

Let government bring dawn to these teachers too



R. Edwin

Recently speaking in the Tamil Nadu Assembly on the Education Department's demand for grants, CPI (M) MLA Nagaimaali requested that teachers, working in schools without taking any eligibility test, be exempted from the test. This request assumes significance against the background of the Madras High Court's recent judgment.

On April 4 last, the High Court delivered a verdict that ordered the government to take legal action against the teachers working in the schools for 12 years, who have not qualified in teacher eligibility test. It is this judgment which has caused a single and strong demand that the government must safeguard the lives of about 10,000 teachers who are affected by the court order.

Who are these teachers and why is action proposed against them?

The Right of Children to Free and Compulsory Education Act, 2009 stipulates that the secondary grade teachers employed in schools must have 60 percentage of marks and must also have qualified in teacher eligibility test. Going by this statutory rule, the then Education Department Secretary on November 15, 2011 announced the government's intention to implement in earnest this law in letter and spirit. Right from the day this law came into effect, the Damocles' Sword has been hanging over

the heads of not only the teachers long working but also the teachers who have joined just a day before the rule started to be implemented.

However, nobody seemed to have taken note of the logical question how the order could apply to the teachers working for a long time even before the order came into effect. The teachers, though, continued working in the hope that things would turn better for them.

The axe fell on them back in August, 2012 when they were relieved of duties. Yet they obtained a High Court injunction on the government order and resumed work in the schools. Later, that stay order too was rescinded by the court. Again the teachers were at it, getting the stay revocation order withdrawn. Now they have continuously been working in the schools, but without customary benefits including increment, encashment of earned leave etc. The only benefit they are enjoying is the on-and-off increase in dearness allowance.

It was against this backdrop that the Union government had set the 2017 deadline for the teachers to qualify in eligibility test; that is, they were given a five-year time-frame to measure up to the legal requirement. In 2017 the deadline was though extended to 2019. After the expiry of the deadline, the union government, no longer willing to give yet another extension, sternly ordered the states to terminate the teachers, who have not qualified in eligibility tests.

Meanwhile, the teachers concerned have been meeting ministers and bureaucrats and representing their grievance to them, hardly giving up on their hope.

On November 8, 2017 the Associate Director of School Education (Staff) issued an order that saved the government school teachers on the condition that the eligibility test be applicable till 2012. The teachers of the minority schools were saved on a similar order. The left-out teachers are those, who had joined duty during that period, but could not qualify in the eligibility test. The High Court order has come at a time when the teachers were pinning hopes on the School Education Department's demand for grants. They were expecting that the government, which claims to bring dawn to the lives of the people, will also bring them a ray of hope.

A teacher, who had joined duty well before 2011, thought the eligibility test issue was not applicable to him, and filed a case in the High Court, seeking increment arrears. But the court hearing the case ordered action against the teachers of government and minority schools, who have been exempted from the eligibility test.

The court order indeed is right as far as the concept of right teachers imparting right education to students is concerned. But there is no clinching basis for the assumption that only those, who pass the teacher eligibility test, are right teachers. In fact, in the

past 12 years there have been innumerable good teachers who have slogged at work and also contributed to scores of students' good performance in 10th public examination. They have never been accused of not preparing lesson notes, nor taking class without prior preparations and nor teaching as efficiently as other teachers did. Though they have not passed the teacher eligibility test, they are armed with good qualifications and rich experience of teaching. If the government wills it, it can bring dawn to the lives of these teachers too. Supposing that the payment of arrears is the issue, the government can have a dialogue with the teachers and sort the problem out.

- R. Edwin, author of books such as 'Edhu Kalvi' (Which Is Education). Email Id: eraaedwin@gmail.com

Translated by V. Mariappan.