build the capacity of SMCs to contribute effectively (Dundar et al, 2014). School Development

Planning presents an opportunity where the teachers and the community could be brought together effectively.

Roles of contract / Para teachers

A large number of contract/para teachers have been introduced in the education system over the last two decades. In several states, they are under-qualified and low-paid, with their primary responsibility being to either support regular teachers or undertake specific responsibilities. This allowed governments to bolster teacher strength without having to wait for augmenting teacher education capabilities, at a much lower cost. Such was the attractiveness of this mechanism that slowly the same state governments reduced regular appointments and started recruiting more and more contract/para teachers. On the other hand, since contract/para teachers were contractual and , therefore, less prone to protest (in theory), the responsibilities of the non-regular teachers were enhanced by the headmasters/officials much beyond their initial brief. It came to a pass where contract/para teachers were performing the same duties as regular teachers, with much less pay. This led contract/para teachers to organize themselves and seek better salaries and regular status, which has been successful in many states. The presence of under-qualified persons as teachers confused regular teachers and the society, and convoluted teacher management norms.

Roles and Challenges of School Leaders

Teachers look to school leaders for direction on routine functions of the school and to school leadership as an important growth avenue. However, the policy and practice of school leadership leaves a lot to be desired on both counts. Generally, school leadership is more defined at secondary schools than at elementary schools; primary schools are the worst off. In the states covered under the study, only Tamil Nadu seems to have empowered the institution of school leadership reasonably. Some of the key aspects of school leadership that came to light during the study are as follows:

Large number of vacancies

Without exception, all states under the study have significant number of vacancies for the positions of Head Masters / Teachers. As the Table below shows, Rajasthan has the least number of vacancies at both primary and upper primary levels, and maximum vacancies are in states like Jharkhand, Karnataka and Madhya Pradesh. It must be noted here that these vacancies have been computed only for schools that have a minimum number of enrolment for primary-150 and upper primary-100[69]. If schools with lower enrolments are included, the vacancy percentage is likely to be even worse.

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[69] As specified by the RtE

Table 7.2: Vacancies in HM / Head teacher Positions

States	Vacancies in Head Master/Teacher Positions in Elementary Schools (%)	
	Primary Enrolment > 150	Upper Primary Enrolment > 100
Jharkhand	82	81
Karnataka	80	50
Madhya Pradesh	70	56
Mizoram	49	26
Odisha	67	71
Punjab	51	56
Rajasthan	16	20
Tamil Nadu	28	50
Uttar Pradesh	48	27
All India	45	46

Source: Drawn from Elementary Education in India, DISE Analytical Tables 2012-13

Such high levels of vacancies clearly indicate that governments have not taken this position seriously. A senior teacher is usually given the charge of a school and this arrangement continues for years. Sometimes, such vacancies arise due to inadequate feeder cadre but many times, it can be attributed to administrative neglect and apathy. Often, positions are not created, recruitments/promotions are not done on time and minor issues of seniority are allowed to escalate into court cases that linger for years. In schools that do not have a regular full-time head master, not much can be expected from the leadership institution.

Limited powers

In schools where the head master actually exists, the individual is constrained by limited powers devolved to her/him. School leaders are delegated certain powers like granting leave, assigning responsibilities to teachers, etc. Financial powers of school leaders are few.

Inadequate incentives, no separate cadre

Several instances were reported from states like Mizoram and Uttar Pradesh where eligible teachers preferred not to get promoted to the position of head master. Such teachers feel that the incentives, if any, were too little for the large additional responsibilities and the workload of a head master. Most states, in fact, do not have a separate cadre for head masters, at least at the elementary level. Apart from the salary and other service conditions that a cadre usually defines and enhances, it also helps in creating a distinct identity essential for performing the duties effectively. At the same time, one could also argue that having separate cadres has its problems as well, since school leaders should have had some teaching experience as well.

A recent study in Rajasthan reveals that women teachers were hesitant to take on the function of a headmistress or head teacher as that involved many hours of administrative work,

financial responsibilities, political pressures and related problems of dealing with men at different levels of society. And there is an unwritten practice in Rajasthan of not posting women as headmistresses in co-educational schools (Jandhyala et al 2014). This trend has imposed severe restrictions on both the professional growth of women teachers as also on the overall shortage of teachers willing to assume additional administrative responsibilities.

Expanding managerial roles

Maintaining student, financial and administrative records of the school; periodic and non-periodic reporting; liaising with the department are some of the tasks which the head masters have always been carrying out. For the last decade and a half, activities like mid-day meals and construction of buildings have emerged as major time- consuming activities for the head masters. All of this obviously leaves little time for academic support and supervision. This problem is further compounded by the fact that most primary / elementary schools do not have administrative, accounting or support staff. This was reported by several states, including Karnataka, Mizoram, Jharkhand and Rajasthan.

Academic role of school leaders is neglected

Apart from the time constraint, the system does not really expect the head masters to play an academic role. If the head master is able to maintain records, submit reports, and provide utilisation certificates, the system deems him or her to be an efficient head master. Real accountability for students' learning is not enforced on the head master. Tamil Nadu and Rajasthan appear to be the exceptions in this case. In Rajasthan, a few head masters were reportedly suspended over poor results of their schools.

Inadequate investments in building capacities

Karnataka (Azim Premji Foundation supported Educational Leadership and Management programme), Tamil Nadu (UK-India Education and Research Initiative for secondary school teachers and headmasters) and the Central Square Foundation-supported India School Leadership Institute reported new initiatives to build capacities of school leaders. In addition, in both these states, teachers get paid leave to acquire higher qualifications. A certain percentage of head master positions is set-aside for teachers who have upgraded their qualifications (see Chapter 8 on Professional Growth). In other states, some capacity building initiatives have been reported from time to time, but, in general, head masters are left to learn the ropes on their own. In fact, most states do not even conduct an orientation/induction programmes for head masters regarding their roles and the expectations from them.

Summing up

The Indian reality is quite unique – teachers are expected to play a diverse role in the school, in the classroom and in the community. While the RTE has certainly emphasized the teaching function of teachers, a lot more needs to be done to clearly define the roles and responsibilities of teachers and insulate them from tasks that divert them from their primary responsibility of teaching. Support and supervision are effectively two sides of the same coin – but the hard reality is that teachers in our schools are neither supported nor supervised – thereby affecting the effectiveness of the schooling system. It may be fair to say that the learning crisis that we are experiencing today could, among other reasons, be attributed to this ambiguity. Equally, this could also be one of the factors that contribute to the lack of accountability of teachers.

CHAPTER 8: PROFESSIONAL GROWTH OF TEACHERS

Introduction

This chapter discusses two broad ways in which teachers can grow professionally: through promotions and through acquiring new skills, knowledge and competencies ('professional development'). Both promotions and professional development cover a heterogeneous mix of activities. The chapter ends with a review of teacher performance evaluation systems.

Promotions

Promotions are ways in which teachers move to a different post, usually to a post that is in a different cadre or grade of service. The promotion typically, therefore, also includes a move to a different, and higher, salary scale. The most common type of promotion is for an elementary school teacher to become a secondary school teacher. However, a wide range of other moves are considered promotions, including:

- **Primary to Upper Primary:** In some states, primary and upper primary school teachers are in different cadres (for example, Tamil Nadu)and so movement between them is considered a promotion. In Odisha, there are five elementary grade cadres, with moves between these grades considered as promotions.

- **Becoming a head teacher:** The process of becoming a head teacher varies across states. In most cases, the most senior teacher (by years of service) is appointed the head teacher of a school; sometimes, this is the most senior teacher at the particular school (as with primary and upper primary school head teachers in Rajasthan) while in other cases, it is the most senior person in the block or district (as in Karnataka).

  o In Jharkhand, there are no sanctioned posts for head teachers in primary-only schools: in these schools, the senior-most teacher acts as Head Teacher to manage the school formalities but this is not considered a promotion; while in upper primary schools, the post of head teacher is filled through promotion of BA/MA trained teachers.

- **Becoming an inspector:** Secondary school teachers are able to become inspectors or DIET faculty (in Karnataka).

- **Becoming an AEEO/DEO:** In Tamil Nadu, middle school head teachers can be promoted to the post of AEEO; high school head teachers can become District Education Officers.

- **Becoming a BRCC or CRCC:** Elementary school teachers can become Block Resource Coordinators/Officers or Cluster Resource Coordinators/Officers and, in

Odisha, this is considered a promotion. In Karnataka, this is not considered a promotion at the elementary level; though becoming a Resource Person is a promotion in secondary education.

Teachers in some positions or in aided schools are unable to access promotions. As can be seen from the situation in UP (Table 8.1), the situation is typically quite different for teachers in aided schools. Teachers in aided schools can only be promoted within their school (Tamil Nadu, UP) or by getting a job at another aided school upon that post being advertised (UP). Generally, no promotions are available to contract teachers (except being promoted to being part of the cadre of regular teachers, which is discussed further below); and some subject-specific teachers, such as those for vocational subjects, have no career path as subject teachers.

Table 8.1 Promotion Routes for Different Cadres of Teachers (Uttar Pradesh)

Sr. no.	Type of teacher Cadre of teacher	Promotional avenues
1	Assistant teacher PS	Promoted as Head Teacher of Primary school or Assistant teacher at Upper Primary School
2	Assistant teacher UPS Head teacher primary school	May be promoted as head teacher of Upper primary school
3	Shiksha Mitra	No promotion
4	Anudeshak (UPS)	No promotion
5	Assistant teacher (Aided PS)	No promotion, but may apply for Head teacher after completion of five years of service in same school or other schools in case post is advertised by that school
6	Assistant teacher (Aided UPS)	No promotion, but may apply for Head teacher after completion of five years of service in same school or other schools in case post is advertised by that school
7	Teacher (KGBV)	No promotion
8	Itinerant Teacher (CWSN)	No promotion
9	Govt. LT (TGT)	May be promoted as lecturer, if possesses required qualification to be lecturer
10	Govt. Lecturer (PGT)	May be promoted as head teacher of Government high school
11	Aided School LT (TGT)	May be promoted as lecturer, if possesses required qualification to be lecturer, and his school is an intermediate college
12	Aided School Lecturer (PGT)	No Promotion, but he will get a chance to be principal of the same college if he is in number one or two in seniority, Secondary selection board will call him/her for interview by default.
13	ICT teacher	No promotion
14	Vocational teachers	No promotion
15	Attached Primary Teacher	Can be promoted upto Lecturer. (Act 1921)
16	Sanskrit aided school	Promotion to higher grades L.T. grade to lecturer and to Head of Institution Act 2009, chapter-2, Regulation 3 and 6(2)

Source: SCERT Lucknow 2014: UP state report

The frequency of promotions varies considerably across types of promotion and states, both because of state policy and because of the number of posts available to be filled. Some states have a policy that states appointments as secondary school teachers are only possible on the basis of promotion, while the remainder of the secondary school positions are filled by 'direct recruitment', i.e., through new people becoming teachers for the first time. The two most common patterns are: an even split, with 50 percent filled by promotion and 50 percent by direct recruitment; and all posts filled on promotion. In Rajasthan, for example, 50 percent of secondary school teachers are appointed 'on promotion'. In Odisha, all vacancies for levels I to IV (out of five levels) in the elementary school cadre are filled on promotion; and the same is true of all secondary school teachers in Karnataka. At present, this figure is 25 percent in Jharkhand, but proposals in 2014 would enable 50 percent new graduate-trained posts in elementary schools to be filled on promotion. In UP, in 2013, instead of all upper primary posts being filled on promotion, only 50 percent of science and mathematics teacher posts will be filled in this manner.

A similar pattern emerges for the appointment of head teachers. In Rajasthan, there is a distinction between head teachers of senior secondary schools, which are all filled on promotion, and secondary schools, 50 percent of which are filled by promotion and 50 percent by direct recruitment. In Karnataka, promotions to head teachers of secondary schools25 percent are filled through the Karnataka Education Service Examination and the remaining posts from promotion of high school teachers.

The balance of promotion and direct recruitment and the policy on qualifications can change over time, though the periodicity of change varies considerably. For example, in Odisha, the rules on promotion did not change for almost 35 years (between 1975 and 2009) but then, changed again in 2014 after only five years (Table 8.2). These changes served to make it harder to obtain promotions, either by extending the number of years required to be served and/or increasing the educational qualifications needed to be promoted.

Table 8.2 Promotions for certain categories of elementary teachers over time (Odisha)

Level IV			Level III		
1975	**2009**	**2014**	**1975**	**2009**	**2014**
8 years of service in level V. No weightage to qualification.	60% Matric / +2 CT 40% B.Ed.	50% Matric / +2 CT 50% B.Ed.	Must have 5 years of service in level IV	Minimum 1 year of service in level IV50% Matric +2 CT 50% B.Ed.Total 13 years of service in level V + IV	100% B.A./B.Sc. B.Ed. Minimum 2 years in level IV (in case of non-availability 6 years of service in V+IV

Source: Odisha state report

A further complication is that some states require a certain number of years of service in a particular grade before being considered eligible for promotion. For example, in Odisha, to become an Assistant Block Education Officer, which is a level II position, a teacher must have been in a level III position for at least two years. In UP, the minimum tenure an elementary Assistant Teacher had to serve before becoming eligible for promotion used to be 10 years, but this was recently reduced to five years, given the large number of vacancies at senior levels.

The availability of promotions is dependent not only upon the policy on promotions but also on the number of open positions that are being filled. Even though a teacher may have acquired all the necessary qualifications to be a teacher in a promoted post, promotions may not be possible; in Jharkhand, for example, promotions were expected every 12 years and, in Mizoram, every eight years. Now, in Karnataka and Jharkhand, promotions from elementary to secondary school teachers are reported as being rare. However, Karnataka has recently changed the norm for the number of students at a primary school that entitles the school to a post of head teacher. From the 2014-15 academic year, a head teacher is assigned to a school with 60 pupils, not 120 as in the past. This change has resulted in a large number of vacancies for primary school head teachers. A similar event occurred in Tamil Nadu in 2012, when 344 upper primary schools were upgraded to high schools and de-linked from their primary schools. These 344 'new' primary schools acquired head teachers; the senior most secondary grade teachers in the unit of appointment were appointed to the head teacher positions.

In Mizoram, administrative inefficiency has prevented promotions. A major bottleneck has been the haphazard maintenance of the Annual Confidential Reports (ACRs) or Performance Appraisal Reports (PARs). When the PARs have to be organised and analysed for processing promotion requests, these are often not available and need to be searched for or, worse, need to be re-written. Another fall out of the mismanagement of PARs and the Service Books has been that there has been a lack of clarity on the seniority among teachers. This has led to general delays in publication of the seniority lists and the issue has been compounded by litigation initiated by teachers who felt aggrieved. The seniority lists have been published recently (2014), after a long gap, in compliance with the judgement given by the High Court.

Given the rarity of promotions, Karnataka and Rajasthan give additional salary increments after certain periods of service. In Karnataka, from 2012, those who have continued in the same post for 25 years (30 years) without a single promotion are granted a second (third) additional increment in the scale of pay. Just recently, it was announced that a fourth increase would be granted after 35 years' service without a promotion. In Rajasthan, the periods of

service meriting increments are 10/20/30 years for teachers in Grade 1 and 9/18/27 years for teachers in Grades II and III.

Promotions, therefore, involve teachers leaving their current classroom teaching practice. When an elementary teacher is promoted as a secondary teacher, they remain teaching. However, in many cases, a promotion involves a teacher ceasing to be a classroom teacher but taking a different type of position (such as head teacher, inspector, or block resource person). It is unfortunate, therefore, that a good teacher is unable to remain in a teaching post, if her career is to advance.

The most common promotions are those of contract teachers becoming regular teachers and of unqualified teachers becoming regular teachers after acquiring the requisite qualifications. These types of promotions are, by far, the largest class of promotions in those states that have contract teachers or those states that had recruited unqualified teachers in the past. These classes of promotions are considered separately in this chapter because they will eventually cease to take place since many states have decided to abandon the practice of recruiting contract teachers and hiring unqualified teachers.

In Odisha, the preliminary recruitment is as a Sikshya Sahayak (SS) and, after three years of continuous and satisfactory service, the SS becomes a Junior Teacher. Again after three years of continuous and satisfactory service, the Junior Teacher becomes a regular teacher under the Zillahh Parishad cadre. This means it takes six years for a candidate to become a regular teacher. Until recently, there were two categories of regular teachers at the elementary level; regular teacher, Elementary Cadre Level-V and Regular Teacher, ZP cadre. In terms of scale of pay and other benefits, there was no difference. But only teachers in the Elementary Cadre, Level-V are covered under the Advanced Career Progression Rule and Promotion and so are eligible for promotions. However, in July 2014, all existing ZP cadre teachers were converted into Level-V Elementary Cadre teachers (though future ZP cadre teachers are not automatically converted).

In all states in this study, promotions are done primarily on the basis of seniority. Usually, seniority is defined as the number of years in the particular cadre; and usually (such as in Karnataka), within reserved categories. In Mizoram, seniority is on the basis of a teacher's date of joining a school.[70] In Tamil Nadu, secondary teachers' seniority is within the block.

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[70] Though in Mizoram, there is also an unfortunate side effect of this rule during the process of provincialisation of schools. Teachers in schools that were provincialized often have higher seniority

In the past, some states have had a merit-based element as part of the promotion process as well. For example, this was the case in Rajasthan until 2002-03, which combined merit and seniority. In the process, for every post to be filled by promotion, five candidates, on seniority basis, were considered by the departmental promotion committee. On entering in the preview criteria, further selection of the candidate was based on his /her merit. In 2002-03, responding to the criticism of merit-based promotions, the government withdrew the process and converted it into simple seniority-based promotion system. The basis of criticism was that in the merit- cum- seniority process, there is lot of scope for subjectivity and it offers scope to politicians and bureaucrats to exploit teachers on certain practices. This is consistent with the discussion in Chapter 4, where this research found that interviews have been removed from the teacher selection process in order to minimise any scope for manipulation.

It should also be noted that there is an important connection, from the teachers' perspective, between transfer and promotion policies. In many cases, when teachers are transferred from one district to another, they automatically become the least senior person in that district cadre, thus significantly affecting their ability to be promoted in the future. In some cases, there is a rationale, from the state perspective, for such a policy: for example, this discourages teachers from seeking transfers to urban areas and, thereby, helps maintain the level of the teaching force in rural (and more difficult to staff) schools.

Professional development and in-service training[71]

Since many promotional moves require a teacher to have qualifications beyond the ones in their current post, certain types of professional development are closely related to promotions. For example, in Karnataka, lower primary teachers acquiring undergraduate degree can be promoted to higher primary schools; higher primary teachers completing B.Ed degree can be promoted to secondary schools. Those teaching in secondary schools can be promoted to Pre-University Colleges (Senior Secondary) after completion of Masters' degree in their respective subject. Again, though, actual promotion is dependent on vacancies being available.

Several states have specific programmes to assist teachers to acquire these necessary qualifications (though there is little evidence about the take up of these opportunities)[72]. Karnataka has the most comprehensive and generous policy. Here, teachers, with a minimum

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than teachers in other pre-existing government schools, reducing the overall seniority of these latter teachers.

[71] This section draws on Sangeeta Goyal and Sangeeta Dey 'Teacher In-Service Training in Rashtriya Madhyamik Shiksha Abhiyan', June 2014, unpublished manuscript.

[72] See also, Table 6.7 in Chapter 6 above.

of five years' experience and who are less than 45 years old, can opt to pursue higher education in B.A./B.Sc/B.Ed or post-graduate/ M.Phil/ Ph.D in their chosen stream. The government provides paid leave (sabbatical) for a period up to four years (three years for B.A/B.Sc, one year for B.Ed, two years for post-graduate course) and their post is filled temporarily. Along with their salary, teachers are also given half day's DA. The government also bears the real costs of their higher education (i.e. tuition and examination fees). Moreover, on re-joining teaching service, they are given a promotion based on degree acquired, as per their service/seniority and vacancies available. This facility (paid leave and promotion) is provided only if the teacher signs a contract to work for the government for at least 10 years after the completion of the degree. The policy restricts the number of teachers who can utilize this benefit; currently, only upto 15 teachers per block can apply to pursue higher education. As per the policy, all teachers can apply for this provision, however currently only those pursuing higher degree in English, Mathematics and Science are granted permission due to large number of existing vacancies for these subjects. Hence, only 750 teachers have applied for this provision (and there are over 300,000 elementary school teachers alone).

None of the states in this study have an effective policy for in-service training of teachers; training is carried out in an ad hoc manner, almost exclusively funded by two Centrally Sponsored Schemes (SSA and RMSA); and is, therefore, subject to availability of these funds and the associated modalities and priorities. The incidence of training varies significantly across states. Equally, there is also no database that records not only the number of training programmes conducted, but also the issues / topic covered in the training.

States receive significant resources for in-service training of teachers under two Centrally Sponsored Schemes (SSA and RMSA). For example, in FY 2012-13, Rs. 1273 crores was approved for states under SSA, though only about half that (Rs.619 crores) was actually spent[73]. The figures for RMSA were much smaller – only Rs.18 crores was allocated for teacher training, though this still constituted the bulk of state spending on this item.[74]

However, little progress has been made on absolute number of teachers across India receiving training between 2005-06 and 2012-13. From the point of view of quality of education, teachers' in-service training is complementary to the educational qualifications they bring to their role. However, little progress has been made on absolute number of elementary teachers

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[73] Source: data collated from audit reports from SSA as posted on MHRD website.
[74] Source: Authors' calculations from data reported to the 4th Joint Review Mission of the RMSA Programme.

across India receiving training between 2005-06 and 2012-13, even though the numbers did pick up markedly first in 2007-08 and then again in 2011-12 (Figure 8.22). And making the picture grimmer is the significant decline over this period in the percentage coverage of in-service training – from a mere 36.4 percent of all teachers across India in 2005-06, and 34.2 percent in 2011-12, the proportion in 2012-13 fell to 25.8 percent.

Across the states under consideration, only Odisha, Karnataka and Tamil Nadu trained more than 30 percent of their elementary teachers in 2012-13, whereas Rajasthan, UP and MP trained less than 1 in 7 elementary teachers. In terms of trends over time, the percentage coverage has declined significantly (compared to 2005-06), and to worrying levels, in the above three states as also in Punjab.

Figure 8.20 Number and percentage of elementary teachers receiving training in previous year (all-India)
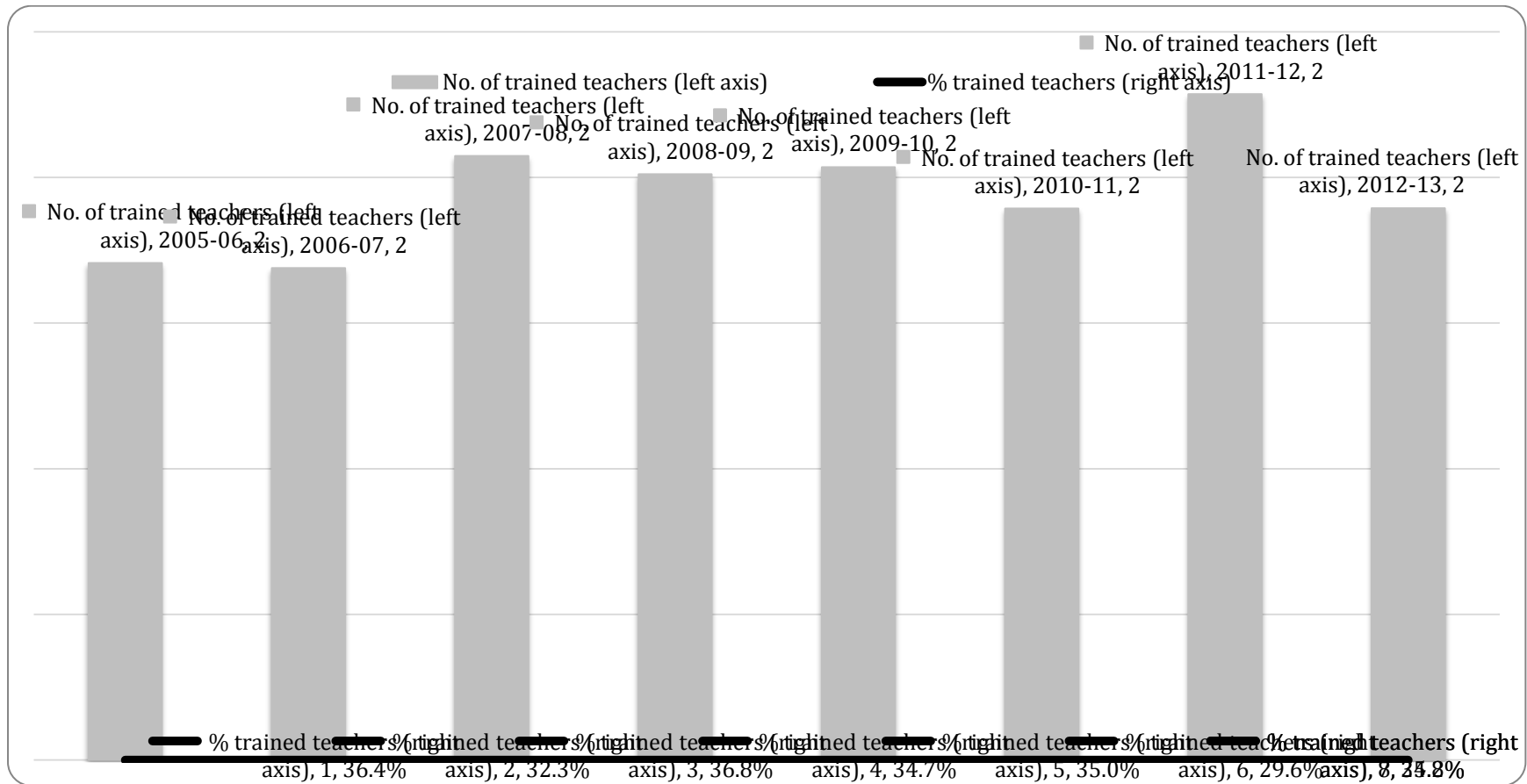
Source: Calculated by authors from various SSA Joint review missions

A closer look at funding under RMSA reveals wide divergence of practice across states. Among the major states, over the past four years, physical achievements vary from over 80 percent for Maharashtra to a mere three percent for Bihar; and in funds utilization from 78 percent in Gujarat to four percent in Bihar (Figure 8.3). For the four years 2009-13, states/UTs received approval for the training of 2,582,646 teachers, of which 1,342,200 teachers (52 percent) were actually trained. States with larger numbers of secondary school teachers have higher sanctioned approvals, and also higher actual number of teachers trained (the correlation between number of secondary school teachers in 2012-13 and the sum of sanctioned and actual training across the four years is positive and significant).

Figure 8.3: In-Service Training under RMSA, Achievement against Financial and Physical Targets 2009-13
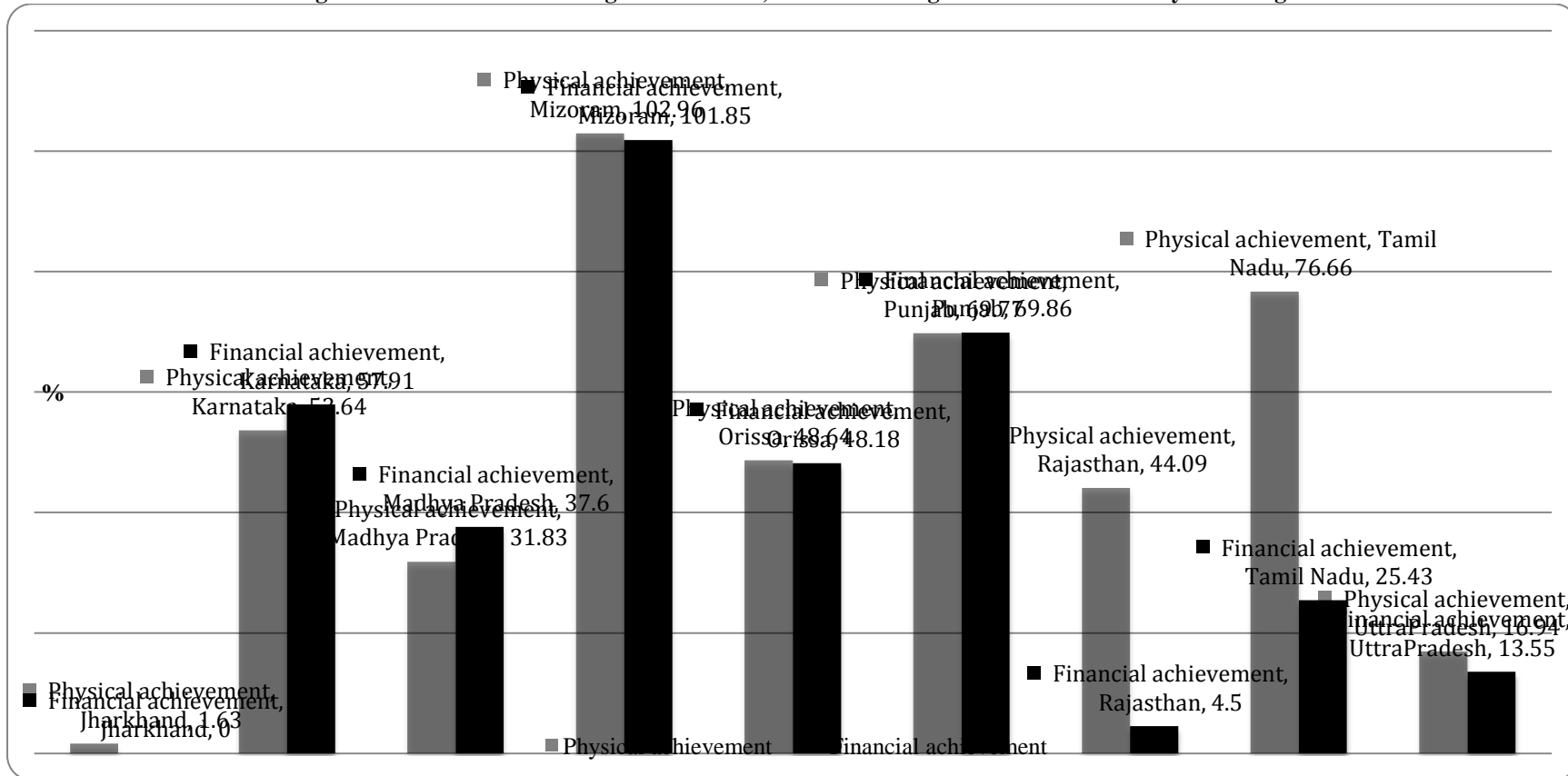
Source: RMSA Joint Review Mission, various years.

The performance of states in terms of achieving annual physical targets has been close to 60 percent except in 2010-11 when it declined to around 40 percent. There is also persistence in high and low performance by states (in terms of achieving their own targets for numbers and budgets for in-service teacher training) between 2009 and 2013 – while some states have achieved between 70-100 percent of their targets (in physical terms), for others it is mixed, while some states have not started teacher in-service training activities. Financial performance of the states has also improved over time – for the country as a whole, seven percent of sanctioned funds were spent overall by states in 2009-10, 29 percent in 2010-11, 36 percent in 2011-12 and 51 percent in 2012-13. There is, however, a great deal of variation in the spending percentages across states each year as well as across the years. Overall, states have spent 36 percent of their sanctioned amounts on teacher training between 2009 and 2013.

Mizoram is the best-performing state in training for secondary teachers amongst the states in this study and it managed to achieve all its physical and financial targets over the last four years. In contrast, there has been no teacher training under RMSA in Jharkhand. Most of the states in this study were able to achieve almost the same extent of physical and financing progress. However, in Rajasthan and Tamil Nadu, there was significant physical progress (44 percent and 77 percent respectively) but this was achieved without spending most of the financial resources that were sanctioned (25 percent and just 14 percent, respectively).

There is wide variation in actual unit costs for training of secondary teachers across states over time, in any particular year, and for a particular state over time. In 2009-10 and 2010-11, the average sanctioned unit cost across the states was around Rs. 1000 (approximately Rs. 200 per day for five days). For the next two years, 2011-12 and 2012-13, it was around Rs. 1500 (approximately Rs. 300 per day for five days).

The data suggest several concerns with the planning of in-service training for secondary teachers across states. First, there is significant variation in the actual money that states spend per teacher. This might reflect differences in the type of training being offered or local costs (such as for facilities or materials) might vary. However, RMSA provides for only five days per teacher and even within one state, unit costs can vary across years (compare Karnataka in 2011-12 when the unit costs were Rs. 3157, with unit costs of Rs. 1072 the next year). Second, there is a great deal of difference in almost every state (with the exception of Mizoram) between the sanctioned unit costs and the money per teacher that was actually spent; sometimes, states spend much more than planned, sometimes much less. This is particularly striking in the last two years since states were allocated different unit cost

amounts (presumably based on their own respective plans). Lastly, despite repeated failures to spend the money that has been allocated, some states (such as Jharkhand and Rajasthan) continue to plan for and request allocations. Only in the last year has Rajasthan been able to spend any of the money allocated to it.

Table 8.3: Annual Sanctioned and Actual Unit Costs RMSA In-Service Funds, 2009-13, Selected States, in INR

State	2009-10		2010-11		2011-12		2012-13	
	Sanctioned Unit Cost	Actual Unit Cost	Sanctioned Unit Cost	Actual Unit Cost	Sanctioned Unit Cost	Actual Unit Cost	Sanctioned Unit Cost	Actual Unit Cost
Jharkhand	1000		1000		2390		1738	
Karnataka	1000		1000		1555	3157	1987	1072
Madhya Pradesh	1000		1083		1574	195	2650	1500
Mizoram	1000	1000	1000	989	1866	1707	1656	1656
Odisha	1000		1000		1500	963	1500	1500
Punjab	1000	306	1000	396	1493	1635	1498	2387
Rajasthan	1000		1000		1500		1500	1500
Tamil Nadu	1000	996	1000		3663	1061	1718	1099
Uttar Pradesh	1000		1000		1573	484	1500	1533

Source: Selected data from Goyal and Dey 'Teacher In-Service Training in Rashtriya Madhyamik Shiksha Abhiyan' (2014).

In order to instil new teaching practices and ideas in schools, it is not enough that individual teachers attend training; good practice indicates that a critical mass of teachers need to be trained in any given school in order for that practice to take roots and be implemented consistently. However, the states' practices of selecting teachers to participate in training results in a situation in which schools either have very few teachers trained or a very high percentage trained or the same teacher(s) trained repeatedly. Across India as a whole, 35.7 percent of elementary school teachers were reported as having received training in the 2011-12 academic year. However, almost two-thirds of schools (59.5 percent) had 10 percent or less of their teachers trained, while about 30 percent (29.8 percent) of schools trained almost all, i.e., more than 90 percent, of teachers. This pattern is repeated across all states. Moreover, in most states, more than half of the schools had less than 10 percent of their teachers trained. This suggests that schools either train teachers or they do not; or perhaps state policy and practice is to train only a few teachers in every school.

Perhaps not surprisingly, Tamil Nadu, which managed to train 70 percent of its teachers, was the only state in which more than half of the schools reported training more than 90 percent of their teachers. Perhaps not surprisingly, smaller schools tend to train a larger proportion of their teachers, which has the effect of meaning that teachers in rural areas (where small schools tend to be located) have a greater chance of being trained than teachers in urban areas. It may be the case that states are assuming that once a teacher is trained, he or she will disseminate the new practices to other teachers in the school; the evidence suggests that this 'cascade' model of training is not very effective.

Table 8.4: Percentage of teachers (in an elementary school) to have received in-service training in the last academic year (reported for 2011-12 academic year)

	0-10%	11-90%	91-100%	Avg. % of teachers trained
India	59.5%	10.7%	29.8%	35.7%
Punjab	65.0%	14.7%	20.3%	29.1%
Rajasthan	76.6%	11.8%	11.6%	18.0%
Uttar Pradesh	77.2%	9.7%	13.1%	18.5%
Mizoram	61.1%	19.8%	19.1%	31.1%
Jharkhand	58.3%	9.2%	32.4%	37.4%
Odisha	45.3%	14.3%	40.4%	48.7%
Madhya Pradesh	82.6%	5.7%	11.7%	14.6%
Karnataka	51.2%	3.1%	45.7%	47.6%
Tamil Nadu	24.1%	13.7%	62.2%	70.3%

Source: UDISE, 2011-12

Finally, it should be noted that none of the states in this study have a formal system whereby, when a teacher attends training (or indeed any other event during school teaching time), a substitute teacher is provided during their absence. Instead, children are typically not taught that subject on the days a teacher is absent. In a larger school, there is some possibility that another colleague might cover up for the absent teacher. But teachers in small schools or in schools with few teachers face particular difficulties in attending training or becoming Resource Persons because, when they attend training, students lose out on teaching time. As noted earlier, 10.9 percent government elementary schools have only one teacher and 12 percent of secondary schools have only one teacher in four subjects (mathematics, science, social science and Hindi). This is another piece of evidence that suggests that the working conditions of teachers in larger schools are better.

Evaluation of teacher performance

There are two broad ways in which the teacher performance is used for annual evaluations and at the time of promotions. Most states in this study had no formal appraisal process, but teachers are still subject to some degree of informal reviews of their performance from

multiple sources. In all states, the head teacher is formally expected to monitor the day-to-day work of teachers in the classroom, while cluster or block level resource persons are expected to visit schools and observe teachers and provide feedback to them. As discussed in the earlier chapters, while these systems formally exist – in reality, implementation processes remain weak. Often other officials in the educational administration structure visit schools randomly to check (though they usually focus on data and administrative issues. They do not observe teacher performance in the classroom). In some states like Tamil Nadu, there are times when the entire government machinery, from the Minister and Principal Secretary, is involved in visiting and monitoring schools. This happens in fits and starts.

Table 8.5: Regression of number of inspections on distance from block headquarters (elementary schools) (2012-13)

	Coefficient	Statistically significant difference?
India	0.007	Yes
Punjab	0.007	Yes
Rajasthan	0.008	Yes
Uttar Pradesh	0.010	Yes
Mizoram	-0.001	No
Jharkhand	-0.002	No
Odisha	-0.006	Yes
Madhya Pradesh	0.003	Yes
Karnataka	-0.001	No
Tamil Nadu	-0.007	Yes

Note: a positive number indicates that being far away increases the chances of being visited.

Source: UDISE

School Management Committees (in elementary schools) and School Management and Development Committees (in secondary schools) have formal responsibility also for monitoring teacher performance. However, in discharging this responsibility, these Committees usually restrict themselves to ensuring that teachers reach school on time, maintain and share records of students and that school accounts are maintained accurately (Karnataka).

Four states in this study have a teacher performance appraisal process but these are reported as existing on paper only. These states are Karnataka, Madhya Pradesh, Mizoram and Rajasthan. For example, in Madhya Pradesh, the policy is that those contract teachers, who wish to become regular teachers at the end of three years of service, can only do so if their performance is satisfactory with no disciplinary issues or extended absences. However, teachers report that all contract teachers, who complete three years of service and wish to shift their status to become regular teachers, are able to do so.

Mizoram has an elaborate appraisal system, but again, this is reported as not being implemented in practice. This is a four-tier process which begins with a self-appraisal by the teachers themselves followed by an appraisal by her/his reporting officer, then a reviewing officer and finally by an accepting officer (Table 8.6). Given the complexity of this system, and the number of teachers to whom it is meant to apply, it would be surprising if the system were activity and widely used.

Rajasthan is moving back to a system of teacher appraisal. Currently, an annual PAR is required of all government employees every year. However, given that decisions about promotions no longer take into account performance, the PAR system is reported as having fallen into disuse. An initiative in 2014 seeks to re-introduce teacher appraisal, based on guidelines from MHRD. The appraisal system covers both teachers and head teachers, and includes both a self-assessment and supervisor evaluation. Odisha is also reported as planning the introduction of a new system.

Table 8.6 Performance Appraisal Report (Mizoram)

Section I	Section II	Section III	Section IV	Section V
Filled by Administrative Division / Personnel Department	**Self-Appraisal**	**Appraisal** By Reporting Officer	**Review** By Reviewing Authority	**Acceptance** By Accepting Authority
• Name and service details • Reporting, reviewing and accepting authorities • Period of absence or leaves • Training programmes attended • Awards / Honours • Details of PAR of previous years, property returns and medical examination	• Brief description of duties • Annual work plan and achievement • Any exceptional contribution • Factors that hindered performance • Training needs • Various declarations • Details of transfer and posting during the period under report	• Concurrence or otherwise with responses in section II related to accomplishments of work plan and unforeseen tasks • Comments on exceptional contributions mentioned in section II • Any significant failures by officer under appraisal • Concurrence or otherwise with training needs • Assessment of work output on three parameters, on a scale of 1 to 10 (40% weightage) • Assessment of various personal attributes, on a scale of 1 to 10 (30% weightage) • Assessment of functional competency, on a scale of 1 to 10 (30% weightage) • Comment on integrity • Pen picture, overall qualities of officer in 100 words • Comment on transfer and posting • Overall grade, on a scale of 1 to 10	• Concurrence or otherwise with assessment made by reporting officer with respect to work output and other attributes • Concurrence or otherwise with assessment made by reporting officer with respect to extraordinary achievements or significant failures • Reasons for variance, if any • Pen picture by reviewing officer • Overall grade, on a scale of 1 to 10	• Concurrence or otherwise with remarks of reporting / reviewing authorities • Reasons for variance, if any • Overall grade, on a scale of 1 to 10

Source: IASE, Aizawl 2014: Mizoram state report

Despite this lack of comprehensive and effective policy, several states discipline head teachers and most states give monetary awards to 'high performing' teachers (usually on the basis of students' examination performance). In Jharkhand, Karnataka, Rajasthan and Tamil Nadu, teachers can receive awards. In Karnataka, there are three types of awards:

- District Awards: District Awards carrying cash prize of Rs.3000/- are given to teachers who have rendered meritorious service. The total number of awards is 357 (Primary school teachers – 202 and High school teachers – 155). Selection of teachers for the awards is done by the District Level Committees. Teachers are not supposed to apply directly for this award.

- Special Awards: State Level Award of Rs.5000/- each is sanctioned to eight teachers for scientific and innovative work. Applications for this award are invited from eligible teachers from primary and secondary education during August / September every year through paper notification.

- Rajiv Gandhi Memorial Award: Rs.12,000/- each is awarded to two Best Science Teachers (primary and secondary) at state level. Applications for the award are invited from eligible teachers during August / September every year through paper notification.

In addition, teachers are given a cash award for 100 percent pass rate of their students.

In Rajasthan, the basis for giving awards changed in 2014 (Table 8.). The new norms make student performance the only criterion for giving an award to teachers. While this has the advantage of putting the focus on student performance as the ultimate objective of teaching, these awards clearly favour those teachers who are lucky enough to be teaching in schools with students from more advantaged backgrounds or high-scoring subjects. These awards, therefore, discourage teachers from working in more difficult circumstances. Teacher unions also complain that the new norms mean fewer teachers will get awards. We must add that this system is yet to be implemented.

Table 8.7Revised (2014) norms for state teacher awards (Rajasthan)

Norms prescribed in the old/existing policy (up to 5th June 2014)	Norms prescribed in the new policy (6th June 2014)
(i) Results of children in the service tenure (ii) Publication of book/research thesis /paper/research work and project (iii) Innovation in teaching process, use of TLM in effective teaching. (iv) Contributed in the development work related to School building, classrooms Laboratory, hostel, library etc. (v) Exceptional contribution in co-curricular and curricular activities. (vi) Developed relationship with students, parents and community (vii) Overall personality of teacher. (The above policy was effective from 21-8-198 Rajasthan Education Code 1957)	(i) Teachers of classes 1 to 8 – 90 percent children in the A grade in last consecutive years.(A Grade is given to the children who score in between 86 to 100 percent marks (ii) For Secondary classes, the result of classes the teacher teaches should be above 90 percent for the last consecutive five years. (iii) For primary classes, a criterion is based on the performance of each child, while in the case of secondary classes, the overall result of class will be taken into consideration. (iv) For Physical teacher, the criteria is that children should have got Olympic/Arjun/National Award once in five years

Source: Rajasthan state report

Tamil Nadu only offers one teacher award, the Dr. Radhakrishnan Award. Teachers, who have completed a minimum period of 15 years of service and have produced excellent results in Board Examinations and developed a healthy rapport between the community and schools, are selected through a district level committee; a State- level screening committee also examines the merit of each applicant, and on 5th September, the Best Teacher Awards are given away by the Minister for School Education. Each award consists of Rs. 5,000/- cash, a silver medal and a merit certificate.

In 2014, the Government of Rajasthan took action against exceptionally poor results in board examinations. The Education Minister suspended around 100 Head Teachers/Principals. However, the suspension was revoked soon (June 2014) and these head teachers / principals were transferred to other schools. On 22nd July 2014, the state declared in the legislative assembly that soon action will be taken against the head of schools (total 1400 schools) for zero percent result in 10th and 12th board in year 2014 (newspaper report 24th July 2014). This is a positive development in the sense of focusing head teachers on student outcomes, and schools that report zero percent results are clearly doing very badly. However, as we have seen elsewhere in this study, head teachers generally have little control over the inputs at the school level (for example, they have no role in selecting the teachers appointed to their schools and they are not able to discipline teachers effectively) and so, their direct

responsibility for examination results and their ability to make a difference is, somewhat, limited.

Conclusion

Promotions are, in theory, a way to recognize those teachers who have performed well. It is also an incentive for teachers to perform well. And the process for contract teachers to become regular teachers appears to fit this pattern, since only those contract teachers with satisfactory service are regularized. Done effectively, this system could mean that contract teachers serve a sort of probationary period, whereby their ability to be effective teachers is evaluated and those who do well become regular teachers. And the threat of not being regularized could work as an incentive to become an effective teacher. However, as reported in the preceding chapters, all contract teachers who meet the service requirements (for example, three years in MP) become regular teachers without a formal evaluation of their actual teaching performance.

There is also no link between performance and promotions of regular teachers. The reasons are many. Most fundamentally, all promotions for regular teachers are done on the basis of seniority, with no link to performance. In addition, the availability of promotions varies considerably for different types of teachers and over time. Given that state governments are wary of disturbing a hornet's nest, they leave regular teachers, who are unionized and also enjoy political support, alone. The teacher union leaders, who participated in the state discussion, were quite confident that seniority-based promotions would continue and there would not be any performance- based promotions.

CHAPTER 9: GRIEVANCE REDRESSAL MECHANISMS

Introduction

One aspect of the working conditions of teachers, that has received little systematic attention, is the avenue available for redressal of their grievances. This absence of studies and information on grievance redressal processes is applicable to the delivery of various services in India, despite grievance redressal procedures being essential for ensuring basic fairness and legal accountability.[75] A clear and effective procedure for redressal of grievances is important from a fairness point of view as it allows individuals, who believe they have suffered, to follow a process through which the wrong may be rectified. Even if the individual's grievance is not addressed as a result of the process, grievance procedures, in themselves, establish a sense of fairness as they support the rule of law. For example, most formal redressal procedures have standardized mechanisms for the presentation of and response to grievances. Grievance redressal procedures are also based on certain basic principles such as that similar cases should be treated similarly and that an administrative authority is required to provide reasons before denying a remedy being sought. In addition to fairness, redressal procedures help enhance accountability for policy measures and also provide information to policy-makers on how the policies they have formulated are working in practice.[76]

For teachers, grievance redressal could take many forms, ranging from approaching the headmaster of the school to approaching a teachers' union for assistance, to taking a complaint to a block or district education officer, and/or to filing a petition in court. This chapter addresses the questions as to what are the different grievance redressal mechanisms available to teachers and how do they work in practice? The chapter outlines two different kinds of procedures that teachers in government and government- aided schools have resorted to in having their grievances redressed – (i) the system that is embedded in the administrative system, including quasi-judicial mechanisms such as tribunals and more informal grievance redressal sessions conducted by officials at the block and district levels, and (ii) the legal system through the courts.

This chapter is organized as follows. The next section describes grievance redressal mechanisms in the eight study states[77] established by the state education departments – the system embedded in the executive / administrative arm of the government. These include the

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[75] Varun Gauri, "Redressing Grievances and Complaints regarding Basic Service Delivery," *World Development,* Vol. 41, pp.109 – 119, 2013
[76]Ibid.
[77] Excluding Mizoram

use of the administrative hierarchy (beginning with the school Head Teacher) and the special dispute resolution tribunals established in some states. There follows a section, which describes and presents an analysis of teacher issues-related litigation in the High Courts of eight out of the nine study states (Mizoram excluded). In the last section, we conclude with an overview of the issues discussed in this chapter and some reflections on the way forward. An annexure to the chapter describes data sources and their limitations.

Teacher Grievance Redressal Mechanisms Established by State Education Departments

There are two main executive/administrative mechanisms available for teacher grievance redressal. First, there are grievance redressal sessions offered by state education officers at the block and district levels or at the state level by the state commissioner of education. Second, there are specialized dispute resolution tribunals that exist in many states for addressing service-related matters of government employees (of which teachers from government schools constitute a significant proportion). Some states also have tribunals for addressing teacher-related grievances for private and aided schools, such as the Jharkhand Education Tribunal and the Rajasthan Non-Governmental Education Tribunal.

Grievance Redressal Sessions by State Education Departments

Karnataka:

The Office of the Commissioner, Public Instruction, holds *Shikshana Adalats* in different districts of the state, which are one–day drives during which the Commissioner acts as a grievance redressal body by accepting applications, representations and complaints from teachers working in all types of schools. The *Adalats* have no written rules of procedure and applications do not need to have a specific format and could, in some cases, even be oral. The intention is to hold them every fortnight, but this seldom happens in practice as their scheduling depends on the availability of the Commissioner and other officers.

The issues that are typically addressed in these *Adalats* include salary and time-bound increments and, depending on the nature of the problem and the authority concerned, the Commissioner refers the matter to either Block or District- level authorities to address the issue. The time limit for disposal of each representation is 15 days. We understood from our conversations with the Commissioner's office that most unresolved matters found their way to the Karnataka Administrative Tribunal (KAT).

Tamil Nadu:

Over the past two years, the Tamil Nadu Government has instituted a regular grievance redressal forum at the block and district levels to address certain common grievances of primary school and aided school teachers. These sessions are held by Assistant Elementary Education Officers (AEEOs) on the first Saturday of each month, wherein a grievance is either resolved by the AEEO and relevant orders passed, or the matter is passed on to the District Education Officer, who takes up grievances on a district-wide basis on the second Saturday of each month. The grievances, that cannot be resolved at the district level, are passed on to the Directorate for further consideration. The initial motivation of the government in instituting these sessions was not so much to provide teachers with a forum to address their grievances, but rather to ensure that the working days of AEEOs were not, otherwise, disrupted by having to hear and resolve teacher grievances on a daily basis. However, our conversations with officials in the education department suggested that the number of teacher grievances had actually decreased in the last few years, which they attributed, at least in part, to these grievance redressal sessions.

Rajasthan:[78]

In Rajasthan, teachers have the option to approach their immediate supervisors (HMs/Principals) for voicing their grievances. The State Education Code 1957/Departmental Rules 1997 and HM Guide Book 2014 have specified that it is the duty of HMs/Principals to address and dispose of their grievances in a stipulated time period. In case the issue is beyond the jurisdiction of HM and Principal, then they are supposed to forward the same to the next level officer in the hierarchy at the district/state and so on.

In 2004, when passing judgment on a petition (no. 712/2004), the High Court of Rajasthan directed the state government to form a permanent committee to resolve service-related issues in the pre-litigation stage itself. In compliance with this decision, the state government formed a permanent committee comprising the following members:

1.   Secretary of the concerned department

2.   Secretary, Legal, representative of finance department (not less than special Secretary)

3.   Representative of Department of Personnel (not less than Deputy Secretary rank)

4.   Head of Department concerned

Additionally, teachers can use the offices of their unions for representing their issues and concerns to the state[79]. Following enactment of the RTE Act, committees at the block and district levels were set up in Rajasthan to deal with grievances of elementary school teachers

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[78] Source: Rajasthan State Report.

[79] Though at present, none of the 150+ teacher unions in Rajasthan have been recognized by the state.

in government schools. Teachers can first file their complaints at the block level and, if not satisfactorily resolved, they may file again at the district level.

In 2011, the Department of Administrative Reform of the Government of Rajasthan set up a portal, SUGAM, for all government employees to air their grievances. The portal provides for online registration of grievances and is followed up on a daily basis.

Odisha:[80]

The State Government of Odisha offers two avenues for grievance redressal for teachers. First, a grievance day is held every Monday at the State level and the Secretary-cum-Commissioner hears grievances along with other state level officials for prompt disposal of cases. The second avenue is a toll- free helpline that functions from 8 A.M. to 8P.M.

The Sankalp Manual, published by the Department of Education, specifies time periods within which officers at each level (block and district) are to address complaints. The Manual also includes time periods within which officials are required to comply with requests such as the sanction of increments, sanction of leave, assured career progression, provisional pension, rehabilitation assistance, retirement benefits and similar matters.

Jharkhand:[81]

In Jharkhand, a separate grievance redressal cell or department for teachers in the Human Resources Department (HRD) does not exist. The state government of Jharkhand follows the standard procedure adopted by the government as laid down in the rules common for all government employees. At times, there are annual campaigns organized (not mandatory) by the District Commissioners along with HRD officials to resolve teachers' issues on a one-time basis. But such drives are rare and seldom take place. Additionally, the State has given teachers the right to form associations in order to represent their issues and concerns. In Jharkhand, there are five registered teacher associations: (a) Jharkhand Rajya Prathamic Shikshak Sangh (b) Akhil Jharkhand Prathamik Shikshak (c) Rashtravadi Shikshak Sangh (d) Para Shikshak Sangh (2), (e) Jharkhand Rajya Madhyamik Shikshak Sangh and (f) Alpsankhyaka Shikshak Sangh. These associations are active in influencing state education policies, especially those related to teachers.

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[80] Source: Odisha State Report.
[81] Source: Jharkhand State Report.

Uttar Pradesh:[82]

In Uttar Pradesh teachers have formed cadre-wise unions for representation of their issues and grievances to take up their issues with the local level officers and the government.

Under Rule 1979 (recognition of service associations) of the Government of Uttar Pradesh, all state- level employee associations have to be recognized by the government for dialogue. In UP, the following teacher associations are recognized: Uttar Pradesh Prathamik Shikshak Sangh, Uttar Pradesh Upper Primary Shikshak Sangh, and Uttar Pradesh Rajkiya Shikshak Sangh. Other similar associations do not fulfil the recognition criteria according to the Rule.

Most teachers unions have their school- level (secondary schools) or block- level units to look after the interest of their members. These units take up individual or common teacher grievances with the Principal or the Block Education Officer. Most unions hold regular meetings with the district- level and state- level officers to sort out teacher grievances at the administrative level. These include GPF advance, salary arrears, withholding of salary, transfers, suspension, disciplinary action and other related issues.

The Uttar Pradesh Legislative Council (LC) has nine teacher members who are selected from the pool of secondary school teachers (mostly from aided schools) in the state. This provides the teachers with an additional forum for representation through the LC members.

Madhya Pradesh:[83]

The teacher grievance redressal system in Madhya Pradesh has undergone significant changes in the last 15 years. Since 2008, with the absorption of para and contract teachers into the system, senior teachers, regular teachers and assistant teachers could, in principle, appeal for redressal to the appointment authority/additional CEO of School Education/Tribal Welfare Authority as competent authority and the District Collector as the Appellate Authority.

In 2009, the School Education Department made a decision to address teacher issues – for both working and retired teachers – through an online portal (which included a teacher database). All teacher cadres can submit their grievances through the portal and retrieve their redressal report using a unique identification code assigned to them. Reports on written complaints are also available online. For restitution of cases, the following rules are followed:
- Joint Director and other senior officers to monitor cases filed
- State level redressal of cases can also use methods such as video-conferencing.

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[82] Source: Uttar Pradesh State Report
[83] Source: Madhya Pradesh State Report

In 2011, the Madhya Pradesh State Rules and Regulations included clauses for redressal of teacher grievances, based on the provisions of the Right to Education Act (RtE). The sequence/levels, through which a grievance would be addressed, included: the School Management Committee including the Head Teacher, state-nominated local officials who would be expected to address concerns within a 30-day period, Committee formed by Collector, Superintendent of Policy, CEO, Chief Medical Officer and Health Officer (District), Municipal Corporation Commissioner, and the Tribal Welfare and Additional Commissioner. The District Education Officer would be the convener of this Committee, which would meet quarterly. Additionally, under the RtE Act, all schools, that fall under a specified jurisdiction (schools under Tribal Welfare or SC Welfare), would have their own grievance redressal systems.

In practice, however, even with the revision of the grievance redressal mechanisms over time towards more efficiency, it has not worked well. The number of cases has grown since 2005, without proper monitoring and resolution taking place. Some recent attempts have been made, however, to reduce the accumulated number of cases, such as through camps (the first one organized in June 2014) for resolving grievances for all cadres of teachers.

Punjab:[84]

In Punjab, teachers can use a module of the e-Punjab school web portal to lodge their grievances. Teachers can check on the status of their grievances anytime online. All pending grievances are monitored and reviewed by senior officers of the department on a monthly basis.[85]

Teachers in Punjab who are members of unions also use union services for putting forward their demands/grievances to the state. Unions often agitate, on behalf of their members, and there is evidence that the state has, sometimes, acceded to these demands.

Dispute Resolution Tribunals

In a number of the states studied, teacher grievances could also be heard by service tribunals constituted to hear service- related disputes of government employees. The service tribunals, in some states, appear to be functioning better than others, with some states, such as Tamil

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[84] Source: Punjab State Report
[85] Earlier School Management Committees were also involved in the grievance redressal process in Punjab. This has changed with the administrative authority over District/Panchayat teachers being moved to the state education department.

Nadu, actually abolishing its services tribunal in 2005.[86] Where they do function effectively, such tribunals could be helpful in taking the load off the High Court and could also provide teachers with a more specialized forum in which their service-related grievances could be heard. For example, the KAT in Karnataka and the Rajasthan Civil Services Appellate Tribunal are two such fora that hear a number of service benefit matters of government schoolteachers.

Some states also have specialised education tribunals, though these typically hear grievances of teachers in private schools. For example, the Jharkhand Education Tribunals hears disputes of teachers of aided and unaided private schools as do the Rajasthan Non-Government Educational Tribunal and the Odisha State Education Tribunal. The case of the Odisha State Educational Tribunal might be worth studying. This tribunal was originally constituted through the Odisha Education Act of 1969 and assigned the responsibility of resolving disputes between teachers, school management and the government in private and aided schools. However, this tribunal lacked major enforcement powers due to which it was largely redundant. According to the State Education Department, about 5,000 writ petitions and 1,793 contempt of court proceedings piled up in the Odisha High Court as a result of non-execution of the tribunal's orders. Subsequently, in the case of *Dilip Kumar v. State of Odisha*, the High Court took cognizance of these issues and entrusted this power to the tribunal through the Civil Procedure Code, such that the tribunal had enforcement powers similar to that of a civil court.[87]

The effectiveness of these tribunals in reducing the burden on their respective High Courts is unclear and beyond the scope of this study, particularly as there were only a handful of the cases in our review that originated from these tribunals. However, it may be worth exploring further whether these tribunals could provide a more efficient and accessible forum for teachers to have their grievances redressed.

Grievance Redressal through the Courts

This section presents the results of a study of over 9,000 judgments of the High Courts of the eight study states relating to teacher grievances between 2009 and June 2014. The analysis below looks to answer three questions (1) What were the types of grievances that caused

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[86] The abolition of the Tamil Nadu Administrative Services Tribunal was a policy decision by the Tamil Nadu government which decided that two fora (the High Court and the Supreme Court) for trying service- related disputes was sufficient. At the time of its closure, the tribunal had over 30,000 cases of service matters pending before it, all which were transferred to the High Court.

[87] "Education Tribunal Gets New Teeth", *The New Indian Express*, August 10, 2010, available at http://www.newindianexpress.com/states/odisha/article202277.ece?service=print

teachers to approach the High Courts in their respective states? (2) What were the outcomes of these cases? and (3) How long did these disputes take to conclude, typically measured as the time between the filing of a petition or the date of an order being challenged and the date of the judgment?

The Landscape of Grievances

A very large majority of the judgments analysed were filed as writ petitions in the High Courts by serving teachers and by teacher applicants seeking to be appointed to teaching posts. Surprisingly, there were only a miniscule number of cases filed by teacher unions though we were told that unions might often support a group of teachers in litigating a case even if they were not named as a party. The respondents in all these petitions were various branches of the state education departments and, in some cases, also included the school in question (in the case of aided schools) and other teachers who had received benefits or been selected for a post in lieu of the petitioner teachers. A handful of judgments in each state involved appeals by the state government against decisions of tribunals or decisions by a single judge in the High Court.

The first surprising finding was the enormous variations in the volume of cases disposed by the High Courts of these different states. While a part of these differences may be explained away by variations in size and population across states as well as by the fact that some High Courts may have chosen to report more judgments than others, these differences alone do not explain all the variations. The High Court of Odisha disposed only 75 such cases between 2009 and June 2014, while the High Court of Karnataka disposed over 6,000. States that fell in the middle of the spectrum included Madhya Pradesh (160), Jharkhand (187), Punjab and Haryana (279) and Tamil Nadu (544), while Rajasthan had 1285 and Uttar Pradesh 1146 judgments, respectively.

These significant variations in case volumes could be reflective either of the fact that teachers in some states filed far fewer petitions in the High Courts than their counterparts in other states or that some High Courts were simply more efficient in disposing the cases that had been filed. One factor that could explain how some states were more efficient in disposing cases is the tendency of the High Courts in these states to club together and dispose a large number of related petitions in one judgment. This was, particularly, the case with Karnataka and Rajasthan where almost all the judgments studied disposed a group of petitions filed on related grievances, with many judgments disposing over a 100 petitions. While the practice of clubbing is followed in most states, there are no specific rules regarding how petitions are to

be clubbed together and the business of clubbing is typically left for the court registrar to decide.

The other explanation could, of course, be a question of access. Litigating in the High Court requires resources and knowledge. The High Courts may be more accessible to teachers in some states than in others, depending on the resources and support (for example, from teacher unions) available for filing petitions and contesting cases in the High Courts. In cases where the High Courts are particularly difficult to access, teachers may choose to find alternative fora for redressal of their grievances, which could, perhaps, explain why the volume of teacher-related litigation varied significantly across these different states.

In contrast to the stark variations in the volume of cases across states, the types of grievances brought to the High Courts in different states were remarkably similar. The two predominant reasons that caused teachers and potential teachers to approach the High Courts related to service benefits and appointments. Out of the total 9751 cases that we reviewed across the High Courts of the eight states, 47.01 percent (or 4584 cases) of these related to service benefits, followed by appointment- related disputes (33.2 percent or 3241 cases) and disputes related to regularization of existing appointments (5.9 percent or 579 cases).[88] Other issues that featured prominently (though not as frequently as service benefits and appointments) related to termination, transfers, promotions and retirement benefits. The Tables below set out (a) the three most predominant grievance types for each state and (b) the break-down of the different types of grievances that were decided by the High Courts in the eight states.

Table 9.1: Predominant Grievance Types by State (High Court Cases Only)

State	Predominant Grievance Type		
Jharkhand	Appointments *(31.01%)*	Service Benefits *(29.41%)*	Retirement Benefits *(14.97%)*
Karnataka	Service Benefits *(65%)*	Appointments *(22.9%)*	Regularisation *(3%)*
Madhya Pradesh	Retirement Benefits *(45%)*	Appointments *(31.25%)*	Service Benefits *(12.5%)*
Odisha	Termination *(48%)*	Appointments *(29.33%)*	Transfers *(10.67%)*
Punjab and Haryana	Appointments *(60.93%)*	Transfers *(12.19%)*	Termination *(11.11%)*
Rajasthan	Appointments *(69.96%)*	Regularisation *(12.14%)*	Service Benefits *(10.58%)*
Tamil Nadu	Service Benefits *(42.10%)*	Appointments *(22.24%)*	Examination Standards *(13.60%)*
Uttar Pradesh	Appointments *(46.29%)*	Regularisation *(18.95%)*	Service Benefits *(14.85%)*

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[88] Disputes involving regularization typically involved contract teachers and other teachers appointed on an ad-hoc basis looking to regularize their appointments.

Table 9.2: Types of Grievances by State

Case Type	State								Total
	Jh	Kar	MP	Od	P&H	Raj	TN	UP	
Service benefits	55	3962	20	1	11	136	229	170	4584
Appointment	58	1391	50	22	170	899	121	530	3241
Regularisation	6	188	0	0	1	156	11	217	579
Transfer	0	183	2	8	34	22	12	12	273
Termination	11	54	7	36	31	10	10	80	239
Retirement benefits	28	1	72	7	9	11	26	11	165
Promotion	11	3	3	1	5	5	40	85	153
Examination standards	1	0	0	0	3	45	74	3	126
Contempt	1	60	0	0	9	0	0	5	75
Suspension	3	0	3	0	0	0	5	24	35
Insurance	0	19	1	0	0	0	0	0	20
Miscellaneous	13	214	2	0	6	1	16	9	261
Total	187	6075	160	75	279	1285	544	1146	9751

Note: The States of Punjab and Haryana are covered by one High Court.

Common Themes in Appointment and Service Benefit-Related Grievances

Appointments:

Appointment-related grievances could, by and large, be divided into three sub-types. The first sub-type related to grievances over the eligibility criteria for appointments. Often, this involved disputes over whether a certain qualification could be considered equivalent to the required qualification for a post. In other cases, these disputes stemmed from confusion over implementation of the guidelines on teacher qualifications proposed by the National Council for Teacher Education (NCTE) following enactment of the RTE Act. For example, the Rajasthan High Court disposed a number of petitions[89] that were all filed by teacher applicants asking that the State Government relax the cut-off date, after which the minimum qualifications laid down by the NCTE would apply.[90] The petitioners were teacher applicants to government elementary schools who did not have these qualifications and contended that they would have been eligible for appointment had the state not delayed the selection process. The court dismissed these petitions stating that the state government cannot relax the cut-off date as this would be contrary to the RTE Act and to the minimum qualifications required of teachers under the rules prescribed by the NCTE.

In another group of decisions disposed by the Madras High Court, teacher applicants challenged the Director of School Education's order to grant appointments to applicants with

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[89]Rajesh Kumar Meena and Ors.Vs. State of Rajasthan and Ors. 787 others, 2013(1)CDR558
[90] Section 23(1) of the RTE Act allows the Central Government to prescribe minimum qualifications for teachers. The Central Government issued Notification 5.04.2010 authorising the NCTE to prescribe these qualifications.

either a one-year or three-year degree in the relevant subject.[91] The Madras High Court engaged in a detailed discussion of the rules and eligibility criteria and concluded that while the term "graduate" (which was the requirement for the post) was not defined in the rules, the term is generally understood to be a holder of a valid university degree which the University Grant Commission rules define as being a 3-year degree. Hence, the petitions were allowed and the Court quashed the Director of School Education's order to grant appointments to candidates with one-year degrees.

A second sub-type relates to grievances over the selection process and the procedures followed. For example, teacher applicants raised questions as to whether the advertisement had properly described the relevant post and whether the criteria for selection stated in the advertisement were actually followed. Interestingly, there were instances in quite a few states (Tamil Nadu and Punjab) where the selection criteria were changed while the selection process was underway. The High Courts of all the States gave a lot of regard to whether due process and the principles of natural justice were followed during the selection process and were willing to quash the results of the selection if, for example, there was any evidence of impropriety or not following the rules during the selection process. In 2012, the High Court of Punjab and Haryana, disposed of 69 petitions filed by teacher applicants challenging the selection process for physical training instructors pursuant to an advertisement issued by the Haryana Staff Selection Commission in 2006.[92] The High Court quashed the entire selection process as it was revealed that the selection criteria were different from those published in the initial advertisement for the posts. Further, the High Court also noted with concern that it had learnt that all selection decisions were made by the Chairman of the commission alone rather than by the members of the commission as a whole.

Cases related to reservation criteria were a third sub-type. These were often disputes over whether a candidate from a particular reserved category should be given preference over a candidate belonging to another reserved category. The High Courts, generally, decided these disputes on the basis of the rules regarding appointments for reserved category candidates. There were disputes involving candidates from a wide variety of backgrounds – SC/STs/OBCs, but also persons with disabilities, freedom fighters and women. Another issue that often arose in the reservation cases related to whether reserved category candidates were entitled to a relaxation of the eligibility criteria and, if so, to what extent. The High Courts, generally, upheld the NCTE guidelines that allowed for upto five percent relaxation of marks for reserved category candidates and were, as was the situation in a case decided by the

[91]R. ThirunavukkarasauVs.The State of Tamil Nadu 2012(5)CTC129
[92]Sanjeev Kumar and Others Vs. State of Haryana and Others 2013(2)SCT78(P&H)

Rajasthan High Court[93], unwilling to allow for further relaxation as this was considered contrary to the NCTE guidelines.

Service benefits:

Disputes regarding service benefits encapsulated a wide variety of service- related matters. These included non-payment or untimely payment of salary, leave encashment and disputes over pay scale and seniority. Most of these judgments are very fact- specific decisions that generally tended to be decided by the High Courts on a case-by-case basis and on the merits. One type of case that safeguarded the rights of teachers were those involving challenges to government decisions to reclaim excess amounts paid to them (for example, where the pay scale was wrongly calculated the first time around). In these cases, the courts typically relied on principles of fairness and did not allow the government to reclaim excess amounts already paid to teachers though the government was entitled to change the pay scale, going forward.

There was also a sub-category of service benefit disputes that dealt with larger policy issues. Many of these cases, which often related to how seniority was to be calculated for determining pay scale, suggest that the service rules for teachers in many of the states were not entirely clear. Adding to this confusion was the fact that there were often different rules for different types of teachers as well as different types of schools (for example, for primary and secondary schools). As a consequence, there were a number of cases where teachers approached the courts to extend government orders on service benefits that related to one category or group of teachers to the group to which the petitioners belonged as well. In many of these cases, the High Courts did not allow these petitions on the basis that it was the discretion of the State Government on whether to extend these benefits to other groups of teachers.

Teachers Appointed on Ad-hoc Basis:

One theme that we came across in a number of the States related to teachers who had been appointed on an ad-hoc or contract basis. These teachers were referred to by different terms in different States (contract teachers in Rajasthan and Punjab, untrained or para teachers in Jharkhand) and there does not appear to be a uniform definition for such teachers across States or even within a particular State. While these grievances were not as numerous as those that were related to appointments or service benefits, we believe it would be worth looking into these grievances in greater detail as some of the judgments, involving such ad-hoc or

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[93] See, Vikas Kumar Agrawal and etc. Vs. State of Rajasthan & Ors. 2012 (3) ILR (Raj) 459.

contract teachers, had wider policy implications while some were appealed against in the Supreme Court.

The primary type of grievance, involving contract or ad-hoc teachers, related to such teachers approaching the High Courts to have their appointments regularised. In most instances, the High Courts (in Karnataka, Rajasthan and Uttar Pradesh) did not interfere with the state education departments' decisions, particularly in situations where the contract teacher had been originally appointed for a temporary post. A common theme running through many of these judgments was the notion that, unlike regular teachers, teachers appointed on an ad-hoc basis were not governed by any set of rules regarding their appointments or benefits and, therefore, decisions regarding these teachers were left largely to the executive decisions of the respective State Governments.

It is interesting to note that the Supreme Court was more willing to make specific pronouncements with regards to ad-hoc and contract teachers than the High Courts. For example, the Supreme Court held, in unequivocal terms, that untrained teachers in Jharkhand, appointed by the State with the promise that they would receive training, could not be penalized in terms of their benefits on account of the State Government's delay in providing the training. Similarly, the Supreme Court was critical of the Government of Haryana for failing to appoint regular teachers and, instead, relying on "guest teachers".[94] At the same time, the Supreme Court's ability to delve into the merits of the claims of contract teachers is limited as contract teachers and other teachers appointed on an ad-hoc basis do not have any statutory rights, and their appointments are done by the state education departments purely as administrative decisions. In general, contract teachers were not very successful in the 1990s and 2000s, as the courts maintained that these are policy decisions of the state governments. This was, for example, how the case that was appealed from the High Court of Madhya Pradesh, was viewed.[95] Here, the Supreme Court held that as the contract teachers had been appointed pursuant to an education programme and not pursuant to any statutory rules, they were not entitled to pay parity with other classes of teachers or even to the minimum pay scale. However, it is noteworthy that after the RtE Act and in 2014, the Rajasthan High Court ordered the government to do away with the system of contract teachers.

Grievances of Teachers in Aided Schools:

While not a dispute category in itself, the cases reviewed included grievances of teachers from aided schools. In Karnataka, the majority of the cases analysed involved aided schools.

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[94]Naresh Kumar & Ors. vs. State of Haryana & Ors, dated 30.03.2012.
[95]Gopal Chawala vs. State of Madhya Pradesh 2014(3)SCT56(SC).

Almost all of these were service benefit grievances and largely centred around three themes. One of the themes, which applied to several cases in Karnataka, related to how seniority was to be calculated for teachers in aided schools for purposes of determining benefits. In most cases, the question was whether aided institutions were liable to provide service benefits to employees calculated from the date of their appointment or from the date on which the institution in question started to receive grant-in-aid. In a landmark judgment decided in 2006 in *VTS Jeyabal and others vs. State of Karnataka and Others*,[96] the High Court of Karnataka held that employees of aided institutions were entitled to service benefits for the entire period from the date of their appointment, including the time when the institution was not yet admitted to receive aid. The Division Bench of the Karnataka High Court and the Supreme Court confirmed the decision in *Jeyabal* on appeal.[97] Several writ petitions in the timeframe of this study were disposed with directions to the State Government to consider applications as per *Jeyabal*.

This decision in *Jeyabal* and several other connected decisions placed the onus on the State Government to implement the grant of service benefits to teachers in aided schools from the date of their initial appointment. In one such case, the Government estimated the cost of implementation of these judgments to be around Rs. 7,000 crores to the exchequer.[98] Several contempt petitions were filed since the Government had failed to implement the orders on service benefits. Following this, the Karnataka State Legislature enacted the Karnataka Private Aided Educational Institutions Employees (Regulation of Pay, Pension and Other Benefits) Act, 2014. This Act essentially circumvents the court orders and provides that the service during the non-grant-in-aid period "shall not be reckoned for purpose of pay, leave or seniority."[99] The Statement of Objects and Reasons for the Act detailed the court orders on the retrospective provision of service benefits, but observed that there is "no justification" for granting such service benefits and further that such provision "would involve very huge financial implications to the state exchequer."[100] Therefore, the State Legislature has, so far, successfully circumvented all court orders regarding the provision of service benefits.

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[96] VTS Jeyabal v. State of Karnataka & Ors, WP. 19431/2005 decided on 13.10.2006.

[97] State of Karnataka & Ors, v. VTS Jeyabal, WA. 450/2007 decided on 3.11.2009; State of Karnataka v. Nagegowda & Ors, SLP(c) No. 22176-22186/2010 dismissed on 21.08.2013

[98] See The Hindu, "Government Concedes Aided School Teachers' Demand," 18 December 2013, available at http://www.thehindu.com/todays-paper/tp-national/tp-karnataka/government-concedes-aided-school-teachers-demand/article5472431.ece

[99] See Section 3(1), Karnataka Private Aided Educational Institutions Employees (Regulation of Pay, Pension and Other Benefits) Act, 2014.

[100] See Statement of Objects and Reasons, Karnataka Private Aided Educational Institutions Employees (Regulation of Pay, Pension and Other Benefits) Act, 2014.

Another theme involved the differences between sanctioned and non-sanctioned posts in aided schools. In some States, teachers holding non-sanctioned posts challenged the differential benefits available to teachers in sanctioned and non-sanctioned posts as a violation of equality under Article 14 of the Constitution. The High Courts in most States dismissed these petitions on the basis that it was a policy decision of the State. A final theme related to the status of aided schools. For example, there were a number of cases that revolved around the question of whether an aided school, that had stopped receiving grant-in-aid, was still required to pay the same kinds of benefits. The High Courts, in such cases, held that if a school had stopped receiving aid due to a lapse on its part, it could not stop paying teachers the benefits to which they were entitled.

Case Outcomes

The Table below displays the outcomes of decisions, both in terms of actual numbers and the percentage of cases that were decided in favour or against teachers in each of the eight states since 2009.

Table 9.3: Case Outcomes by State since 2009

State	Case Outcome					Total
	For Teachers	*For State*	*Remand to State*	*Partial Relief for Teacher[101]*	*Other/Misc. [102]*	
Jharkhand	75 (40.1%)	56 (29.95%)	42 (22.46%)	13 (6.95%)	1 (0.53%)	187
Karnataka	1880 (30.95%)	943 (15.92%)	2759 (45.42%)	53 (0.87%)	440 (7.24%)	6075
Madhya Pradesh	24 (15%)	90 (56.25%)	40 (25.00%)	3 (1.88%)	3 (1.88%)	160
Odisha	48 (64%)	7 (9.33%)	19 (25.33%)	0 (0%)	1 (1.33%)	75
Punjab & Haryana	131 (46.95%)	41 (14.70%)	80 (28.67%)	2 (0.72%)	25 (8.96%)	279
Rajasthan	85 (6.61%)	1181 (91.91%)	13 (1.01%)	6 (0.47%)	0 0.0%	1285
Tamil Nadu	192 (35.29%)	300 (55.15%)	35 (6.43%)	2 (0.37%)	15 (2.76%)	544
Uttar Pradesh	376 (32.81%)	491 (42.84%)	36 (3.14%)	175 (15.27%)	68 (5.93%)	1146
Total	2811	3109	3024	254	533	9751

As the above Table suggests, the outcomes of judgments were relatively evenly split between teachers and the state and there was no suggestion that the High Courts generally tended to favour either the teachers or the state respondents. On an aggregate basis, 31.88 percent of the

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[101] Refers to cases where the court granted some but not all of the reliefs sought by a teacher.

[102] Include cases which were disposed based on precedent (where the specific relief being granted was unclear) and cases that were either infructuous or the outcome was not clear from the face of the judgment.

cases reviewed were decided in favour of the State, 28.83 percent were decided in favour of teachers and 31.02 percent were remanded to the state respondents, with directions to consider the grievance and arrive at a decision.[103] While there were some states where either the state or teachers prevailed in a significant majority of cases, it is difficult to draw any inferences from this data as to whether certain High Courts were more sympathetic to teachers. Some of these results have been further skewed by large groups of clubbed decisions. The case of Rajasthan is particularly telling on this point as 788 petitions were all clubbed together and dismissed in one judgement,[104] which is largely responsible for making it an outlier among the states, with 92 percent of the judgments going in favour of the state.

However, the overall prevalence of the "remand to respondents" category (31.02 percent) suggests that in a third of the cases, the High Courts were not willing to pass any orders on the merits of the teachers' grievances. Instead, the court simply remanded the matter back for the relevant official in the state education department to consider within a specified period of time, sometimes with guidelines on how the petition was to be considered.

Disposal Periods

Calculating the time taken for a petition to be disposed by the High Court proved to be one of the more challenging aspects of the study, given the lack of data. Where data was available[105], we calculated the disposal period based on the time period in between the date of filing of a petition and the date of the judgment. The Table below provides the percentage of cases that were disposed in each state within the time period ranges specified (again, for cases disposed in the last five years).

Table 9.4: Disposal Periods

Time Period	JH	KN	MP	OR	PJ and HR	RJ	TN	UP
(months)	(percentage of cases disposed)							
0 – 6	3.39	11.92	20.41	10.14	22.28	6.78	25.78	20.6
7 – 12	6.78	7.40	6.12	21.74	4.95	77.12	8.01	6.45
13 – 18	8.47	8.51	6.12	1.45	2.97	0.09	7.32	10.42
19 – 24	8.47	23.64	6.12	4.35	0.99	0.75	5.57	9.93
25 – 30	3.39	17.36	4.08	42.03	54.46	1.41	3.14	2.48
31 – 36	1.69	0.24	4.08	0	1.49	12.05	2.79	2.98
37 – 42	5.08	3.52	10.20	1.45	1.49	0	4.18	1.99
43 – 48	6.78	12.00	4.08	4.35	0.50	0	5.57	1.49
49 – 54	3.39	12.31	0	7.25	0.50	0.09	2.44	0.99
55 – 60	0	0.24	2.04	1.45	0	0.09	2.09	1.99
60+	52.54	2.87	36.73	5.80	10.40	1.60	33.1	40.7

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[103] The remaining 10% of cases had outcomes that included partial relief or were disposed of without an indication of the particular relief (or lack of relief) being granted.
[104]Rajesh Kumar Meena and Ors.Vs. State of Rajasthan and Ors., 2013(1)CDR558.
[105] Out of a total of 9751 cases reviewed, starting dates were available for 7081 cases (72.6 percent).

The above Table shows that the High Court of Rajasthan had, by far, the best disposal rate – with 80 percent of cases disposed of within a year, and it is the only court, which could dispose of more than 50 percent of its cases within two years. Jharkhand had the slowest rate of disposal, with over 50 percent of the cases taking longer than five years (60 months) to conclude. Other states, with similarly slow disposal rates, were Madhya Pradesh, Uttar Pradesh and Tamil Nadu. Odisha and Karnataka disposed cases relatively quickly, though they still took more than two years to dispose of 50 percent of their cases.

The data also revealed that in many states, certain types of grievances were disposed more quickly than others. In particular, grievances relating to appointments, regularisation of existing appointments and disputes over examination standards were disposed relatively quickly and, in most cases, within two years. On the other hand, grievances relating to service benefits and retirement benefits took significantly longer to be resolved. This was, particularly, the case with regard to Madhya Pradesh, Rajasthan and Tamil Nadu. One interesting feature about the appointments, regularisation and examination standards cases was that they usually involved multiple petitioners as well as larger questions of state policy or challenges to orders that were applicable to a number of teachers. By contrast, most of the service and retirement benefits cases, with the exception of service benefit grievances regarding pay scale and seniority, involved very fact-specific grievances of individual petitioners. A combination of factors could be the possible reasons for this difference in disposal periods, including that more resources (including support from the teachers' associations) are poured into cases where multiple petitioners are involved and that it is in the interests of the state respondent to have these policy- related grievances resolved quickly.

The Way Forward

Teachers can use a number of different mechanisms for representation of their grievances issues and concerns. In most states, they can approach school Principals and various education officers at the Block, District and State levels for airing and resolution of their grievances. Additionally, in most states, teachers are members of unions/associations, which also interact with the state to represent the concerns of their members. In Uttar Pradesh, teachers have representation in the state legislative council, giving them an additional forum for discussion on teacher- related issues. Some states have exclusive dispute resolution tribunals for hearing and disposing of such matters. All these mechanisms are largely used for administrative issues such as deployment, salaries and transfers. So far, we have not come across information that would indicate that these mechanisms are also used for matters relating to teacher learning or student-related inputs or outcomes at the school level. Given

the lack of data, we also cannot comment on the distribution of grievances that are resolved through these mechanisms and those that are resolved through the courts.

In respect of the redressal of grievances through the court systems, disputes over appointments and service benefits dominated teacher litigation in almost all of the study states. To some extent, these issues are contentious for many categories of employees and potential employees and we could perhaps expect that these are the types of issues that have been and will continue to be vigorously litigated. At the same time, our analysis of High Court decisions involving teachers in the eight study states revealed some patterns that could suggest some ways forward towards reducing the volume of teacher-related litigation while at the same time ensuring that the legitimate concerns of teachers are addressed.

There were a large number of judgments that appeared to stem from confusion in the interpretation of the education and service rules in the state concerned. This was, particularly, the case with regard to the eligibility criteria for the appointment of teachers to various posts. There was, for example, confusion over the degrees required for appointments and whether certain degrees could be considered equivalent to one another. Another common area of confusion was over the state governments' implementation of the guidelines on teacher qualifications that the NCTE had formulated in the light of the RTE Act. These cases suggested that a number of state governments were unclear on the weightage to be given to the Teachers Eligibility Test (TET) in selecting candidates for posts, the date from which the criteria laid down by the NCTE would apply and the level of relaxation that could be granted to reserved category candidates. Yet another frequent bone of contention with respect to appointments related to the rules followed *during* the selection process for candidates. Indeed, in some states, including Punjab and Tamil Nadu, there were cases where the rules for selection were changed after the process was underway.

Similarly, there appeared to be much confusion on pay scale and calculation of seniority under the service rules for teachers in the different states. Adding to this confusion was the fact that there were often different rules for different types of teachers as well as different types of schools (for example, for primary and secondary schools). As a consequence, there were a number of cases where teachers approached the courts to extend government orders on service benefits that related to one category or group of teachers to the group to which the petitioners belonged as well. In 2013, the Madras High Court disposed 133 petitions from government schoolteachers in relation to salary scale, all of which were based on a claim that

another group of teachers were getting a higher pay scale.[106] We believe that clearer rules on these issues would go a long way in helping teacher applicants understand the appointment eligibility criteria better and in helping teachers understand the benefits to which they are entitled.

There were a number of cases with remarkably similar fact patterns that were heard by the High Courts. The Madras High Court heard several different petitions from qualified computer science teachers who challenged the appointments of what they termed "under-qualified" computer science teachers in the state's government secondary schools. Similarly, the Jharkhand High Court heard many different cases of "untrained" teachers who challenged orders of the State denying them increases in their pay scale on the grounds that the state had not provided them with the training they had been promised. In all of these cases, a lot of time and costs of teacher-related litigation could have been saved if the State Governments had implemented the decisions of the High Courts for all similarly situated teachers rather than waiting for individual teachers to approach the High Courts in turn to get similar benefits.

The analysis done on issues raised in this chapter indicates that there is scope for reducing the volume of both grievances raised with the state education department as well as grievances that are litigated. This can be done by improving existing administrative processes, especially with regard to clarity on rules and regulations, their interpretation and dissemination, and, to some extent, delegation of powers and skills to education officers at the sub-state levels. The following two observations clearly show that often times, litigation, too, cannot determine the outcomes of rules and regulations, and that their ultimate resolution lies within the education department.

First, in analysing the outcomes of decisions, it is worth noting that a common response of the High Courts in many cases was to simply remand the matters back to the state authorities to consider. This practice of remanding some matters is based on a concept in administrative law that a court cannot substitute its judgment for that of an administrative body. The heavy use of remand is, perhaps, understandable, with courts often taking the view that they were not the best placed to make decisions on interpreting the eligibility criteria for appointments or the calculation of pay scales. Yet, the prevalence of decisions being remanded reveals that nearly a third of the judgments that were disposed by the High Courts did not actually result in closure of the disputes for the teachers involved and may have only set off another cycle of

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[106]*S. ArulappanVs. The Government of Tamil Nadu*, W.P. 4505 of 2012 and others, decided on 13.11.2013.

teachers making representations to the state authorities and then challenging their orders in the courts (though we do not have any information on the extent to which this actually happens in practice).

Second, given the large number of relatively uncomplicated cases that are filed in the High Courts and often languish in the courts for several years, it is worth asking if the grievance redressal forum established by the state education departments may be used more effectively to shift some of these types of matters out of the High Courts altogether.[107] We believe that both the grievance redressal sessions, carried out through state education department officials, as well as dispute resolution tribunals, offer interesting and useful possibilities in this regard. While the grievance redressal drive may provide teachers with a more accessible and, in the case of straightforward matters, efficient grievance redressal forum, they are often limited in terms of their mandate. The officers at the block and district levels cannot resolve issues related to eligibility criteria for appointments or other issues that require an interpretation of the relevant rules. In addition, any challenges to existing government orders (for example, an order on promotion or pay scale) will have to be made in the High Court or a tribunal. Another constraint is the lack of a clear definition of the procedures for these grievance redressal mechanisms and the lack of documentation of cases means that it cannot be seen whether justice is being done or whether further disputes could be avoided by following the decisions in a given grievance. On the other hand, dispute resolution tribunals could resolve a wider array of disputes and, thus, replicate the function of a court more closely, but, unless given sufficient resources and a clear mandate, could suffer from similar delays and pendency of cases that plague the High Courts.

While further research is needed on these grievance redressal forums, using a combination of both these systems could be a means of providing more accessible and efficient grievance redressal while, at the same time, reducing the burden on the High Courts.

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[107] It is also worth noting that, during the preparation of this research, many department officials complained about the amount of time they had to spend in attending to litigation cases before the courts.

Annex to Chapter 9

This chapter is based on information generated through (a) state level reports which uses data from the state education departments (including focus group discussions and interviews with officers, teachers and their representative), and (b) on an empirical study of teacher grievances that were considered serious enough to be escalated to the courts.

The study of the redressal of teacher grievances, through the courts, entailed an analysis of over 9,000 judgments involving teachers in primary and secondary government and government- aided schools since 2009 from the High Courts across eight states in the country.[108] The judgments were largely obtained through searches on online databases and all relevant judgments, that the searches revealed between the period January 2009 to June 2014, were reviewed. In addition, some of the judgments reviewed were also collected from the education departments in the study states.

The cases revealed by the database searches may not cover every single reported judgment in the High Courts of the relevant states as there are limitations inherent in any keyword search. In addition, there are a number of cases that are not reported and do not find their way to online databases. For the above reasons, we do not claim to have done an exhaustive review of all High Court cases that involved teachers of government and aided schools in the eight states studied. Further, it is important to note that the judgments only provide a picture of the cases that have been disposed of by the High Courts and do not give any indication of those cases that have been filed and are pending before the courts. However, despite these limitations in the data, we believe that our searches did yield a broad cross-section of the types of grievances involving teachers in the nine States between 2009 and July 2014, and are, therefore, helpful in providing an accurate picture of (a) the different grievances that cause teachers to approach the High Courts and (b) how these grievances are managed and resolved in the High Courts.

The decision to focus on high court judgments as opposed to judgments of the lower courts (that may be more accessible to teachers and, as a consequence, present a more representative picture of the spectrum of teacher- related disputes) was initially based on the availability of data. Reliable data on disputes decided by the district courts and lower courts are not

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[108] The eight High Courts studied were Jharkhand, Karnataka, Madhya Pradesh, Odisha, Punjab and Haryana, Rajasthan, Tamil Nadu and Uttar Pradesh. While Mizoram was also included in the research, it has been excluded from these findings as our database search revealed only five cases of teacher-related litigation that reached its High Court, making the sample size too small for comparative purposes.

available and cannot be searched on online databases. However, the High Courts are indeed the right forum to study because a majority of teacher-related grievances are filed as writ petitions in the respective High Courts, making the High Courts the courts of first instance for many of these disputes. In some states, specialised tribunals may be the first forum to hear grievances of teachers, but even in those cases, teachers have the right to appeal against the decision of the tribunal in the High Courts. Thus, the focus on High Court cases provides a good description of the spectrum of teacher-related disputes that escalated to the courts.

CHAPTER 10: UNANSWERED QUESTIONS

Travelling across the nine states and meeting teachers and administrators was an enriching experience. We realised that there is no ambiguity on some basic requirements for teachers – they are expected to attend school every working day, teach students for an expected number of hours and take responsibility for the learning of their students. Teacher salaries have gone up significantly in the last twenty years – from the Fifth Pay Commission (1994) to the Sixth Pay Commission (2006). All the regular teachers we met said they are happy with the pay scale. The last 20 years have also witnessed significant developments in school infrastructure as well as general infrastructure (roads, communication, electricity, water). The government has also paid attention to teacher working conditions like pupil-teacher ratio, provision of teaching and learning material and availability of libraries and books. It is not as if nothing has happened by way of addressing the needs of teachers. In most states, we asked the teachers if they had seen improvements in their overall status and working conditions – and the answer was affirmative from regular teachers.

All this notwithstanding, there is a sense of disquiet across the country, a sense of despair when we talk about our schools, our teachers and the learning of our children. Those who managed our schools, provided resources and actually taught in them had little faith in the government school system. Not one teacher we met sent their own children or grandchildren to a government school! Administrators avoided government schools for their own children and grandchildren. Political leaders sent their children and grandchildren to high-end English medium private unaided schools. Even after 20 years of reforms, teacher absence remains an important concern, actual teaching time also worryingly low and, most importantly, the very low learning levels of our children means they do not have a strong educational foundation for their future lives. In several states, people talked in hushed tones about proxy teachers.

Another unstated issue that we all sensed is the attitude of the administration towards government schoolteachers. Across all levels, we noted that teachers are seen as a government servant at the bottom of a hierarchical system. By virtue of their administrative role, officials exuded a sense of superiority. Teachers were not always seen as professionals who are at the forefront of the work that the education system is supposed to do.[109] The relationship between teachers and administrators is contentious, with both of them trying to work the system in their favour. It is, perhaps, not surprising that promotions are eagerly sought after.

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[109] Unfortunately, this is not the case with teachers alone – evidence from other sources indicates that medical professionals (doctors, nurses) also experience the same attitude.

At another level, we heard that leadership of the education department – administrative as well as political – is not a sought after portfolio. In many states, the heads (political and administrative) have been weak / unstable and disinterested. This, we heard, is perhaps responsible for the lack of administrative and political will to bring about systemic reform in the education sector. Social movements of disadvantaged groups like Scheduled Caste, Scheduled Tribe and Muslims have not actively engaged with educational issues – this is ironic because it is the poor (among them overwhelming proportion of SC and ST) who attend government schools. While our policy says that education should be used as a tool for social equality – the government school system that caters to the poor and marginalised – is crying for an overhaul.

A study like this one is focused on the working conditions of teachers but it has thrown up issues that remain unanswered. In this chapter, we have attempted to articulate some of them.

Intent and outcome

We started this research study with a list of research questions. As we look back at the research process and the insights that we gained, we realised that there are a number of unanswered questions, there are significant data gaps and, more importantly, it is not always possible to get verifiable information on issues like rent-seeking, patronage networks and the invisible undercurrents that run through the system. We wanted to delve deep into the gap between policies and practices. We were also keen to understand the informal system as it operates on the ground.

Let us start with one example. On 20th December 2014 – as we were winding up this study – the Rajasthan government announced that the recruitment process for 12,000 subject teachers (mathematics, science and English) has been completed and that the appointment orders were issued[110]. This was reported in all the newspapers. However, the news item also mentions that no joining date had been specified (there is, instead, an open- ended appointment letter).As a result, all the teachers who were assigned to rural / remote schools are ensconced in Jaipur or Bikaner to get their appointments reviewed. Most of them do not want to go to rural areas or to the difficult districts. Apparently teachers posted in rural areas get a lower house rent allowance, do not get city compensatory allowance and, over and above these factors, they have to spend from their own pockets up to Rs.30,000 every year to travel from the nearest town to their school. Instead of incentivising teachers to go to rural areas, the pay structure

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[110] Dainik Bhaskar, Jaipur, 21st January 2014

does exactly the opposite. How do teachers change the appointment letter to work in their favour? This question invariably elicits a smile and "you know how" comment. Research studies like this can, at best, provide qualitative or anecdotal information on such topics. They cannot provide verifiable documentation of this process as it operates at a subterranean level, away from the glare of researchers.

This was a hurdle that we faced across the country – while it is possible to get the policies and government orders and to interview officials and teachers – it is not possible to record the comments and discussions of teachers and administrators and use it as evidence. We have to use conjectures; a few quotes (where teachers / administrators permitted us to do so) and we tried to read between the lines.

The second issue that was staring us in the face has to do with "working conditions". The data that we have on infrastructure and facilities does not tell you about the actual condition. In most rural schools, having a "pucca" building, drinking water source and toilet may not mean much if the building is in need of repairs, the floor is uneven and broken, the windows are small, the room is dark and there is no electricity (because of power shortage or because the school has not paid its bills or that they do not have funds to purchase bulbs). Children sit on the floor and the teacher may have one chair and no table. Perhaps the school has few teaching-learning materials and the library is locked (because teachers are afraid of the annual stocktaking – when they are asked to pay for the missing books). If posted in a rural school that is not easily accessible by public transport, teachers have to travel long distances every day. They come late and leave early and even if they want to stay in the village, they do not find proper housing.

The DISE and UDISE are not geared to collect information regarding teachers' working conditions. The data tells us (for example) whether there is a black board and a toilet – however, the data does not mention if the teachers have a table and chair, if they have a place to store their teaching-learning material, if there a common room or staff room and, most importantly, if the teachers have access to basic sanitation facilities. Enabling teachers to work with dignity is essential and some of the above facilities are important to give teachers the confidence that the system cares about them. One could ask if teachers are just a human resource or a human being with self-respect and need to be treated with dignity and care.

Another issue that came up in most interviews and discussions was the actual number of teachers who are available in the school on most days. The discussions on teaching and non-teaching duties, on formal and informal leave of absence, deputation to a urban locale or to an

administrative post (while formally appointed to a school) and, most importantly, the actual number of days that is "officially" spent on non-teaching / non-education tasks invariably goes round and round. Several studies (World Bank, 2014, Ramachandran et al 2008, Anuradha De et al 2001, PROBE report 1999 and 2011) have tried to map the work teachers' do. In the last few years (since 2007), the DISE data also captures the non-teaching duties of teachers (reference). Yet, teachers insist that this is an underestimate and that they actually spend more time. Administrators insist that this is not the case, and post RtE, the non-educational duties of teachers have come down. As discussed in the report (Chapter 7), teachers view educational tasks like CCE as administrative work! Administrators point out that CCE is an integral part of the teaching responsibilities of teachers. This is one area, which raised a lot of questions.

Working conditions of teachers is a complex issue and it is not possible to capture all dimensions using DISE or UDISE data. More in-depth school-based qualitative studies are required to enable us to unravel the complex interplay of location (rural/urban, state-specific, tribal/non- tribal areas, desert areas, border areas), connectivity (transportation), infrastructure (roads, housing) and other issues that have a direct bearing on the working conditions of teachers in India. We have just touched the tip of the iceberg in this study.

What constitutes policy?

Another obvious issue is to do with policy. During the in-house presentation of a draft of this report to a peer group, we were asked what according to us is a "policy". Apparently, for over 100 years, most state governments have something called an education code. The British introduced this during the colonial times. Apparently this code clearly specifies many of the parameters related to teachers – number of working days, their roles and responsibilities and, most importantly, maximum/minimum age for recruitment / retirement. For example, in Uttar Pradesh, the Education Act of 1921 provides an overarching framework. After Independence, the state government has issued several orders and many of them make a departure from the 1921 Act. However, on matters that have not been covered by subsequent government orders, the 1921 Act continues to be the guideline. However, when we scanned teacher recruitment and teacher transfer policies, we found that several states issued annual Government Orders that were not necessarily aligned to any overarching "education code" or policy document. Therefore, this study surmised that states like Punjab, Jharkhand, Rajasthan and Uttar Pradesh do not have "policies" that frame teacher recruitment and deployment. In some states like Punjab, the age norms were altered with each new recruitment process. Rajasthan government periodically bans transfers and when they open it up, thousands of teachers are transferred in one stroke – this is not informed by the Education Code of Rajasthan. The situation in

Jharkhand is unclear – the vacancy rate in elementary school is as high as 40 percent and the government has decided that all new recruitments will be of contract teachers[111]. There is no policy that seems to guide these decisions – even though technically, Jharkhand continues to retain many of the undivided Bihar policies (Bihar Primary Education (Amendment) Act, 1959).

Therefore, the question that begs attention is "what constitutes policy?" In this study, the researchers looked for a comprehensive document of the government that spelt out the norms for recruitment, deployment, transfer, retirement and so on. We also tried to match recent government orders for recruitment or transfer with the "policy". Where such a document was missing and where each new notification for appointment or transfer set out a new norm or new eligibility criteria – we concluded that practice in the state was not guided by policy.

Enabling circumstances for clear policy and transparent processes

As we look at teacher management issues in this diverse country, some aspects appear prominent – some states seem to have clearly laid-out policies, have set in motion transparent processes for recruitment and transfer, and, by and large, the teachers we interacted with seemed happy about the system. Yes, they continue to complain about delayed reimbursement of travel claims or in getting retirement benefits – but on the whole, they were happy that they did not have to lobby or pay for transfers and postings. Karnataka, Tamil Nadu and Madhya Pradesh fall in this bracket. There were other states where teachers were restive and unhappy – they talked about lack of transparency in deployment of teachers to schools, the importance of nurturing patronage networks and, in some states, they openly divulged the amount they had paid to get a transfer or to prevent a transfer.

What were the political and administrative circumstances that led to the development of a transparent teacher deployment and transfer system? In 2009, a team of researchers tried to understand the system in two diverse states – Rajasthan and Andhra Pradesh (Sharma, Rashmi and Vimala Ramachandran 2009). "*The most important advantage that Andhra Pradesh had over Rajasthan was with respect to its teacher- related policies. Andhra Pradesh had a well-developed system of teacher recruitment against the wavering policies in Rajasthan… In Rajasthan, teachers' transfers were regarded as ways of 'obliging' teachers who were close to powerful people, or were doled out as rewards (and punishment) for services rendered such as assistance in political campaigns. Subsequently, such teachers*

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[111] As a latest decision of the state government (dated 10th July 2014) 50 percent of vacancies are to be filled through contract teachers with same qualifications and training parameters outlined for regular teachers.

were rewarded with 'good' postings or protected even if they neglected their work. In Andhra Pradesh, a similar situation appears to have existed until 1998, when the Andhra Pradesh government decided to regulate teacher transfers through the process of 'counselling', a process which entails a transparent allotment of postings based on pre-determined criteria… The then chief minister of the state projected a pro-development, modernizing image. Rationalization of teacher transfers was in accordance with this image, and at the same time, it cut at the patronage distributing power of the local zila parishads and reduced their importance. As the then chief minister was a dominant figure in his party, it was possible for him to push this agenda through, despite some resistance from other members of his party. Once counselling had been put in place, pressure by strong teacher unions in the state made it difficult to reverse it.(p.119 to 114)"

Discussions in Tamil Nadu and Karnataka for the preparation of the present study also reveal that the reform was led by a combination of a strong Chief Minister, who has the full backing of his/her party, and desire to introduce transparency at different levels to regulate rent-seeking opportunities of officials / elected representatives, and a group of creative and efficiency-oriented administrators. Karnataka made its first attempt in the 1990s and evolved a transparent teacher transfer policy. This lasted a few years and was withdrawn. It was reintroduced in 2007 and has remained in place till now. It was also noted that in all the three states, reform was not confined to the education department alone and rapid economic development created other opportunities for employment outside the government and within the government. For example, Andhra Pradesh and Karnataka saw a massive IT boom in the 1990s and Tamil Nadu also experienced rapid industrialisation during the same time. In all the three states, government jobs as schoolteachers was no longer the only available opportunity for educated youth. In contrast, in states like Uttar Pradesh, Jharkhand, Rajasthan and Odisha, teaching positions in government are among the largest job openings for educated youth. As a result, the pulls and pressures are many and political leaders and administrators see teacher appointments and transfers as an opportunity to strengthen their patronage networks.

Powerful Chief Ministers of Madhya Pradesh and Odisha also drove administrative reform. Discussions with administrators and teachers reveal that the political leaders in these two states (the CM) publicly committed themselves to "good governance". The current regimes in these two states have been voted back to power for three consecutive terms – consequently, both these states have had at least 15 years of stable governments. Beyond these broad trends, this study has not been able to give us any further insights.

What emerges from a comparative study of the nine states is that in states that do not have a transparent policy and process, the aim appears to be to keep "personnel policy out of the spheres of public and political scrutiny" (Rashmi Sharma and Vimala Ramachandran 2009). When the transfer process is opaque and no one takes responsibility for it, and when transfers are done for 'administrative reasons' (not as per the stated policy) – then one could assume that it is done for reasons that cannot be clearly stated. Unfortunately, when such transfers are done it does not come under the scrutiny of either the legislative committees of the state or the public. "*The important point here is that the problem of transfers needs to be seen not in terms of the politics-administration divide and other policy- related arguments, but in terms of a process that does not follow any publicly stated and owned criteria or policy.*" (Rashmi Sharma and Vimala Ramachandran 2009)

A far more in-depth study would be required to explain the combination of circumstances that led to a more transparent system in some states and why some states continue to manage with ad-hoc systems and annual changes in norms and practices. But this study has demonstrated, beyond a doubt, that it is possible to develop and implement transparent systems and there are readily available models to emulate; what remains is to understand how to generate the political will to do so.

Role of teacher unions in influencing policy

This study provides us a few glimpses of the role played by teacher unions. The Madhya Pradesh report is particularly rich on the dialogue between the teacher unions and the state and the pressure exerted by the union to reverse the contract teacher policy of the state. This is not the case with the other eight state reports. Researchers and teacher union leaders said that one would have to do a listing of teacher-union led strikes and struggles and juxtapose it with policy pronouncements (especially with respect to teacher recruitment, deployment, professional growth and development and grievance redressal) of the state government. A more in-depth qualitative study would be required to trace the role played by teacher unions in policy formulation.

Roots of administrative inefficiencies

When we asked teachers about delays in promotions or delays in getting increments, teachers said that it was due to bureaucratic apathy and inefficiency. In several states, the teachers talked about how their ACR / Service books are not updated in time, and that they may even be lost. In most states where the ACR is maintained at the block or district level, the education officers do not have adequate space for keeping teacher records. The office of the DEO or BEO is cluttered and we noticed that teacher service books might even be dumped in

a gunny bag in a storeroom. Thus, when teachers need to retrieve their service books, they have to search for it or create them afresh. This is an issue that has nothing to do with policy – but one of indifference to vital service- related records of teachers.[112, 113]

Discussions with administrators reveal the other side of bureaucratic inefficiency. They all told us that the numbers of schools and enrolment have gone up and that the overall size of the education system has grown by leaps and bounds since 1990. However, the size of block, district and state-level offices has remained almost the same. Equally, when new centrally-sponsored projects were initiated by GOI, separate / parallel structures like DPEP Society / SSA Society were created. This, effectively, divided the education system into two – project structures and line departments. What DPEP and SSA did not do in most states was to strengthen the mainframe education administration. As a result, while the numbers and the types of teachers increased, there was little administrative capacity to manage them efficiently. Existing capacity was further stretched by the additional complexity of service rules and conditions introduced by these central schemes.

Another related issue that came to light was a change in the attitude of administrators towards teachers, who were perceived as those at the lowest rung in a hierarchical bureaucracy. The respect teachers had in society and in the system was eroded through the 1990s – especially when governments started hiring unqualified youth as contract teachers / para teachers. The growth of the teaching force was haphazard and ad-hoc. The system chased numbers and, gradually, started ignoring the pivot of the system – teachers.

Some states have tried to address this issue by bringing in comprehensive policies for the management of teachers and some others have recently reversed their ad-hoc recruitment policies. The fact remains that the last two decades of rapid growth affected the teaching force in many ways. This is an area that merits further research and this study has just touched the tip of an enormous iceberg.

Performance appraisal versus assured career progression

As discussed in Chapter 8, there is no shared understanding of what we mean by "good teacher performance" – especially in the post- NCF 2005 era, where teachers are expected to be facilitators, and the post- RtE era, where children's right to education also entails the right

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[112] We were not in a position to investigate whether the availability of the service records of educational administrators is significantly better than that of teachers whom they supervise.
[113] And technical solutions are available: Bihar, for example, has just completed a Teacher Education Management Information System which maintains the service records of all teachers through a web-based platform.

to be taught in an environment without fear or punishment. While many states take examination results as a performance benchmark at the secondary level, there is little clarity on how to assess quality of teachers at the elementary level. Some states like Mizoram have an elaborate performance appraisal system on paper – however, the administrators / teachers / head masters, who are expected to work on it actually, do not follow the process that is detailed in a government order. Therefore, even where there is a system on paper, it is not followed because of (a) fear of disputes and controversies, and (b) lack of knowledge on how to do it in a transparent manner.

International evidence shows that it is possible to make reliable and consistent judgements about the performance of teachers even if they are 'subjective' (i.e., based on observations of classroom practices). This is possible because of intensive and long-term training for those managers/head teachers, who make such judgements, and of teachers, who are being evaluated (so that they understand the process and know how to improve their performance). It is also most likely to be possible in a system in which there is professional respect between the various groups; not something that generally is possible in such a deeply hierarchical system. Just as teachers need support to consistently and fairly evaluate their pupils, so too do head teachers need support to fairly and consistently evaluate the teachers they supervise. Making reliable and evidence-based judgements about teacher performance is not easy – but it is possible and, moreover, it is essential in order to help teachers improve their performance and to identify those teachers who should be removed from the teaching profession.

Teacher unions have been arguing for an assured career progression system – which, essentially, means that teachers would be on an automatic promotion track. How is this to be reconciled with a teacher management system that recognises merit and with the right of children to be taught? This is another area that merits further research.

What role do teacher associations and unions play?

At the outset, this study tried to interview teacher union leaders and invited the unions / associations to participate in a workshop to share the first draft of the state reports. Teacher union leaders participated in all the meetings and attended in large numbers. In almost all interviews and discussions, they said that they did not really engage with recruitment or transfer policies. They petitioned the government on specific issues. For example, in Odisha, they were concerned about the unclear status of teachers of upper primary classes – some of them are part of the elementary cadre (thus earning less) while others are in the secondary cadre (earning more). In Tamil Nadu, the union leaders were more concerned about non-

teaching duties[114] and had a problem identifying the right officer to address it. They also petitioned the government to provide a cleaner in all elementary schools to maintain the toilets and the school. In addition, they said they take up specific issues related to language teachers (promotional avenue), no detention policy, CCE, and abolishing the trimester system and reverting to annual examinations. In Mizoram, however, the teacher unions were actively engaged with the administration on policy issues and also, simultaneously, on addressing grievances of the teachers. In Rajasthan, Uttar Pradesh, Jharkhand and Punjab, the teachers' unions expressed concern about the non-transparent system for teacher deployment and transfers, but were not engaged in any discussion on new policies and practices. In Rajasthan, the teachers have been demanding a teacher transfer policy but teacher union leaders were not sure if they really wanted a transparent policy. They were also not aware of the systems that existed in Tamil Nadu, Karnataka and Andhra Pradesh.

In most states, we asked if the teachers and teacher union leaders who participated in meetings sent their own children to government schools. In almost all the cases they said no. Interestingly, among the reasons they cited for sending their children to private school was that they did not want their children to mix with "all kinds of children who come for welfare schemes" and that they wanted their children to study in English medium schools[115].

Effectively what emerged in this study is that teacher unions mostly confine themselves to petitioning government on teacher grievances and, sometimes, resort to protests and sit-ins (*dharna*). In this study, with the exception of Madhya Pradesh, we could not go into the role teacher unions have played in bringing about change in policy that affects teachers or even in the complicated process of lobbying for transfers and cushy postings. This remains an unanswered question and may have to be taken up independently.

Downstream and upstream impact of Teacher Eligibility Test (TET)

One of the important insights that we gained from this study was that all nine states have adopted the RtE- recommended Teacher Eligibility Tests (TET). They have also adopted the RtE- mandated and NCTE- stipulated entry qualification of teachers. We have also shown, in an earlier chapter, that the percentage of successful candidates remains extremely low. In some states like Madhya Pradesh, the availability of qualified candidates remains a major bottleneck in filling reserved seats (SC and ST). However, what this study does not tell us is how effective TET has been in improving the quality of the teaching cadre? Does it help the government hire better teachers – can they get teachers who have mastery over their subject

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[114] Record of state workshop held on 27 August 2014, Chennai.
[115] Notes and minutes of state- level workshops in the nine states by Vimala Ramachandran

knowledge, their pedagogy and, most importantly, do they have the right aptitude? Given that most states have had to relax the norms for examination or percentage marks required to qualify, is the TET setting a benchmark for teacher education programmes? Does it have a backward impact on D.Ed. and B.Ed. institutions? Have these institutions started screening candidates based on their mastery of subject knowledge? The general impression of different stakeholders we spoke to (administrators, educationists and teachers) is that the TET has led to the recruitment of more "knowledgeable" and better qualified teachers. However, this study was not designed to assess the "quality" of teachers recruited.

Moreover, in none of the nine states was there discussion of using the TET results to inform pre-service training practices, including curriculum reform and comparing the pass rates of different pre-service training institutions. Finally, very little is known about the quality of the TET itself in the different states. Some grievance cases, for example in Tamil Nadu, relate to the ambiguity of the test questions or scoring sheet – delaying the whole appointment process. Beyond this, are more technical questions about whether the TET accurately measures the knowledge and skills it claims to; whether it does so consistently over time (is a 60 percent pass rate equally hard to achieve in successive rounds of the TET?); and whether the design of the test enables clear distinctions to be made around the passing score (since it is much more important to be confident that there is a real difference between a candidate who scores 59.9 and one who scores 60.1 than between 89.9 and 90.1 or between 9.9 and 10.1).

A dedicated study is needed on the process of TET, its impact both downstream (on secondary / higher secondary schools, teacher education institutions) and upstream (on schools where teachers with TET are appointed). This remains an unanswered question that merits urgent and immediate attention.

Equity, inclusion and gender

What we know from educational statistics is the number of women teachers, percentage of teachers from SC and ST communities and, lately, some information on Muslims. The earlier chapters showed unambiguous and significant progress in all states in terms of hiring more teachers from these categories. What we do not know and could not explore is the unstated norms and rules that pervades the system. To take one example cited in the introductory chapter, in Rajasthan, there is an unstated norm to post only male teachers as headmasters of co-educational schools and female teachers as headmistresses of girls-only schools (Jandhyala et al, 2014). There could be similar unstated practices in all the states with regard to career progress opportunities of women or of specific social groups. A more in-depth qualitative

study would, perhaps, enable us to unravel the unstated norms that impact on equity and inclusion.

Another interesting glimpse has been on the participation of women teachers in training (especially when it is residential), to be promoted as resource persons at the block or cluster level, or be sent to the DIET or become an educational administrator. It is likely that the barriers to career mobility are different in the different states – with states like Karnataka and Tamil Nadu revealing fewer barriers than say Rajasthan and Uttar Pradesh. This is yet another area that merits more detailed research and remains an unanswered question.

Pre-service training

The results from the different TETs indicate that there are some serious concerns about the quality of in-service training providers. During the course of preparing this study, we heard lots of anecdotal evidence about the poor quality of private providers, which constitute the vast bulk of pre-service provision. But we are not aware of any study that has looked at the relative performance of different teacher training institutions on the state TETs. This could have the potential to help state governments regulate the sector more effectively; and improve the quality of government institutions. At the very least, such a study would enable important questions to be asked about the link between the curriculum and pedagogy used in training institutions and the performance of candidates on the TET.

Do teacher policies result in more effective teachers?

The ultimate test of the effectiveness of teachers is whether the children they teach – *all* the children they teach – are able to reach their educational potential. Whether teachers teach in the most effective ways is determined by a complex set of policies and practices and how they interact with the personal characteristics of teachers and administrators. This study has examined some of the most important of these policies and practices, from the selection of teachers to the accountability for their performance. Moreover, the value of the present study is that the multi-state approach offers comparative insights.

As stated in the introductory chapter, however, we have not attempted to answer directly the question as to whether India has effective teachers. But given the importance of this question, we return to see what light this study can throw on this centrally important question.

The first thing to note is that across many policies, all nine states have very similar approaches: for example, the use of the TET, broadly following NCET guidelines on teacher

qualifications, the use of quotas in selection, the lack of performance evaluation of teachers (and head teachers), the absence of merit considerations in promotions, and the lack of role of schools in the various processes. On the face of it, the last three practices would not seem to promote a link to effective classroom teaching practices, and we have raised questions in this chapter about the need to explore these other approaches in more depth.

Second, the two areas in which states differ most markedly is in respect of the processes for deployment and transfers of teachers, wherein some states are clearly more policy-driven and have a more transparent system, and the salaries which teachers are paid. Are teachers, who are managed with respect and care, more motivated than teachers who are pushed around by the system? What are the major differences between Tamil Nadu and Karnataka, on the one hand, and Uttar Pradesh and Rajasthan, on the other? Does the former have more effective teachers in the classroom? Is the deployment and transfer system enough to make a significant difference in the performance of teachers in the classroom? One measure would be teacher absence rates. Here the evidence is, to say the least, mixed: with Karnataka amongst the worst performers (at 80 percent in primary) alongside Uttar Pradesh (78 percent).

Table 10.1: Pupil and Teacher attendance rates, 2013

State	Average pupil attendance rate (primary)	Average pupil attendance rate (Upper primary)	Average teacher attendance rate (primary)	Average teacher attendance rate (Upper primary)
Jharkhand	67	65	91	91
Karnataka	89	89	80	79
Madhya Pradesh	76	73	84	80
Mizoram	93	95	89	81
Odisha	77	78	90	88
Punjab	82	92	85	82
Rajasthan	71	74	85	77
Tamil Nadu	91	92	89	85
Uttar Pradesh	65	63	78	78
India	76	78	84	81

Source: Independent study by Ed.CIL 2013, as reported in Ministry of Human Resource Development 2014, 'The Right of Children to Free and Compulsory Education Act, 2009'

We have some evidence about the teaching practices in M.P. and U.P. and the attitudes of teachers towards teaching and towards the learning processes, based on the work carried out for the World Bank study. But we are not in a position to compare the practices found there with other states in this study; this would be a very valuable exercise. The focus on how

individual teachers are behaving in the classroom is the key dimension and leading indicator of student learning outcomes.[116]

Conclusion

This study has given us some insights and some unanswered questions – leaving researchers wondering why there has been so little work in the field of teacher management in India. We know what does not seem to work but are yet to understand why some strategies work in some places and not in others. While context does certainly matter and each state has its own administrative and political specificity, the challenge for researchers is to understand how and why the system works and enables key stakeholders to engage with these issues. That is the first step to search for ways and means to turn the system around.

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[116] It is tempting also to look at student learning outcomes as a measure of the success of the teacher management system. Here we would be a little more cautious. We know from studies in India and in many other countries that student learning outcomes are the results of a complex combination of factors, of which teachers and the classroom environment are a subset - one that does not explain all the variations in student performance (the family characteristics of students tend to be very important also).

CHAPTER 11: SOME IDEAS THAT WE CAN TAKE FORWARD

This chapter attempts to capture some ideas that emerged during the course of the study by way of recommendations. This study has shown that the broad guidelines drawn up at the national level (such as the qualifications for teachers set by NCTE and the development of the UDISE database) have had and will continue to have an important role in facilitating a dialogue on issues related to teacher management. That being said, the vast majority of teachers are state government employees, and it is states that ultimately determine teacher recruitment and deployment policies, finance salaries, decide promotion criteria and provide these teachers support in the form of professional development and grievance redressal structures. As a result, the primary onus of reforming the teacher management system falls on the state governments, which must incorporate these national developments into state policy and practice.

The overwhelming message emerging from this study is that there is an urgent need for each state to develop a comprehensive teacher management policy — one that includes a clearly laid out recruitment protocol, transfer regime and clear guidelines with respect to related matters like teacher deputation to non-education duties (as Block or Cluster level administrative official), education- related duties (into DIET, CRC and BRC, as key resource person) and promotion (as Head Master / Head Teacher). But a comprehensive policy is not enough; it needs to be supported by structures that allow practice to follow in a transparent manner, reducing the stress, delays and confusion associated with non-transparent processes. This chapter identifies five key teacher management issues state governments should focus on to improve their school education systems. The five issues are related; changes in one are likely to affect others. Where available, we provide examples from states where key problems in management, such as opaque and time-consuming transfers, have been addressed.

Streamlined and transparent recruitment and deployment

Our study suggests that barring two exceptions, Karnataka and Tamil Nadu, teacher recruitment, deployment and transfers are relatively ad-hoc processes across states, often subject to political influence. This ad-hocism and uncertainty has given teaching a non-serious reputation, discouraging applicants from investing systematically in building pre-service teaching skills, and attracting applicants with little long-term interest in teaching in these states. In contrast, in Karnataka and Tamil Nadu, teacher recruitment, deployment and transfers share certain common features: (1) there are clear policies for each; (2) the processes are transparent and largely conducted on-line, using sophisticated software and management

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information system; (3) there is a clearly defined timeline for the process of recruitment and transfer, which is stable across years; and (4) teachers at the elementary level (where most cases of corruption are reported in other states) are a block-level cadre, with considerable choice in their first assignment. Teacher transfers, in particular, have been politically contentious issues in Karnataka and Tamil Nadu as well — but both states have found solutions, and provide other states an example of how to move forward in this regard.

From a systemic perspective, recruitment policies and practices must address two issues that have complicated teacher management considerably. The first relates to the existence of multiple cadres of teachers in the same state teaching the same level. There are Zillahh Parishad or PRI teachers and there are some project-specific teachers (funded from RMSA or SSA). Rationalisation of the teacher cadres and planning all teachers teaching the same level / grades in one cadre would greatly enhance the position of teachers. More broadly, the multiplicity of cadres makes it more difficult for managers of the system to cope, for example a head teacher of an elementary school with primary and upper primary cadre teachers or a Commissioner of Education trying to establish a clear promotion policy.

The second relates to the distribution of PTRs within states, and indeed within districts and within blocks. A major finding of this study is that while progress has been made on the overall PTR across states, these averages conceal major inequities in the distribution of teachers across schools. All states had a significant number of elementary schools with both very low PTRs (below 1:10) and very high PTRs (above 1:100). There is, therefore, an urgent need for states to investigate the distribution of teachers *at the school level* and rationalise accordingly. At the secondary level, states need to develop a metric for assessing the need for teachers as the standard PTR, used at the elementary level, does not work (such a metric is probably also needed for upper primary teachers).

Easy Access to Support Structures for Teachers

The isolation of teachers in their schools and the absence of a supportive structure for academic as well as other kinds of support (substitute teacher when a teacher has to go on leave or duty) have been discussed in policy documents for a long time. To some extent, the BRC and CRC structures were conceptualised as a peer support system for teachers. However, the feedback from teachers is that there is really no support system. In this context, there is a need to think afresh about providing teachers the necessary support to break their isolation, enable them to access academic support and also create a sensitive management system. Three things are important to highlight in this connection.

First, the institutions of Headmasters / School Principals need to be strengthened – so that they become the first port of call for teachers for both administrative as well as academic matters. State governments have an important role in 'professionalising' the position of school principal. Governments can start by recognising the importance of the role and ensuring that all schools have a principal (the number of unfilled posts is scandalous) and have a person who is competent and motivated (simply appointing the most senior teacher is not a good enough policy). Governments also need to identify training providers who can offer capacity building for all those who are serving as school principals.

Second, there is a need for a systematic induction programme for teachers. At present, new teachers are simply expected to learn their roles and responsibilities on the job, with little formal guidance or support. This is unfair on the teachers and unfair on the children they teach. To begin with, states should develop a single booklet containing all the information a new teacher needs about their roles, responsibilities and rights. Next, new teachers should be assigned a mentor – a more senior teacher with responsibility for helping guide the new teacher and responding to questions. Third, states should develop a formal series of workshops to help new teachers understand their job and to bring together new teachers to share experiences and learn from each other.

Third, and more boldly, the national and state governments should engage in a dialogue about the siting and size of schools. The spread of schools to many rural and remote communities has, without doubt, had a positive impact on access for children. However, it has also had the effect of creating small schools without sufficient teachers (and without adequate support and often, without sufficient physical infrastructure) to create *good quality* schools. Not only would teacher management be easier within fewer, larger schools – it is very likely that such schools would offer better quality education for our children.

For teachers to perform effectively, they must know that there are systems in place to protect their professional interests and aspirations. The Government of India could initiate a nation-wide dialogue on grievance redressal mechanisms by drawing upon good practices in different states and encourage states to adopt these good practices. The systems in Karnataka, Tamil Nadu and Odisha are at a nascent stage. They signal a new beginning. However, a lot more needs to be done to strengthen them and also institutionalise the process from the cluster / block level upwards. Government of India could also encourage the state governments to make sure that all schools and education-related institutions like CRC, BRC, DIET, SCERT etc. come under the "Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act Of 2013".

Incentives for Effort and Performance

As discussed in other studies, there are really no incentives for teachers to put in more effort. Promotions depend entirely on seniority and the accumulation of qualifications; not on the actual work teachers do to help students learn better. The exception is Madhya Pradesh, where policy pronouncements suggest that confirmation of contract teachers depends partly on the exam results of their students. In our study, however, we found little evidence to suggest that the policy had translated into practice. Even in states where teachers are given awards based upon how well their students have performed in examinations, such as Rajasthan, this is not taken into account in determining a teacher's career path. For teachers to be effective, it is important that career progression structures reward effectiveness versus (poor) proxies for effectiveness, such as experience and qualifications.

Especially important in this connection is that there is really no positive incentive for teachers to work in rural and remote areas, with the exception of Karnataka, where years of service in a remote area count in a teacher's transfer opportunities. It may be a good idea to build in incentives in the form of additional allowances, housing in the school compound or in the same village, priority for posting in urban area after a stipulated number of years etc. State policy should see teaching in rural or remote areas as a positive choice which can be made by good teachers, rather than a to-be-tolerated necessity while waiting for a 'good' posting.

A final point on career progression: the multiplicity of cadres also makes it more difficult for teachers to navigate their professional progression, as they usually have to leave their present cadre to get promotion; and cannot move back – hence, a teacher cannot build a diverse set of experiences (as primary teacher, upper primary teacher and member of the block resource centre team) in order to be a more effective primary teacher. This needs to be addressed.

Accountability and Feedback on Performance

Teacher appraisal is, perhaps, the most under-developed but also the largest missing piece in state systems of teacher management. What is expected of a teacher remains ambiguous. In the absence of clear expectations by way of teaching-learning processes, learning outcomes and nurturing a non-discriminatory environment for children (among others), teacher appraisal remains an undefined and weak area. The lack of an effective appraisal system means that teachers get no feedback on how they are performing and, thus, no guidance on what their professional development needs are; and system administrators cannot design or contract for necessary training programmes.

An appraisal system would also enable promotions to be a reward for good performance rather than simply time served. A further advantage would be to enable the small minority of teachers who continue to perform poorly to be removed from the teaching profession. A lot of work needs to be done in this area. The work that Government of India has started with a handful of states is to be commended; and widening the debate and understanding is essential and urgent.

Improved Data Systems to Facilitate the Above

A transparent and merit / experience-driven management of the teaching cadre would be greatly improved by an integrated teacher-MIS, where the personnel and deployment history is available, training history is recorded and other teacher-specific information is available. Though not one of the states covered in this study, Bihar has recently developed such a system, and technical solutions are readily available. A combined and comprehensive teacher-MIS is essential to make the system work efficiently and effectively. Equally, it would be extremely useful to administrators and researchers if the DISE and UDISE captured teacher-specific information. A unified MIS could make this possible.

A robust teacher information system would address a number of issues that teachers and administrators have raised in the course of this study, namely (a) delays in promotion / increments / transfers due to administrative inefficiencies like maintenance of service book / teacher records; and (b) deputing teachers for training on the basis of their needs / past training experience. This would also enable the government to include information that could be used for teacher appraisal – thereby, bringing more clarity to whom / what teachers are accountable to.

It is now fairly well established that teacher accountability, motivation and teacher development are not only interlinked, but also inextricably linked to the way the system manages the teaching cadre. Many of the issues related to accountability to whom and for what could be addressed if an integrated teacher-MIS is able to capture the professional trajectory of teachers. Or to put it the other way around – the development of such an integrated teacher-MIS is dependent on having a shared understanding between the teachers and the state government of what teachers are accountable for and, therefore, what types of information should be collected through the MIS.

But having a well-designed MIS system is not enough; it must be used regularly for the purpose it has been designed for. There could be one about state and district officials having

greater capacity to use/handle data so that they understand the significance of their policy decisions and how to calculate the number of teachers who are needed.

Finally, as the report shows, a number of administrative problems in the various states were caused by poorly-developed policies or practices (for example, lack of clarity over service rules leads to delays in payment of teacher benefits and generates court cases). One way of addressing this issue would be for state governments to consult on new policies and procedures, by publishing the draft documents and inviting comments within a specific period of time. Beyond enhancing administrative efficiency, this approach would have the added benefit of promoting transparency.

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ANNEXURE I

LITERATURE REVIEW

Since the early 1990s, GOI has proactively engaged with elementary education through centrally sponsored projects; (a) All-India ones like Operation Blackboard, Teacher Education, Jan Shala, DPEP, SSA, RMSA etc. (b) state- specific projects like APPEP, BEP, Lok Jumbish, UP-BEP and (c) The mid-day meal scheme made universal in 2001. These large-scale projects have certainly improved enrolment and have made a significant difference to school infrastructure, appointment of teachers, providing periodic training, developing the EMIS (and now SEMIS).

Yet there is a sense of disquiet when quality of education is discussed. Innumerable research studies and documentation of practices have revealed that all is not well with our schools – from the number of teaching days and actual teaching-learning time in school to learning outcomes of children. The hard reality is that our children are not learning, as they ideally should. It is also worrying that we – as a nation, as educators, as administrators – have become numb to periodic survey reports that reveal learning levels of our children in both government as well as private schools. While most stakeholders may agree that children are not learning, there is little understanding or agreement on why learning levels continue to be low across the country and across government and private schools.

Over the years, interactions with educational administrators reveal that they know that children are not learning and that they would also like to know what could be done. During the early years of SSA, there was a lot of discussion on pedagogic practices that could ensure all children learnt. In this context, several state governments evinced great interest in the Activity Based Learning method (ABL), that was adopted by Tamil Nadu and before that tried out for a few years in a few districts of Karnataka. The common perception (at least publicly) was that new pedagogic practices could transform our schools and our classrooms. However, as the years rolled by, there was a realisation that new child- centred pedagogies have, indeed, energised the classroom and has increased child participation in some areas (NCERT 2012, Amukta Mahapatra et al, 2010; S Anandlakshmy 2007); however, the gains are uneven. Equally, effectiveness depends on class size, level of interest of the teacher and their ability to work with autonomy and creativity in the classroom (Prabha Hariharan 2011, V Vasanti Devi et al, 2008).Learning levels have also not shown any dramatic improvement (ASER various years). While several states like Jharkhand, Chhattisgarh, Gujarat and

Rajasthan have tried to adapt the ABL method in their respective areas, it became quite apparent that <u>the best pedagogies could be neutralised by an ineffective management system</u> and, as a result, the focus has again shifted to teachers and actual teaching-learning time.

It is, in this context, that the findings of Young Lives Project study is extremely interesting "A key finding is that specific teacher characteristics and practices have emerged as important factors in determining children's learning outcomes. While standard characteristics of teachers like experience, gender, content knowledge and subject specialisation <u>do not have any significant influence on children's learning outcome</u>, teaching practices, such as regularity in checking homework, and factors such as the proximity of the teacher's residence to the school and teachers' attitude towards the children, as well as teachers' perceptions of their schools, have emerged as important determinants of students' test scores. In short, it is what the teacher 'believes and does' in the classroom that has the maximum impact on children's learning outcomes." (Renu Singh and Sudip Sarkar 2012). The findings of this study have, <u>once again</u>[117], turned the spotlight on the need to ensure that teachers attend school, teach every child, check their class work and home work, give them feedback and enable children read and write with comprehension. Equally, ensuring a classroom, that is free of gender or community stereotyping, and that all children are treated with dignity and care influences the teaching-learning environment as well as the self-esteem and confidence of children. Educationists Majumdar and Mooij (2011) compel us to re-visit our own understanding of education and, in particular, prejudices and stereotypes. There is a common belief that the "home environment of the children is an impediment to education rather than as something that may assist them" (p 36) and this belief (or should one say a prejudice) works against children from families in poverty. Teachers (and administrators too) question the educability of some children and the tragedy is that many children internalise this view and begin to believe that they cannot learn. Majumdar and Mooij bring to the fore the voices of children who are trapped in this kind of self-belief. This research also explores the ambivalences and contradictions in the life of government schoolteachers – starting from the environment in which the teachers are expected to work, the status in society and in the education system, the prejudices that they carry and transmit and the lack of a professional identity and pride (Majumdar and Mooij 2011).

Most of the in-depth research on equity and inclusion/exclusion turn the spotlight on systemic

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[117]Several studies have discussed this in great detail, the most recent and specific one is the Time on Task study that was commissioned by GOI and jointly executed by SSA TSG and experts from the World Bank. The findings of this research (done in 2010) clearly reveal that the actual transaction time in every single sample school was far less than what is stipulated. The unfortunate reality is that not much teaching-learning is happening in our schools.

issues (Sharma and Ramachandran 2009, Jha and Jhingran (2005), Ramachandran 2004, Ramachandran et al, 2011 and Majumdar and Mooij 2011, Tara Beteille (2009), PROBE Report (1999) and PROBE Revisited (2011). The above literature essentially point to four contradictions: (i) the formal rule-based arrangements versus the less formalised, yet institutionalised practices that undermine the formal system; (ii) simultaneous tendencies to both centralise (teacher appointments, accountability systems, planning, teacher training) and de-centralise (school-level committees / village-level committees); (iii) co-existence of activism on a few fronts and inertia on others; and (iv) simultaneous existence of different modes of public management, whereby new structures are created to efficiently administer central sector projects (many of them donor- funded) while, at the same time, essential systemic reforms are neglected (Majumdar and Mooij. 2011). Most of the recent literature on school education invariably touches upon the need for systemic overhaul to make the system responsive to field realities and gear the entire education system to alleviate the cumulative burden of non-learning of our children.

The relationship between teachers and the children remains a widely debated issue. As discussed above, introduction of new child-centred pedagogies, the situation on the ground has not changed much. Caste and gender play themselves out in teacher-children relationship, teachers get the children to do a wide range of chores, and caste and gender identity place a major role in allocation of duties. Teachers actively ignore a significant proportion of children – the so-called back-benchers, frequent absentees and latecomers. The regular and the best students sit in the front and the teacher teach them. Many reports documenting good practices reveal that schools were teachers were genuinely interested in education defied all stereotypes and made sure all children participate. However, such instances / cases were few and far between (Ramachandran et al, 2012, Majumdar and Mooij 2011, Rawal, S and Geeta Gandhi Kingdon 2010).

Whenever we talk of systemic reform, the focus invariably turns on teachers – what they do / do not do, how they are managed, accountability systems that are in place and their knowledge, aptitude, skill and motivation. Some of the notable academic and scholarly writing on teachers were on the agency, autonomy and voice of teachers (Poonam Batra 2005[118], Krishna Kumar 2005). The focus of this genre of research and writing has been on

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[118]"It is, therefore, no surprise that for the last two decades, the schoolteacher, as a former Centrepiece of processes of social change, is reduced to a mere object of educational reform, or worse, a passive agent of the prevailing ideology of the modern state. A state that seeks to universalize schooling and the creation of a modern citizenry, through massive public investments in school infrastructure and the transaction of standardized curriculum pays only peripheral attention to the needs of its primary change-agent: the teacher."… (Poonam Batra 2005)

building and strengthening the professional identity of teachers so as to enable them to critically reflect on their work and emerge as autonomous practitioners in their field. There has also been a considerable body of work on teacher training and, to some extent, teacher development (noting that teacher training is a subset of teacher development); however, teacher management remains an under-researched issue. The most recent RMSA Joint Review Mission (2013) observed that "states have evolved their own mechanisms of teacher recruitment and the nature and content differs from state to state" and it also observed that many states do not have one stated policy for transfer and posting, mechanisms for teacher accountability or to manage teachers as a cadre. The NCTE has, from time to time, notified guidelines for teacher qualifications[119]. However, given that this is a subject that comes under the jurisdiction of the States; adherence to NCTE guidelines may also differ from state to state – meaning that states prescribe their own norms[120] (in addition to NCTE) and also conduct their own TET and also give different weightages to the national test (ISB, Draft Report for W Bank, 2013). While the RTE stipulates basic qualifications for teachers at different levels and NCTE has also notified the new guidelines – thirteen states have asked for relaxations of these norms due to non-availability of teachers possessing minimum qualifications laid down by NCTE and RTE. They are Assam, Manipur, Meghalaya, Nagaland, Tripura, Bihar, Chhattisgarh, Himachal Pradesh, Madhya Pradesh, Odisha, Uttarakhand, Uttar Pradesh and West Bengal (MHRD 2013[121]). At any given point of time there may be different recruitment processes (albeit with different essential qualification) for different categories of teachers. While the RTE has stipulated specific norms, it will be some times before the states adapt them.

One important issue that induces discomfort among administrators and political leaders is **teacher absence**[122]. Several research studies done in the last 10 years have pointed to the

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[119]"In accordance with the provisions of sub-section (1) of Section 23 of the RTE Act, the National Council for Teacher Education (NCTE) had vide Notification dated 23rd August, 2010 and 29th July, 2011 laid down the minimum qualifications for a person to be eligible for appointment as a teacher in classes I to VIII. It had been, inter alia, provided that one of the essential qualifications for a person to be eligible for appointment as a teacher in any of the schools referred to in clause (n) of section 2 of the RTE Act is that he/she should pass the Teacher Eligibility Test (TET) which will be conducted by the appropriate Government in accordance with the Guidelines framed by the NCTE." http://ctet.nic.in/ctetjuly2013/welcome.aspx

[120]"Among the selected states, the minimum qualifications for secondary school teachers range from a Bachelors degree to a Masters degree with Bachelor in Education (B.Ed) as a requirement… the minimum qualifications required for teachers of Class VI-VIII is not significantly different from qualifications required for secondary school. (ISB report for W Bank, 2013)

[121]Source: http://timesofindia.indiatimes.com/home/education/news/Norms-for-hiring-teachers-relaxed-in-13-states/articleshow/19263914.cms?intenttarget=no

[122] Interviews with officials invariably turned quite spirited when teacher absenteeism was discussed. They agree that while teacher absenteeism is an issue, it is not possible to compile accurate information. They point out that there are four kinds of "absence":

extent of the problem across the country and the fact that not much has changed on the ground[123] (Narayan and Mooij. 2010, De et al, 2001, Majumdar 2001, Kremer et al, 2004[124], Ramachandran et al 2005, Ramachandran et al 2009, Muralidharan and Sundararaman 2011, Muralidharan 2013, SSA TSG 2009, Sharma and Ramachandran 2009, Tara Beteille 2009, Pratichi report 2002). Almost all the studies point out that this is indicative of low systemic accountability – not just teacher accountability (Tara Beteille 2009, Rashmi Sharma 2009, Rashmi Sharma 2000). Decoding the word accountability, this essentially means that there is a fundamental problem in the way teachers are managed in India. It does not have much to do with how much teachers are paid. Early studies on teacher absence found "factors that influence the <u>daily costs and benefits of attending school</u> have a much larger influence on absence rates. For example, better infrastructure provides a stronger incentive to attend school on a particular day. Similarly, improving monitoring increases the marginal cost of teacher absence. While we find that inspections are associated with lower absence in some specifications, we find little evidence to suggest that greater local ties are associated with lower absence. Teachers in private schools and contract teachers, who face very different incentives, have similar or lower absence rates while being paid a fraction of government teachers' salaries. (Kremer et al 2004)"

Officially present, but away on government duty – related to education and/or tasks unconnected with education;

Officially present, but not in the class or in school – typically teachers come in the morning, mark their attendance and leave on personal work / chores;

Teacher absents herself/himself without information – but routinely leaves an application behind just in case a senior official visits the school. Researchers confirm they have seen a bunch of leave letters without a date in the attendance register;

The school itself is unofficially shut due to a local festival, extreme weather, agricultural activity (harvest, planting etc.).

(Source: Ramachandran et al: Teacher Motivation in India, 2004)

[123] "The most recent authoritative research on teacher absenteeism in the country is the World Bank National Absence Survey (WBNAS). Making unannounced multiple visits to 3700 government primary schools across 20 States within India, 35,000 observations on teacher attendance were collected. Overall, 25.2 percent or roughly one in four teachers were found to be absent in rural areas. Official non-academic duties accounted for only four percent of the total absences and 10 percent of absences were on account of officially sanctioned leaves. The PROBE restudy, conducted in 2006, found that in the course of 10 years many things had improved (i.e. enrolment, school infrastructure, school incentives, school meals etc.) but classroom activity had not… In an attempt to explain the high level of unauthorized teacher absenteeism, several scholars have emphasised the lack of motivation on the part of the teachers. This has been ascribed to overcrowded classrooms, poor infrastructural facilities, unfilled vacancies, burden of non-academic tasks, lack of adequate training to deal with multi-lingual and multi-ability classes, declining social status of the teaching profession and increasing social class differences between teachers and the clientele of government schools. Other reasons have to do with the institutional context: lack of accountability and the absence of incentives for teachers to work well…" Narayan and Mooij. 2010. They have cited PROBE re-visited 2011,

[124] The research also revealed "the more powerful (male teachers, older teachers, more educated teachers and head teachers) are more likely to be absent. Having attended a training programme does not reduce a teacher's probability of absence. Being in schools where teachers are not paid regularly is not associated with higher absence… Schools, with better quality infrastructure, have lower absence, and the existence of multi-grade teaching in a school is associated with greater teacher absence…" (Kremer et al, 2004)

The problem of teacher absence is intrinsically linked to larger governance issues. In India , the lack of accountability and inability of the government to ensure education, health, municipal and other workers actually report to work every day and do what they are supposed to do remains a huge challenge. The education sector is not alone in reporting absence. It is not easy to single out any one reason for the persistence of this problem over the last six decades. Political analysts argue that two systems operate in tandem – the formal structure of rules and regulations and an informal system of patronage, corruption and rent-seeking (Rashmi Sharma 2009). Formal rules are often disregarded where the informal structure is more powerful. There are others who argue that there is a tension between the rights of teachers with regard to appointment, deployment, promotion, remuneration and working conditions; and the rights of the children to be taught in school, to be treated with dignity and to be treated equally. Given the way politics permeates all areas of governance, the rights of the teachers – as represented by the teacher union or by the patrons who need teachers for their political work – overrides the rights of children. Notwithstanding the 2010 Right to Education Act, the privileges and rights of people, who work within the system, seem to exert greater influence. Children from very poor families in diverse poverty situations attending government schools do not have a voice. Even when parents or the community are invited to participate in school-level governance structures, they have little authority. Even when they do exercise their "power", it is more often about entitlements like mid-day meal, incentives (uniforms, books, cycles etc.). Recent research on school-level committees confirms that parents rarely discuss what and how much are children learning and VEC do not feel they have any authority to question the practices of teachers (A K Singh et al, 2010).

The social distance between regular teachers (who are typically drawn from rural and urban middle-classes) and the children in government schools (who are typically from "poorer than average backgrounds" is also mentioned as one of the causes for teacher absence. As Geeta Kingdon argues "The gaping social distance may also partly explain the high teacher absence rate if well-paid teachers feel it 'beneath them' to teach such poor children or if it causes them to not take the education of these children seriously. Such social distance represents very unequal relations between teachers and the village citizenry and it may explain – at least in part – why community participation in monitoring education via Village Education Committees and School Education Committees has apparently not been effective in improving school and teacher accountability in India…" (Geeta Kingdon 2010) This may not be the case with contract teachers, who are paid far less and are drawn from the village / habitation in which the school in located. It is estimated that the ratio of regular to contract teacher salaries may be 3:1 (in 2004) and Geeta Kingdon argues that this ratio may have

worsened with the implementation of the 6th pay commission. What is significant is that increase in salaries of regular teachers has not had significant impact either on teacher morale / motivation or on teacher absence (Geeta Kingdon 2010) [125].

For many years now, educationists have argued that teacher motivation is linked to salary and incentives. There is a rich body of literature that argues that enhancing teacher motivation is a complex process and it is intrinsically linked to the working conditions of teachers and larger governance issues that affect teacher deployment and remuneration (Ramachandran 2005). The studies done on teacher motivation found that the key determinants of teacher motivation in developing countries are: (i) teacher and school accountability, (ii) security and conflict, (iii) the policy environment, (iv) teacher competence, (v) vocational commitment and occupational status, (vi) pay, (vii) working and living conditions and (viii) teacher and system management (Paul Bennell and Kwame Akeyeampong 2007). Notwithstanding evidence from several countries, international organisations / donor agencies and governments did not pay much attention to teacher motivation. It was always perceived as being a difficult issue that was not amenable to simple administrative measures.

Equally, motivational trainings (teacher empowerment), attempted in the early 1990s, did not lead to any dramatic change in the situation on the ground (David Harding 1995, Jude Henriques 1995). By the late 1990s, teacher empowerment programmes gradually faded away, and with the expansion of DPEP, teacher training took centrestage. Efforts to address systemic issues, related to teacher accountability and teacher empowerment, took a back seat. We were back to square one; teacher management was, once again, relegated to the back burner.

In India, the regime of recruitment, transfer and posting has remained opaque and many researchers point out that any good management practice would first acknowledge the importance of openness and transparency. The contractual relationship between the education system and teachers (regular teachers and contract teachers) vary from state to state. In many

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[125]Larger salaries do attract more *able* individuals to choose teaching as a career. In the School TELL survey, regular teachers have higher test scores in a teacher test, i.e. they appear to be drawn from a higher part of the ability distribution in the population than are para teachers and private school teachers. However, there is also evidence in the same dataset that despite being paid four times as much, regular teachers are less motivated, i.e. apply less effort than para teachers: their absence rate of 25% (1 out of every 4 school days) is double para teachers absence rate of 12%, and their self-reported teaching time on a typical day is 75% rather than 83% for para teachers. Other studies also report substantially higher absence rates for regular than para teachers (EdCil, 2007; NCAER, 2008; Sankar, 2008). That paying teachers better, clearly does not increase effort casts doubt on the declared rationale for Sixth Pay Commission salary increases, and highlights the importance of other factors that mediate motivation/ effort, such as the extent to which greater accountability is demanded with higher pay… Geeta Kingdon 2010, Page 10

states, teacher transfers are discretionary (in some cases, it goes right upto the CM of the state), in others, it is informally handled by elected representatives of the ruling party. Some states (like AP, Tamil Nadu, Kerala) have a transfer-posting regime which is relatively more transparent. In many states, it is difficult for the administrators to point out what the current policy is and whether past policies / notifications were superseded by new ones (Tara Beteille 2009, Sharma and Ramachandran 2009).

The basic issue is the absence of a clear, long-term and transparent policy to manage teachers who are working in the schools. Management here does not only refer to transfers – but also to avenues for professional development and opportunities for professional growth (who gets into DIET or to SCERT, who gets opportunities to work on textbooks and curriculum, who becomes a master trainer). Given the reluctance of teachers to work in remote / inaccessible areas and in some rural villages, opportunities to serve in the DIET or in BRC / CRC or become a master-trainer etc. are highly coveted. While some states like Tamil Nadu have created a cadre of teacher educators, most states dip into the pool of teachers (both elementary and secondary) for teacher training. In areas that have been prone to conflict and civil strife, opportunities to be seconded to work in the district office or in schools that are located in towns creates intense competition among teachers and the use of political or other social leverages to be posted in "safe" areas. In Jammu and Kashmir, this system is referred to as "teacher attachment[126] (Ramachandran, Bhattacharjea and Seshagiri, 2009).

In Rajasthan, "teachers' transfers were regarded as ways of "obliging" teachers who were close to powerful people, or were doled out as rewards (or punishment) for services rendered such as assistance in political campaigns. In some cases, transfers were simply rent-seeking operations. The teachers had to pay a sum of money to get a preferred place of posting. (…) Both the major political parties had rewarded their supporters and punished the supporters of their opponents on assuming power…' (Sharma and Ramachandran 2009). The literature reviewed suggests that there are two principal problems with the issue of teacher transfers. **The first problem**, well known and much discussed, is that of institutional corruption: obviously, teachers can only manipulate the system when the latter permits 'informal' practices to exist. **The second** and equally important problem is that there are no *educational*

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[126]Kargil district of **Jammu and Kashmir** shows, 'teacher attachment' derails educational planning and sends a clear signal to teachers to 'network' with the powerful. In Kargil, teachers have found their own ways of influencing the educational and district administration to be shifted out of locations that they do not find convenient. Therefore, many schools in urban and peri-urban areas of Kargil are flooded with teachers, while there is a constant refrain that rural/distant schools face teacher shortages. In many urban schools, 'attached' teachers do not have much work to do. In fact, they need not even attend school every day, for there are too many teachers waiting to teach children! They then attend school on rotation. (Ramachandran, Bhattacharjea and Seshagiri, 2008)

criteria by which teachers can apply for a desired transfer. In other words, if effective teaching practice (however, measured) were linked to teachers' ability to access desired postings, this could have the effect of both catalysing better teaching and diminishing the importance of 'informal channels' within the system. This, of course, requires that educational outcomes be placed at the centre of the decision-making criteria. (Tara Beteille 2009 and Ramachandran, Bhattacharjea and Seshagiri 2009)

The persistent challenge of getting teachers to work in rural areas leads to some innovations like the Shiksha Karmi Project of Rajasthan (1987 to 2008) and evidence from the ground led to a widespread acceptance of the idea of a locally recruited teacher. Several state government like Odisha, Madhya Pradesh, Jharkhand, Bihar, Andhra Pradesh etc. have introduced locally recruited teachers into rural schools in the mid to late 1990s. They are known by various names – Vidhya Sahayak, Shiksha Karmi, Guruji. Madhya Pradesh went a step further and introduced the Education Guarantee Scheme, based on locally recruited teachers. By the mid-2000s, the idea of a contract teacher or as they were earlier known "para teacher" emerged as a strategy to not only get teachers to school but to also address budgetary constraints. During this period, several state governments recruit only contract teachers and what is noteworthy is that this practice is prevalent at all levels – from primary to higher secondary schools.

Yet another key factor contributing to poor management is who manages teachers. For example in **West Bengal**, primary schools are 'managed' by a number of different bodies. Teachers are appointed at the district level but come under the administrative control of the West Bengal Board of Primary Education (WBBPE), their training and supervision comes under the Directorate of School Education (DSE) and DI of Schools, the funds are controlled by the DI of Schools. Under the Sarva Shiksha Abhiyan (SSA) fund flow, monitoring (data gathering) and training is handled by the SSA directorate and its district wing. The District Primary School Council (DPSC) and the Panchayat do not speak in one voice: the DPSC is partly nominated and the Panchayat, an elected body, has no administrative role in schools. These various bodies were created at different points of time for specific reasons. The existence of multiple chains of command essentially implies that the teacher is at the receiving end of instructions from all but effectively accountable to no one in particular. The 'school' also comes under different bodies and, therefore, there is no coherent/coordinated body that takes care of all aspects of schooling. No one can be held responsible for this sorry state of affairs. Organisations like the Pratichi Trust, working in the state, say that, as a result, there is no effective support or supervision and the schools are in a state of decay. (Ramachandran, Bhattacharjea and Seshagiri. 2009)

With the creation of DPEP Society in 1994 and later on the SSA Society in 2003, the educational management system in India is divided between the education department and the autonomous bodies created to manage central sector schemes. Right from the days of DPEP, this issue has been flagged by many researchers and also been discussed in the Joint Review Missions of both DPEP and later on SSA. This bifurcation of responsibilities and institutional structures created in the last two decades could have influenced the way teachers are managed. The extent of the problem may differ from state to state, with some states like Madhya Pradesh signalling a single line of command while there are others like Rajasthan, where the ambiguity remains. This remains an under-researched area and we do not know if and how teacher accountability has been affected because of two parallel systems managing education.

The Right to Education has, in some ways, given the government and the civil society the leverage to demand more from the schools and also demand a lot more accountability from teachers. This may be the right time to revisit the rules / regulations and guidelines that are in vogue in different states and understand the complexity while also bringing out the contradictions. A thorough review of the regulation framework for teacher management could lead us to an informed debate on the issue of how teachers are managed in the public education system and how it is intrinsically linked to student learning.