

Teacher Unions in India: Diverse and Powerful

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1. Introduction

This chapter describes the political power of schoolteachers in India, and the role played by teachers unions in influencing education reform efforts in the country. India has done well in terms of rapidly expanding access to elementary education over the past 15-20 years. Today, 236 million students are enrolled in primary and secondary schools (grade 1-10), and are taught by 8.3 million teachers. The success in improving access to elementary schools is associated with two center-state programs, the District Primary Education Program and *Sarva Shiksha Abhiyan (SSA)*. The Right of Children to Free and Compulsory Education Act, 2009 (RTE) has also aimed to make schooling available to every child aged 6-14 years.

Unfortunately, India's tremendous success in expanding elementary-level schooling since the 1990s has not been accompanied by commensurate gains in student learning (Dundar et al, 2014). This is not surprising. Access-oriented reforms tend to be politically popular and relatively easier to implement, with few opponents. They provide more jobs for teachers, administrators, service personnel, construction workers, and textbook and school equipment manufacturers—tangible resources that politicians are happy to distribute to their constituencies. In contrast, quality-enhancing reforms focus on accountability and cost-effectiveness. These reforms threaten many of the entities benefiting from expansionary policies, and are therefore frequently blocked by them (Grindle 2004).

Improving quality in government schools in India is, of course, no easy task, given that the country has the largest number of school age children relative to any other country, many of whom are first generation school-goers. Further, there is considerable variation in linguistic and socio-economic background of students (and their teachers), all of which combine to make teaching in government schools in India a particularly challenging task.

These challenges in improving education quality and student learning in India are compounded by low teacher accountability: schools in large parts of India suffer from high rates of teacher absenteeism, with a national absenteeism rate of 25 percent, a problem similar to Mexico, also discussed in this book (Kremer et al, 2005; Muralidharan et al, 2014). This number has not changed much over the past 10 years, despite this being the era of major school reform in India. There are few adverse consequences for absenteeism: absentee teachers get full pay regardless of whether they do any work or whether that work has any impact on student learning. Many of these teachers are protected by powerful unions or politicians, and are difficult to discipline (Kingdon and Muzammil, 2003; Béteille, 2009). To make matters worse, teachers frequently have poor subject knowledge; oftentimes, only marginally better than the students they teach (Kingdon and Banerji, 2009; Dundar et al, 2014). In many ways, the rapid pace of expansion of the past has sown the seeds of low-quality for the immediate future through the recruitment of large numbers of poorly-qualified teachers.

As India aims to emerge as a key player in the global economy, it cannot afford to have the majority of its schools produce students who do not have basic skills. Its schools must work. For its schools to work, teacher performance and accountability are crucial. Education reforms and policy must emphasize accountability relationships that motivate good teachers, ensure they exert effort and are effective in classrooms. Likewise, it is important that it be possible to weed out teachers who are ineffective and unlikely to improve.

Changing the status quo will not, however, be easy because teachers in India are politically powerful. Teachers' political power and ability to maintain the status quo is all the more potent because of their access to multiple channels for exercising their power. Teachers influence the wider governance environment of schooling through their unions and union leaders, especially at the state level, and possibly, in a more far-reaching way, through their direct participation in politics, i.e. as teacher legislators with a say in education-related legislation. Ultimately, as we discuss in this chapter, teachers have vested interests in the status quo, and through multiple strategies, shape the school governance environment in a manner that helps them achieve working conditions consistent with their vested interests. And this has important consequences

for student learning in the country, with teacher union membership being negatively correlated with student achievement (Kingdon and Teal, 2010).

Given the complexity and chaos of the teacher union landscape in India, this chapter will focus on drawing out commonalities in the functioning of these unions instead of focusing on union-specific issues. Our task is complicated not just by the large number of unions in the country, but also the scarce literature on this important aspect influencing education reform. Although the text that follows may miss the situation in entire states because of the absence of published research, interviews with people in the field suggest these states are unlikely to provide any major new insight on the themes discussed in this chapter. The chapter begins with a discussion of the history of school education reform in India. The next section provides a snapshot of teacher unions in India today, including a brief discussion of their historical progress in the context of education policy in India. Thereafter, we examine union power, and the various mechanisms and strategies through which teachers exercise their influence over education reform efforts. The final section examines the effect of teacher's political power on education reform.

2. Historical Context of Education Policy and Role of Teachers Unions

Teachers unions in India have a long history, going back to the 1890s, when India was still a British colony. Indeed, teachers unions in India predate trade unions — the first trade union in India was established only in 1920. Available evidence suggests that the Madras Association of Women Teachers, covering the Presidency of Madras, was the first schoolteachers union in the country, set up in 1890.¹ The main objective of the union was to stimulate an interest in the art of teaching, encouraging its study, and promoting sociability. Records of meetings suggest that these were usually lecture meetings, where teachers learned about issues as diverse as kindergarten teaching and the life of the Queen (NIA, 1896). The next union to be established was the Madras Teachers' Guild in 1895, which included both male and female teachers. The South India Teachers Union, established in 1909 was the first Federal teacher organization, while

¹ The Madras Presidency was an administrative subdivision of British India, which at its greatest extent, included most of Southern India, including the modern day states of Tamil Nadu and Andhra Pradesh and parts of Odisha, Kerala and Karnataka, and the union territory of Lakshwadeep.

in North India, Uttar Pradesh was the first state to establish a state-level union (Gupta, 2013). In the East, the All Bengal Teachers' Association was among the first, founded in 1921.

With less than a fifth of the school-age population in school, and a colonial government whose education policy centered on supporting the colonial regime, teachers unions in pre-Independence India were little more than small, professional groups with negligible political power. Whatever limited literature exists on this topic suggests that teachers, who were typically natives, viewed the union as the agency to help them fight unfair treatment at the hands of colonial school managers who dismissed them at will (Shrimali, 1951). The political feebleness of unions changed in the decades following Independence from the British.

When India gained Independence in 1947, less than 15% of the adult population was literate. The new (Congress) government emphasized the need for schooling to spread more widely, and made elementary education a Directive Principle of State Policy in the Constitution of India (1950). Education was also put on the State List, indicating that states were responsible for education provision, finance and regulation — not the Center. As we discuss, this is important from the perspective of teachers, as it meant the state government would determine teacher pay and terms of employment. As with other Directive Principles, states were encouraged to provide elementary education to citizens, *but not required* to do so, as Directive Principles are non-justiciable in nature.

Education provision in India since Independence has happened through three types of schools: government schools; private-aided schools and private unaided schools. The first two types are funded by the government; the difference being that private-aided schools are managed privately. The level of autonomy private-aided schools have in determining school and teacher policy varies by state and has changed over time. Private unaided schools are both funded and managed privately.

This chapter focuses on teachers funded by the government, that is, teachers in government schools and in private-aided schools, since it is their organization into unions that influences education reform and interactions with the state. Of the government-funded schools, the vast

majority are state government schools, with teachers who are state government employees. Although some states, such as Jharkhand, also have teachers who are employees of local government, they form a small minority (less than 10 percent of the teaching force across the country).² State governments incur approximately 90 percent of education expenses in their state (even in schools run by local governments), of which, nearly 90 percent goes toward teacher salaries. As a result, teachers tend to organize themselves into unions at the state level much more frequently than at other levels. State-level teachers unions tend to be fairly influential politically, since negotiations on employment terms and conditions are undertaken with the respective state government, and not the central government (as discussed subsequently). This being said, there are a number of national teacher unions, with state-level branches and allies. The three largest national level unions are: the All India Primary Teachers Federation (AIPTF); All India Secondary Teachers Federation (AISTF), and All India Federation of Teachers Organizations (AIFTO).

In the decades following Independence, the Planning Commission, a central government entity entrusted with formulating India's five year plans, established ambitious target dates for achieving universal elementary education. These targets were never met, and were continuously revised throughout the 1960s and 1970s. In 1966, the Sixth Education Commission of independent India (1964-66) set the target date as no later than 1986, but even this had to be revised. This Commission (Kothari Commission) was the first education commission to look at every level of education holistically. It laid special emphasis on the importance of teachers in schools. It argued for teacher remuneration and working conditions to be improved, which were likely popular with unions. But it also asked for teachers to use their vacation time for training and expected considerably greater accountability from teachers, issues which were likely to have been unpopular with unions. There is, however, no documented evidence of the reaction of teachers unions to the Commission's recommendations. Their reactions, in any case, may have been minor for two reasons. First, unions themselves were not as plentiful as they are today. Second, the Commission's recommendations were recommendations of a central government body, and not binding on states, who were ultimately responsible for school education.

² Local government in India comprises three layers of elected representatives: district-level (Janpad); block-level (Panchayat Samiti) and village level (Village Panchayat).

By the mid-1970s, it was becoming increasingly clear that a strategy that relied entirely upon states to achieve universal elementary education was at best going to lead to lopsided development, and at worst, perpetual revision of targets. In 1976, the 42nd Constitutional Amendment put education on the Concurrent List of the Constitution of India, indicating shared responsibility between state governments and the central government in education provision, finance and regulation. The Amendment gave more say to the central government in the governance of school education and in school accountability. The precise nature of these reforms was not articulated until nearly a decade later. Nevertheless, state-level teacher unions resented the Amendment because it would reduce their power to influence the state's education agenda should the Central Government decide to intervene in that state's education affairs. As a result, teachers unions across the country went on strike. For instance, the Uttar Pradesh secondary teachers' union (MSS) strongly opposed this Amendment and organized indefinite strikes and waged a *Jail Bharo Andolan* ('fill the jails' campaign) in December 1977 which continued till January 1978. Note, the Central government had not yet adopted policies that could endanger a teacher's privileges or require accountability of them, but unions across the country had all the same gone on strike.

The increasing difficulty in introducing policies as envisioned in the 42nd Constitutional Amendment due to teacher union opposition continued through the 1980s. The report of the National Commission on Teachers (NCT, 1986) notes that the school governance environment created by teachers' unions and their political connections served to avert the proper use of teacher accountability measures. The Commission rued that union-backed teachers did not fear adverse repercussions if they were lax in their work. It noted that some of the Principals deposing before it "lamented that they had no powers over teachers and were not in a position to enforce order and discipline. Nor did the District Inspectors of Schools and other officials exercise any authority over them as the erring teachers were often supported by powerful teachers' associations. We were told that that there was no assessment of a teacher's academic and other work and that teachers were virtually unaccountable to anybody" (NCT, 1986).

In 1986, the Central Government formulated the National Policy on Education, which set the stage for the central government to play an increasingly important role in elementary education

by defining concrete steps. To carry out the policy the central government initiated a series of grant programs (known as centrally sponsored schemes) to assist states with the development of basic education. Even though the financial contribution of the center was small, it was strategic, in that it influenced policies of many state governments. The states most influenced were those under fiscal pressure, such as Rajasthan and Madhya Pradesh, also among the poorest Indian states. The goals of these schemes were to expand and improve the quality of school education through two means: (i) improving school infrastructure; and (ii) hiring more teachers. Both goals were in the interest of teachers, but implementation was poor, and in 1992, the national parliament approved an updated National Policy on Education, which sharpened priorities for girls' education and for improved quality in education. It also emphasized the need for an integrated and decentralized approach to developing primary education systems, with a focus on building the capacity, responsibility and authority of local governments, known as the *Panchayati Raj* institutions.

The New Education Policy 1992 came against a backdrop of two important events. First, following the Jomtien Conference on Education for All in 1990, governments across the world, including India, vowed to intensify efforts toward meeting the basic learning needs of all children. Second, in 1991, the Government of India undertook a series of national structural reforms and fiscal adjustment to open up the economy. The reforms were precipitated by a balance of payments crisis, leading to bail-outs from the International Monetary Fund and loans from the World Bank, conditional on the government undertaking measures for fiscal discipline. The consequences for the social sector, including education, were important as these reforms emphasized cost-effective interventions, as typified by the first externally-financed project to improve education access and quality, the District Primary Education Program (DPEP). Part-financed by the World Bank, the European Union and the United Kingdom's Overseas Development Assistance, DPEP emphasized five things: school infrastructure; in-service teacher training; decentralized school management; locally-recruited teachers; and increased monitoring of dropout rates and student learning. The project was initially adopted in four states, but subsequently spread to fifteen of the country's largest states.

There is little evidence to suggest that teachers unions — whether at the national level or state level—were systematically consulted by the central government in the design and implementation of DPEP. This is in contrast to most developed countries, but also in contrast to the other developing country studied in this book, Mexico. With a history of top-down planning, heavy bureaucracy and a highly stratified social structure, the central government was unlikely to have felt that teachers needed to be consulted on the policies that applied to them. Teachers were expected to implement reforms and policies that had already been decided. There was nothing unique to the ruling Congress Party about this top-down approach; as we describe subsequently, the Bharatiya Janata Party (BJP) government also adopted the same approach vis-à-vis unions several years later. As a study looking at the participation of teachers' organizations in education policy in the 1990s in India notes, there was no mechanism for consultations between teacher unions and the government on education-related issues, such that unions were automatically involved. When consultations did take place, they tended to be ad-hoc rather than part of a regular and professional exchange of views and opinions between government and unions (Frederiksson 1999). Unions were sometimes asked to nominate members to sit on committees for curriculum development, code of professional ethics, teacher training and so on organized by national and state level organizations such as NCERT and NUEPA. But this was token involvement — so the government could show all key stakeholders had been consulted.

The story was different at the state level. In individual states, teachers unions attempted to actively block aspects of the reforms proposed by DPEP, specifically aspects related to democratic decentralization and the hiring of local teachers. In Madhya Pradesh, where the impact of democratic decentralization was tremendous on the school system, the *Janpads* and *Gram Panchayats* were given administrative control of primary schools. Teachers became employees of *Janpads*, not state governments.³ Policymakers believed that the Panchayats, because they were locally elected bodies representing the people, would protect the community's interests and monitor the school system more effectively (Sharma, 1999). Locally hired teachers were also expected to be more responsive to the needs of schools and their communities. As a result of the reforms, there were dramatic changes in the contractual arrangements, working

³ *Janpad* is the district-level elected local government. *Gram Panchayat* is the village-level elected local government.

conditions and recruitment policies of teachers. The state government sought to replace all regular primary school teachers, all of who were on “contracts for life”, with *shikshakarmis* (local education volunteers) over a period of time. New recruitment of teachers would be restricted to the *shikshakarmi* cadre. Relative to the regular cadre of teachers, *shikshakarmis* were less qualified, requiring only education up to the higher secondary level in order to teach primary schools. Further, they were hired on a contract for 10 months each year and paid a basic stipend, approximately a tenth of the salary paid to regular teachers. Although there was discussion of putting well-performing *shikshakarmis* on regular contract, the specifications of how and when this would happen were left hazy by the government (Sharma, 1999).

The first set of protests against the *shikshakarmi* policy in Madhya Pradesh came from disgruntled teacher-applicants, who instituted legal cases challenging the whole policy. The main complaint was that the new recruitment policy violated the Fundamental Rights enunciated in Article 16 of the Constitution. Article 16 emphasizes the principle of equality of opportunity for all citizens in matters relating to employment or appointment to office under the state, and lays down that no citizen can be ineligible for office under the state on grounds of religion, race, caste, sex, descent or *place of birth*. Since the *shikshakarmi* recruitment procedure aimed to hire local candidates, from the Panchayat’s catchment area, it violated a citizen’s Fundamental Rights. These applicants demanded expanding the catchment area for recruitment, which meant that the “local teacher” aspirations of the reforms would not be realized. Shortly thereafter, *shikshakarmis* formed their own union and began agitating for better service conditions, followed by a demand for regular jobs with the wages equal to those of other (regular) teachers. They held demonstrations, meetings and took mass leave (Sharma, 1999). Burdened with litigation and teacher union pressure, the state government eventually redesigned the policy, making concessions on local recruitment and qualifications.

DPEP led the way for the Government of India’s flagship program for universalizing elementary education, *Sarva Shiksha Abhiyan*. Similar to DPEP, it was a centrally sponsored scheme, with the central government providing the majority of funding in the first ten years. In these ten years, *Sarva Shiksha Abhiyan* was essentially an expansionary program, with states building more schools and hiring more teachers. Although there was an emphasis on quality, this was

understood mainly in terms of more school inputs and more teacher training, support and supervision. Student learning was assumed to flow automatically from investing adequately in inputs.

As with DPEP, teachers unions were not systematically consulted in the design or implementation of SSA by the central government, now led by the BJP. And similar to DPEP, unions were much more active at the state level, with unions in states recruiting contract teachers demanding that the quality of the teaching force not be diluted by recruiting poorly-qualified and low-cost contract teachers, and contract teacher unions in turn demanding regularization of the contract teaching force and invoking “equal work, equal pay”.

In some states, as with Madhya Pradesh, the stance taken by the state government favored the contract teaching force; however, this was not true in all states. In Rajasthan, also an early adopter of the contract teacher scheme, the state government decided in 2008-09 to abolish the Vidyarthi Mitra scheme (similar to *shikshakarmi*, *Vidyarthi Mitra* literally translates to “student’s friend” and is a contract teacher, paid considerably less than a regular teacher, and not required to have the same qualifications). Subsequently, a handful of *Vidyarthi Mitras* filed a petition in the Rajasthan High Court against the state government’s decision. The court ruled in favor of the state government, declaring the scheme illegal, and as of 2014, no new recruitments have taken place under the scheme (Ramachandran et al, 2015).

As SSA was being implemented, in 2002, the central government (still under the BJP), passed an Amendment to the Constitution making education a Fundamental Right, whereby the state would guarantee education to all students aged 6-14 years, and make greater allocation from the budget toward education. The Amendment specified the need for legislation to describe the mode of implementation through a separate Education Bill. The Central Advisory Board of Education prepared the Draft Bill in 2005 (then under the Congress government), but the Bill went through several iterations, before it finally became an Act in 2009. These iterations resulted from concerns and protests from a number of fronts, especially civil society organizations and teachers unions. Unions at the national level played an important role in giving the Act its current shape.

There was both independent lobbying by unions and unions organized under the National Coalition for Education (NCE), formed in 2002. The NCE was the official representative of the global campaign for education in India, and brought together four major national level teachers unions — AIPTF, AISTF, AIFTO and the All-India Association for Christian Higher Education — two civil society organizations, and a group of parliamentarians (parliamentary forum on education) in order to campaign for issues related to education in India.⁴ Ostensibly formed to campaign for education, the NCE's own membership was fractured on two specific aspects of the Bill: decentralization and teacher accountability (Grant, 2010). Teachers' union members far outnumbered other members, often giving them a much louder voice, which they directed toward protecting their own interests first and gaining a number of concessions in the RTE Act relating to accountability. As we discuss subsequently, these relate to the role of school management committees (SMCs) in demanding accountability. Measures of student learning for which teachers could have been held accountable are strikingly absent.

3. Teachers Unions in India: Characteristics, Interests and Strategies

There are several hundred unions for schoolteachers in India. While some are registered with the state government or central government, others are not. The consequences of *not* being registered from the perspective of union power are unclear. For instance, in the state of Rajasthan, no teacher union is registered. Yet, the state government allows teachers to take leave for two days in the year to attend union meetings (Ramachandran et al, 2015).

At the time of writing, there was no centralized database to help estimate the number of teachers unions that operate in the country. In terms of type, broadly, most unions fall into categories defined by the following characteristics: geographical level (national level, state level and district level); school level (primary, secondary and higher secondary); school type (government, private-aided and private unaided); teacher contract type (regular teachers on permanent contract and contract teachers on fixed term contract); and miscellaneous (subject teachers, special needs and so on). States vary considerably in terms of the types of unions found. For instance, in Rajasthan, different levels of school have different unions, but there is also a general union, the

⁴ The NCE's main areas of focus included campaigning for the Right to Education Act, and more recently, the NCE has been campaigning for including children aged 0-6 years and 15-18 years under the Act.

Rajasthan Shikshak Sangh, which takes up common issues for all teachers. In West Bengal, there are multiple unions for teachers in primary schools.

When looking at the number of teachers unions and their range, it would appear that there is a teacher union to cater to every taste. Not all teachers, however, are members of teachers unions. In fact, across India's twenty-nine states and seven union territories, less than 50 percent of teachers are union members (Table 1), though as discussed later, numbers vary by state. This is not surprising, given that union membership is not compulsory. Further, non-fee paying members can free ride on many of the benefits unions provide, such as lobbying for salary hikes.

The majority of union members reported membership in a state-level union. Even though many teachers choose not to be members of unions, those who do, are often members of multiple unions regardless of political ideology.⁵

Table 1: Union Membership in India (Percent)

	Percent member of union
National	2
State	27
Local	16
Not member	55

Source: Kremer et al, 2005

Not being a union member does not mean a teacher will not support a union's stance. Similarly, being a fee-paying member of a union does not automatically mean that the teacher is actively involved in union activities. A recent study looking at teachers across India asked each teacher how active he/she was in teacher union activities, conditional on being a union member.⁶ Only 18% of union members reported being very active, defined as attending at least one event/meeting per month. Approximately 36% said they were nominal numbers, that is, they paid fees but did not attend events. A fifth reported attending less than two events in the past one

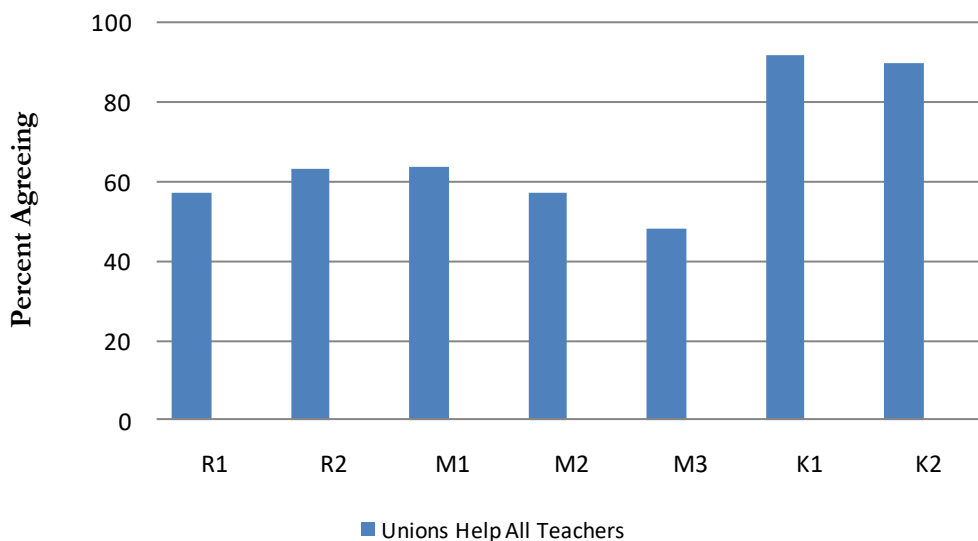
⁵ The survey question was such that teachers could only choose one level for membership. In reality, they could be members of multiple unions at different levels.

⁶ The data from the study reported here have not been formally published by the researchers, Karthik Muralidharan and Aakash Mohpal. We thank them for providing these statistics.

year. There are several reasons for such low participation. For one, union leaders and union activity tends to be concentrated in urban areas, suggesting that a large number of teachers do not have regular access to unions due to geographical distances. For another, teachers with little interest in union matters may be coerced into paying union fees given the ‘public good’ nature of the outcomes of union-led agitations.

Regardless of membership reasons, teachers believe unions will help them. As Figure 1 shows, when asked whether unions help teachers regardless of a teacher’s party affiliations in three states (Rajasthan, Karnataka and Madhya Pradesh), 33-92% of teachers agreed they benefited from union support (Béteille, 2009). Likewise, union leaders believe they can rally teacher support when needed, whether those teachers are union members or not.

Figure 1: Unions Help Teachers Regardless of Party Affiliation



Source: Béteille, 2009. R1 and R2 are districts in Rajasthan; M1, M2 and M3 in Madhya Pradesh; and K1 and K2 in Karnataka.

A recent study on Uttar Pradesh supports the above finding, showing that teachers seek help from their unions in large numbers (Kingdon and Muzammil, 2013). For instance, 44% of aided schoolteachers sought help from the teacher union at least once and nearly 30% have sought help

twice or more. Government schoolteachers are about 14 points less likely to seek help from the union than aided school teachers.

Of the national level teachers unions, the three mentioned previously have been especially prominent over the years in issues relating to teachers and education reform: AIPTF, AISTF, and AIFTO. The first, and largest, AIPTF (3 million members), was established in 1954. Its first conference was inaugurated by India's first Prime Minister, Jawaharlal Nehru, and being a socialist state at the time, the need to improve the working conditions of teachers was well accepted. The explicitly stated objectives of the AIPTF relate to improving the status of teachers and the quality of education. AISTF resembles AIPTF in its objectives. Its membership is 0.85 million—less than a third of AIPTF—roughly proportionate to the number of schoolteachers at the secondary level. AIFTO, established in 1976, and with a membership of 1.2 million, is the only union that explicitly discusses the importance of professionalism in teaching, and the need for performance standards for teachers in its charter. As discussed in the next section, even though these unions support the notion of improving the quality of education, practice suggests they often oppose or jeopardize efforts to improve student performance. Importantly, none of them are explicitly organized along party lines in the sense that they do not consistently or visibly support any one political party.

All three national level unions have state-level affiliates or branches — but not in all states. As a result, none of them are national federations in the true sense, and lack the kind of power state-level unions have (whether affiliated with the national-level unions or not). This is partly understandable, since school education is primarily financed and regulated by state governments, notwithstanding the 42nd Constitutional Amendment and the RTE Act. There is much more to be gained in terms of a favorable employment contract by being powerful at the state level versus the national level. Even though national-level unions have played some role in the formulation of the RTE Act as discussed below, the implementation of the Act is at the state-level, and hence dependent on the support of state-level unions.

Although there has been little research on the internal structure of teachers unions, given the size of membership (if not the percentage), it is unlikely that all members in a given union subscribe to the same point of view on important policy matters. Indeed many of the larger unions at the

state level are known to have factions within. For instance, in 1972 Om Prakash Sharma won the elections for becoming the union president of Uttar Pradesh's secondary school teachers' union Madhyamik Shikshak Sangh (MSS). Om Prakash Sharma was from Meerut district and was supported by the western districts of the state. His opponent, Maheshwar Pandey, was badly defeated in this election. He was from the east and was supported by eastern districts. As a result Maheshwar Pandey formed a new group of MSS, called MSS (Pandey Group). There were two more splits in this union, as a result of which there are now four factions in the union, the Sharma Group, the Pandey Group, the Thakurai Group and the Chandel Group. Similarly, in West Bengal, the All Bengal Teachers Association split multiple times, but into separate unions.

Although the number of teacher unions at the state level has grown consistently over the past few decades, there are huge variations across states in membership rates, with some states reporting under 10 percent membership, and some over 75 percent. What is important to note is that even when the number of teachers unions in a given state is large — as in Punjab (26 unions) and Rajasthan (152 unions) — there are only a handful, typically 2-5 that are influential in terms of organization, demands and threats.

State-level unions, similar to their all-India counterparts, fight for roughly similar issues: protecting their own interests related to employment and working conditions. For instance, in Rajasthan, unions push for the following set of issues: making teacher pay and other benefits comparable with central government employees; additional benefits for teachers posted in rural areas; no training of teachers during vacations; transparent teacher transfer policy; and on involvement of teachers in non-academic activities (Ramachandran et al, 2015). An analysis of teachers unions lobbying in Uttar Pradesh over the past 50 years found that teachers fought exclusively for pay and service-related issues (Kingdon and Muzammil, 2013). A recent study in rural Bihar and Uttar Pradesh found that salary-related issues dominated the list of items teachers felt their unions should engage in (Table 1). In Madhya Pradesh, teachers unions went on strike from December 2012 till February 2013 asking that all teachers be paid the same, regardless of whether they were dominant government employees or contract teachers. In Odisha, the focus of teacher union campaigns has been lobbying for regular pay increments and restructuring criteria for promotion (Ramachandran et al, 2015).

Table 1: Teacher responses on the three most important issues their unions should engage in

Agenda item that trade union should undertake	% Teachers
Salary Increment	24.7
Timely payment of salary	14.9
Insufficient Number of Teachers	8.3
Non-cooperation from parents/guardians	8.2
Deployment of an Extra Teacher	7.8
School Infrastructure	6.7
Facilities	6.1
Training	5.4
Work Environment (pension, holidays etc.)	4.9
Transfer and Promotion	4.9
Non- teaching Activities	4.8
Teaching and Learning Materials	2.2
Non-cooperation from pupils	0.9
Other	0.1
Total	100

Source: Aslam et al (2011)

An important feature of the teacher union landscape is that teachers unions in India generally do not align themselves formally or permanently with any political party, unlike in countries such as the United States or Germany, where unions tend to align with more liberal or left-wing parties explicitly. Instead, teachers unions in most states have taken advantage of the political wave running through their state at election time, without having permanently committed themselves to any political ideology or affiliation. As the chapter on Mexico suggests, absent formal allegiance with any particular party, teachers unions can exploit the electoral weaknesses of political parties, and thereby keep teachers' interests in supreme order. The exception is West Bengal, which has historically had a long period of Left-led governments, and which demonstrates a somewhat different pattern of union-political party interaction than other states.⁷ Although teachers unions in the state are explicit about not backing or being backed by any

⁷ Kerala is the other Indian state to have been ruled by Left parties historically, but the authors were unable to find literature on teachers unions in the state.

political party, newspaper reports and general perception suggest otherwise. For instance, Chakravarty (2010) notes that although teachers unions in West Bengal categorically deny any formal affiliation with political parties, and insist party affiliation is no criteria for union membership, newspaper reports and her own interviews with union office bearers suggest specific unions tend to be linked with specific parties. While the Communist Party of India (Marxist) backs the All Bangla Teachers' Association and All Bangla Primary Teachers' Association, the Sara Bangla Associations have the support of Revolutionary Socialist Party. The Congress and Trinamul Congress reportedly backs the West Bengal Teachers' Association. Headmasters' Association has members and followers of all ideologies except that of Communist Party of India (Marxist). The Bengal Primary Teachers Association, which the media terms as being controlled by the Socialist Unity Center of India, calls itself anti-government. Utpal Ray, General Secretary of All Bengal Teachers Association, asserts in an interview with Chakravarty that their teachers campaign for election candidates from the party backing their association (CPM).

According to office bearers of the associations met, political parties play no role in funding of teachers unions, with the annual contributions of the members being sufficient. Additionally, unions publish question papers and other writings that also help raise money for the working of the union. Chakravarty notes that none of the unions were particularly forthcoming on what role the party actually plays, though interviews suggest the party dictates the level of aggression that the particular union adopts when making a certain demand. For example if the municipal board is run by the opposition party, the level of aggression with which a demand is made differs from the situation where the board is run by the same party backing the union.

The effectiveness with which unions are able to achieve their objectives depends upon their power, which in turn depends upon their political influence and the strategies they adopt. In general, teachers unions in India do not have the kind of formal process of contract negotiations with the government that exists in countries such as the United States. As a result, they adopt a number of indirect, though often coercive, mechanisms to achieve their goals. These mechanisms can be categorized broadly into the following: (1) representation in the upper house in the state; (2) election-time credible threats; (3) organized strikes; (4) court cases; and (5) direct involvement in politics.

(1) Representation in the Upper House in the state

Seven states in India — among the most populous states — have an Upper House (Legislative Council).⁸ This influences the nature of teacher politics in the state in an important way, since teachers at the secondary level of education (or higher) have guaranteed representation in the Legislative Council of the state legislatures as per the Constitution of India. The representation of (non-government) secondary school teachers in the Legislative Council of a state government is ensured by Article 171 (3c) of the Constitution of India which provides that “... as nearly as 1/12 of the members of the Legislative Council shall be elected by electorates consisting of persons who have been at least three years engaged in teaching in such educational institutions not lower in standard than that a secondary school”. Such representation is a direct outcome of teachers being revered traditionally for being learned and interested in the public good.

Not only can teachers jointly choose a twelfth of the members of the Upper House, a select category of them can also stand for elections. While, in general, public sector employees who receive a salary from the government are supposed to hold an *office of profit* under the government, and thereby disqualified from being elected as a member of the Lower or Upper House (Article 102 and 191 (a) of the Constitution of India), this does not hold true for teachers in private-aided schools. In Uttar Pradesh, India’s most populous state with 204 million people (nearly two-thirds the population of the United States), the combination of these provisions and a large private-aided school sector, have allowed teachers to amass considerable political power. Approximately 45 percent of all secondary and higher secondary schools in the state are private-aided schools, and following Government Acts in 1971, schoolteachers in such schools have been paid salaries directly from the state treasury and are de facto government paid employees, even though, by law they are not deemed to be government employees. Thus, unlike government schoolteachers (and other government employees), aided school teachers can contest election to the Lower House and the Upper House. This is important, because the State Legislature is where the laws that regulate and govern education in the state.

⁸ Andhra Pradesh, Bihar, Jammu and Kashmir, Karnataka, Maharashtra, Telengana and Uttar Pradesh.

The consequence of such legal privilege is that approximately 17 percent of the membership of the Upper House in Uttar Pradesh comprises teachers, which constitutes a high degree of representation of teachers in political office, given that teachers constitute about 0.6 percent of the adult population in the state. On average 6.6 percent of the lower house was made up of teachers over the post-independence period (Kingdon and Muzammil, 2013). This is a large enough proportion to exert substantial influence in legislative matters, including matters pertaining to the education sector and affecting teachers' pay and working conditions.

There have been several attempts to abolish the guaranteed representation of teachers in the Upper House. The Chief Election Commissioner of India in a letter to the Law Minister in 1965 had suggested the abolition of teacher constituencies for election to state Upper Houses since 'apart from there being no justification for singling out the teaching profession for special treatment, it seems to me undesirable that teachers should be dragged into party politics in this manner.' The matter was also considered by the Central Government on seven occasions between 1957 and 1979 but there was no change in the status quo. Finally in the early 1990s, a report of the Central Advisory Board on Education stated: "the nature and extent of politicization of teachers through involvement in elections in the context of the constitutional provision for their representation in Legislative Councils came up for discussion in various aspects. An apprehension was expressed that extending voting rights to elementary (school) teachers would further aggravate the situation. The sufferers would be the children in particular and the elementary education system in general. Such a situation would not be in accordance with the spirit of the provisions of the Constitution.....The Committee, therefore, is of the opinion that there is no need to retain the present provision of separate constituency for teachers in Legislative Councils" (CABE, 1992). While it expressed universally negative views about teacher representation in Legislative Councils, its recommendations have never been carried out. Thus, the special status provided by the Constitution to teachers continues as is.

(2) Election-time credible threats

Teachers are able to make credible threats for upturning a politician's fortunes due to a set of activities they engage in prior to polling day and on polling day (Béteille, 2009). Teachers are important well before polling day for at least two reasons: (a) they can undertake informal

campaigning work in the village community, and (b) they can influence the votes of family and friends. Regarding the first, Béteille (2009) notes widespread consensus among teachers in Rajasthan and Madhya Pradesh that they were well-positioned to undertake informal campaigning duties. Teachers, typically educated and high-caste, can create an environment in villages to favor a politician or damage the reputation of his/her opponent given low levels of literacy in many villages.

Additionally, teachers sometimes organize villagers to attend election rallies (Béteille, 2009) Note, however, that government schoolteachers, being government employees, are prohibited for campaigning for any party formally in India. That being said, Béteille's survey of approximately 2400 government schoolteachers shows that in every district in the study, between 8 to 28 percent of teachers agreed that politicians used teachers unofficially for campaigning.

Even if teachers do not actively campaign to sway villagers, Béteille (2009) argues that teachers are particularly attractive just because of their numbers — they form the largest portion of the government's employee base. Béteille notes, "If each teacher influences the voting outcome of at least ten people from amongst his family and friends, it adds up to a sizeable amount for a constituency. Take the case of the state legislative constituency R2 Block in Rajasthan.⁹ In the 2003 state elections, the winning candidate won with 38304 votes, the runner's up got 37297 votes. The margin for victory was only 1007 votes. R2 Block, and where the district headquarters for R2 are located, has approximately 2000 government schoolteachers. If every teacher could influence even five votes, this would add up to almost ten times the margin required for victory."

Another study in Uttar Pradesh found that a remarkable 46% of all teachers (and 72.5% of private-aided secondary school teachers) said they discussed among themselves to reach agreement on who they will vote for in an election and then voted for that candidate *en bloc* (Kingdon and Muzammil, 2013). Among those who say they vote *en bloc*, 53% of all teachers (and 68% of aided secondary school teachers) say their union motivates them to vote *en bloc*. Thus, many teachers' political/voting behavior seems to be dictated by their identity as teachers rather than being based on other diverse individual-level considerations such as political beliefs and values, how the party manifestos affect their families, or indeed caste-based considerations.

⁹ In India, a Block is an administrative unit that is hierarchically above a village, but below a district.

These results suggest that teachers, particularly in the private-aided and government school sectors, concertedly vote to elect candidates they believe will support teacher interests.

Teachers' political power, and their ability to make credible threats regarding electoral control, also derives from their role on polling day (Béteille, 2009). Government schoolteachers man polling stations which are set up in public institutions such as schools and community halls. For a state or parliamentary election, a polling booth is typically staffed by four government employees, of which one is the presiding officer and three are polling officers. At least two of the four government officers are schoolteachers, given that schoolteachers are the largest employee base of the government. Inside the booth, the polling officers have two main functions: (a) verifying voters' papers to see whether they are genuine and (b) ensuring the voting process is conducted legally. Teachers, Béteille (2009) notes, said that when it comes to verifying the genuineness of a given illiterate voter's papers, the person checking the papers has a lot of room to tell the voter his/her papers are not in order. Once the potential voter leaves the booth, the polling booth person casts a *farzi* (non-genuine) vote under that person's name. Such potential for teachers 'stuffing of the ballot boxes' gives them huge power over politicians who thus want to keep teachers happy, since they perceive that their political fortunes can be materially affected by teachers.

Next, when it comes to the voting process per se, again, polling booth staff can doctor voting outcomes when explaining the electronic voting machine to a voter. Béteille (2009) quotes the Officer on Special Duty (OSD) to a former Chief Minister of Madhya Pradesh: "Madam, have you ever seen one of these machines? People get confused, so they ask the *adhi kari* (officer) how to operate it. And so he/she demonstrates ...but that is it, the real vote has been cast. You can go on pressing, but the vote has been cast." He then went onto explain that this was the method adopted to defeat the previous (Congress) Chief Minister of Rajasthan, Ashok Gehlot, who had angered teachers because of his strict policies regarding on-time reporting for work — a view echoed by teachers not just in his home state, Rajasthan, but also in the adjacent state of Madhya Pradesh. Whether teachers actually caused the Chief Minister to lose is difficult to establish; what is important is how widespread the view was that teachers could do so, and that the electronic voting machine could be used for the purpose. The power of teachers on election day itself, and not just the lead-up to the day, is also suggested by Béteille's survey of teachers in

Rajasthan, Madhya Pradesh and Karnataka. When asked whether “teachers control the polling booth and hence control the fate of the election — they can make a politician win”, up to 20 percent of teachers agreed in one district, while at least 8 percent agreed in another.

The threat—a credible one—of teachers being able to sway electoral outcomes, should any politician undertake teacher-unfriendly measures, comes from a number of other states too. In West Bengal, for instance, it has proved impossible to take absentee teachers to task because politicians fear that teachers could twist their political fortune (Pratichi Report, 2002). Chakravarty (2010) notes that politicians often introduce policies to appease the teaching community. She cites an article in the online edition of the Telegraph, West Bengal’s leading newspaper, dated 23 March 2010 which describes how the budget of the State was designed to appease the teaching community with promises of more recruitment and greater salaries. The article states, “The CPM has in the past banked on the support of party-backed teachers’ lobbies such as the All Bengal Teachers’ Association and the West Bengal College and University Teachers’ Association to win elections. The move to create such a large number of posts is also being seen in the context of the forthcoming elections.” The article quotes a college principal as saying, “The announcements will give a boost to the CPM-backed teachers’ lobbies, especially so as CPM supporters hold an edge during any recruitment”.

(3) Organized strikes and threats

At the state-level, teacher unions lead protests, which often turn into vendettas targeted at reform-minded politicians and government officials. As described above, the case of Ashok Gehlot is well known. But there are other instances too. In another incident, pertaining to Uttar Pradesh but reflective of happenings in other states such as Bihar and Madhya Pradesh, unions helped protect teachers from accountability pressures relating to the role of specific teachers in facilitating cheating in examinations (Kingdon and Muzammil, 2013). The District Inspector of Schools, Mr Umesh Tripathi, received death threats for seeking action against 81 teachers who he said were engaged in exam-related corruption. Teacher legislators in the Upper House alleged Tripathi had sent a list of the accused teachers to the district police chief to initiate action against them under the UP Control of Organised Crime Act. The teacher leader in the House (who was

until recently also the Pro Tem Chairman of the Upper House) said that this Act had not come into force yet so the District Inspector had no right to threaten teachers with it.

The matter became the subject of so much political pressure that Uttar Pradesh Legislative Assembly witnessed uproarious scenes (on 24th February, 2008). Teacher leaders also criticized the secondary Education Minister for allegedly shielding the District Inspector of Schools who in turn had to clarify that he did not order any severe penal action against the concerned teachers (“Confrontation between TU and GOUP Rises”, *Hindustan*, Lucknow 25th February, 2008). At first the Education Minister was defiant and said that he had not hurled abuse at teachers, nor slapped them but had only reminded them of their duty “it is hurting them because they are guilty. Only those interested in politics are not keen to teach,” he added. However, in the face of calls for the Minister’s removal by the 92,000 secondary school teachers who went on a protest march in every district of the state, the burning of his effigy, and their threatening examination boycott if he was not removed, the Minister performed a *volte face*: far from defending the District Inspector of Schools’ right to bring cheating teachers to book, he stated that he would protect the dignity and prestige of teachers by not implementing the proposed policy of frisking invigilating teachers when they enter examination halls. He said “we are fully conscious of the dignity of a teacher which is bound to suffer if any such thing is allowed” (*Times of India*, 26th February 2008). And it was only then that MSS withdrew its examination boycott call (*Santusht*, March 2008).

An important illustration of national and state-level unions collaborating through coordinated strikes comes from protest relating to the Right to Education (RTE) Bill. Teachers across the country protested against provisions of the Bill giving SMCs and the community more control over teacher recruitment and management, with the NCE taking the lead, although with the largest membership, it was really the AIPTF calling the shots. They resorted to strikes, picketing and ‘fill the jail’ campaigns. The AISTF also opposed the Bill by organizing pickets and demonstrations. They demanded that the Central government should not send this Bill to states. The AISTF organized a sit-in before the national Parliament in 2006, and state-level unions, such as the MSS in Uttar Pradesh, started individual campaigns. They also organized seminars to educate the public about what they described as the ill-effects of this Bill. Presumably partly due to this pressure, the amended Bill passed by Parliament in August 2009 *excluded* the provisions

that offended teacher unions, namely school-based teacher cadres and powers to SMCs (Kingdon and Muzammil, 2013).

(4) Court cases against the government

Unions also follow stalling tactics by filing cases against the state government in court. Cases generally relate to appointments, transfers (reassignments) and promotions. In several states, unions either file cases or help teachers file cases. In Tamil Nadu for instance, strong teachers unions provide resources and support for teachers to litigate (Ramachandran et al, 2015). In Mizoram, over 200 cases have been filed in the courts in the last 10 years with union help. These cases dealt with seniority issues of regular teachers, seniority of contract teachers, regularization and absorption of contract teachers, the new central provident fund scheme and service benefits (Ramachandran et al, 2015).

(5) Direct involvement in politics

Teachers of aided schools can also take a leave of absence and compete for elections to the Legislative Assembly. In West Bengal, several schoolteachers worked for CPI(M) and having amassed considerable political power in rural areas, were also members of the Gram Panchayat (Pratichi Trust, 2002). This gave these teachers, and the party they were aligned with (either by choice or coercion), the CPI(M), considerable power during the party's 34-year reign in the state. Note, often such participation in politics is illegal, but nobody would take these errant teachers to court for fear of retaliation by the party's goons (including murder).

4. Impact of Teachers Unions on Education Policy and Practice

A number of teacher accountability measures exist in states across India. These include school inspections by the Inspector of Schools; Principal's annual entry into every teacher's character book/ register; system of teacher transfers as a disciplining device; and provision for suspension or withholding the salary increment of erring teachers (Kingdon and Muzammil, 2013). Interestingly, in states such as Uttar Pradesh, unions have consistently been opposed to the use of "carrots" or positive incentives such as performance-based pay or performance-based promotion. For instance, in 2003 primary schoolteachers in the state opposed the introduction of tests,

performance in which would be used to partly determine salary levels. In addition to teacher accountability measures, there are measures to ensure that schools function smoothly across the board. These include rules for teacher transfers from one school to another within the district, thereby harmonizing pupil-teacher ratios and avoiding excess teachers in some schools and scarcity in others, and rules against corruption in the examination system. Yet, none of these measures have any teeth: teachers unions and politically powerful teachers are able to defeat them through a series of tactics as described in the previous section, ranging from strikes and court cases to criminal intimidation. This section describes the main areas in which teachers unions have been influential.

(1) Increasing salaries of teachers

Since India's Independence, seven Pay Commissions have been set up by the central government on a regular basis to review and make recommendations on the work and pay structure of all civil and military divisions of the central government. Every time there has been a Pay Commission to revise pay scales of central government employees, AIPTF (and its state-level counterparts) have lobbied actively to ensure state governments make teacher pay scales consistent with central government pay scales. Most recently, unions across states have lobbied to ensure that the pay scales of all teachers are consistent with the 6th Pay Commission's recommendations, or are more generous than that, as in Punjab. Such lobbying has been productive for teachers. In Uttar Pradesh, for example, government regular teachers' mean pay was 2.5 times private teachers' mean pay in the early 1990s (Kingdon, 1994); it was 5 times in the early 2000s (Singh and Sridhar, 2002) and it rose to 12 times in 2008 (Kingdon and Banerji, 2009). After Uttar Pradesh applied the Sixth Pay Commission's salary recommendations, regular teachers' salary in January 2009 (applied retrospectively from January 2006) nearly doubled in one go. In 2014 the mean salary of a government primary school regular teacher (with 15 years' teaching experience) was nearly 25 times the average salary of a similarly experienced teacher in rural private unaided primary schools (Ramachandran et al, 2015). Clearly public sector teachers have been very successful in lobbying for higher pay. Indeed, teacher salaries are comparable to or higher than other professionals with similar qualifications, including legislators (Dundar et al, 2014).

(2) Thwarting measures to ensure a code of conduct for teachers

If teachers are central to the education of students, then their behavior should model what one would like to pass onto generations of students. However, this is much easier said than done in a system where most teachers are under-trained, under-qualified and demotivated, and where teaching is often the last resort of unemployed educated youth. While a code of conduct for teachers has been articulated in many policy documents, most recently in the RTE Act, implementation has proved difficult. The case of the defeat of Rajasthan's incumbent Chief Minister Ashok Gehlot in 2003 for attempting to undertake strict accountability measures is not unique. Kingdon and Muzammil (2013) give the example of Uttar Pradesh where, in 2002, the then Education Minister Om Prakash Singh advocated a set of rules governing the conduct of teachers inside schools and outside as well, which he believed would improve the quality of secondary education and would make teachers a guiding force for society. They cite the *Times of India* (15th July 2002), according to which the Minister stated that there was already a code of conduct in place for university and degree college teachers and that it would be good to extend the notion to teachers in secondary education too. The idea was to streamline the quality of education, making teachers realize that they must *take regular classes, keep away from activities which bring a bad name to the teaching community and above all, act as role models for their students* (emphasis added).

Teachers, however, rejected the proposal straightaway, saying "conduct can be improved through 'self-evaluation' and not by imposition of rules". "Besides" they pointed out, "politicians should first have a code of conduct for themselves, before designing one for teachers". Although the Minister had given assurance that the code of conduct would be implemented only after a consensus was reached, teachers presented a united front in opposing the implementation of the code. Devi Dayal Shastri, a prominent union leader (MSS) and Member of the Legislative Council from Lucknow, said that "the code of conduct would not be appropriate for teachers as it projects the picture that the teachers are at fault and the government is out to rein them in. Instead, the teachers should themselves conduct a self-evaluation". The President of MSS also decried the move to implement such a code on the teachers, saying that 'a code of conduct already exists in the community and that the government should keep away from 'teaching' teachers about what they should do. "Things like good conduct, inspiration and motivation come

from within and cannot be imposed by the government,” he pointed out. (“Govt, teachers clash over conduct code”, *Times of India*, Lucknow 15 July 2002).

In the southern state of Andhra Pradesh, Gupta (2013) notes that teachers in government schools threatened to go on an indefinite strike when the government proposed introducing biometric attendance systems (replacing the manual signing) for teaching and non-teaching staff to bring in more accountability and discipline in schools. Two of the major government teachers' unions in the state, United Teachers' Forum and Andhra Pradesh Teachers' Association said the state government should focus on providing basic amenities including (drinking water and toilet facilities) in schools instead of introducing such hi-tech expensive measures (Gupta, 2013). If the objective is to enhance learning outcomes of students, investing in teacher accountability is far more important than investing in infrastructure. However, for these teacher unions, shielding their members from teacher accountability measures was the primary concern, conveniently masked by the otherwise secondary concern for building infrastructure.

(3) Opposing Decentralization

Reforms aiming to increase the role of the community in school accountability began with DPEP in the mid-1990s and continued with SSA. At one end of the spectrum, as in Madhya Pradesh, village Panchayats were given the power to hire and fire teachers, while at the other end, as in Odisha, relatively powerless parents, typically illiterate, were asked to monitor much higher caste and far-more educated teachers. These measures were opposed tooth and nail in many states, especially in Madhya Pradesh as discussed previously. At the national level, however, the main opposition really came when the Draft Bill for the Right to Education Act was circulated in 2005.

The Bill comprised certain provisions for elementary schools such as school based teacher cadres and the constitution of SMCs for each school with wide powers. The powers of SMCs in the Draft Bill included teacher appointments, salary disbursement to teachers and the ability to take disciplinary action against teachers (e.g. cut pay based on absences). The provision of a school-based cadre implies that once a teacher is appointed in a school he/she cannot easily seek transfer to another school. These provisions had far reaching implications in the school education

scenario in that the first would ensure schools had the teachers they needed — not more and not less – and the second made teachers more accountable to parents and the community.

These provisions, especially the one relating to SMCs, were vigorously opposed by all unions. Mr. D.V.Pandit, General Secretary, AIFTO asserted, “The school management committee (SMC) may not have the vital experience to supervise the work of teachers” (Chakravarty, 2010). In her study, Chakravarty reveals that almost all major unions in West Bengal affirmed the above. The other objections voiced included the feasibility of ensuring parents’ attendance in the meetings and their dedication to the work of the committee. As Chakravarty (2010) reports, according to Sudip Goswami, General Secretary of the All Bangla Primary Teachers’ Association, this was especially notable in light of the fact that parents may belong to the lower strata of society and may in fact have considerable difficulty in even ensuring that their children have enough to eat or go to school in the first place. Ashok Maiti, General Secretary of the Headmasters’ Association reflected a commonly held perception about the literacy levels of parents compromising their ability to ensure adequate checks on teachers. If SMC members were trained to undertake school accountability-related roles effectively, then perhaps they would have been successful in those roles. But there is little evidence to suggest unions thought it important for the government to invest in training SMCs; it made more sense for unions to devalue the abilities of SMCs, since their power would threaten absentee or non-performing teachers.

Eventually, when the final version of the Bill was enacted (2009) much of the power of SMCs was slashed. Mr.R.C. Dabas, General Secretary, AIPTF regards this as one of the major achievements of AIPTF (Gupta, 2013). In its current form, the Act envisages SMCs with parents forming 75 percent of the membership. The rest of the 25 percent will comprise in equal proportion elected representatives in the local government, teachers from the school and local educationists and school students. The powers of the SMC have been considerably reduced: “(a) monitor the working of the school; (b) prepare and recommend school development plan; (c) monitor the utilization of the grants received from the appropriate Government or local authority or any other source; and (d) perform such other functions as may be prescribed” (RTE Act).

(4) Ensuring a stable student-teacher ratio across schools

Across states in India, teachers belong to state-level, district-level or block-level cadres, depending on the state. This allows the government to move teachers from one school to another within the cadre in order to ensure a stable student-teacher ratio. This process of moving surplus teachers in specific schools to schools facing a deficit of teachers is known as “rationalization”. Teachers, themselves, have little formal say in such decisions, and typically find ways of circumventing such efforts, through informal or under-the-table mechanisms, should they not want to be moved to a particular school or want to move to a particular school (Béteille, 2009).

Teachers unions have opposed efforts to “rationalize” the teaching force, as a result of which, many schools either have too many or too few teachers. Kingdon and Muzammil (2013) provide an example from the Kanpur district of Uttar Pradesh. In 2007 the District Inspector of Schools of Kanpur decided to rationalize staff strength in schools across Kanpur, where there was a situation of ‘excess’ teachers due to falling student enrolment. In one particular school, the pupil-teacher ratio had greatly fallen and, as a result, 37 teachers were surplus to requirement. As per the rules of the Uttar Pradesh government, teachers were required to move and were given the option to continue in other aided schools, but the teachers of that school became adamant and were determined not to comply with the rules and the request to move.¹⁰ The aided school teachers’ union (MSS) supported these teachers by organizing a sit-in at the school’s premises. All prominent leaders of MSS including the President and the Secretary (both also teacher legislators) raised slogans against the management and the district education authorities. They succeeded in stalling the implementation of the order (*Santusht*, August 2007).

In Rajasthan teacher transfers to ensure a stable teacher-student ratio have been notoriously difficult due to political reasons and union pressure. Similar to the situation in Mexico with regard to teacher transfers, newspaper reports in Rajasthan and interviews suggest transfers are seen more as a mechanism to reward politically helpful teachers than as a means to correct lopsided student-teacher ratios. In the summer of 2007, a handful of BJP legislators were upset by the way the recent teacher transfers had been conducted. Every legislator had been promised a certain number of teacher transfers. The state’s leading daily newspaper *Dainik Bhaskar* also reported that 80,000 transfer applications had come in that year (2008), of which 50,000 were for

¹⁰ Female teachers and disabled teachers are exempt from the policy to move teachers when rationalising teacher numbers across schools.

primary education. There were a total of 256,529 teachers in government schools in Rajasthan at the time. Given the large numbers, it is not surprising that the demands of many teachers were left unmet. The teachers were full of expectation — they believed they had, after all, helped the BJP win the 2003 state legislative polls. They were not going to let the matter go. A few days later, the papers reported that the Rajasthan Shikshak Sangh (Pragati Sheel), one of the main state-level teachers' unions, had met and discussed the betrayal by the BJP in transfer matters and its general indifference to teachers' rights. The union leader, Mr Kesarlal Chaudhary, was reported as saying that [the teachers] would teach the BJP a lesson in the forthcoming elections, unless the BJP was able to give teachers what was rightfully theirs (*Dainik Bhaskar*, 6/24/2008 as cited in Béteille, 2009)).

With several such threats coming in, including from BJP party workers, back-dated transfer decisions were made until early July 2008, by when approximately 30,000 transfers had been completed (*Dainik Bhaskar*, 7/4/2008). Even then, office bearers of the BJP complained that many BJP loyalists had been disappointed by transfer outcomes, especially since they had promised family members/friends that their transfer request would be processed. The unions and party workers made it clear that unless these transfer were done, it would be difficult to expect the support of these loyalists in the upcoming elections (*Dainik Bhaskar*, 7/15/2008). As it turned out, the BJP lost the elections that year.

Not all unions are, however, omnipotent. A lot depends on the specific politician in power and the bureaucrats in office. Karnataka provides a good example, having been able to pass the Regulation of Transfer of Teachers Act 2007 despite union opposition. This Act provides a fool-proof technology-based system for undertaking teacher transfers. A recent study found the system has been working well, with patronage-based transfers and related corruption dramatically reduced (Ramachandran et al, 2015).

(5) Regularizing contract teachers

A number of states, such as Punjab, Madhya Pradesh and Odisha have strong contract teachers unions, which due to their sheer size, are politically powerful entities that have been able to successfully lobby for regularization of their teachers (Ramachandran et al, 2015). When schools

in India started hiring contract teachers in the 1990s, one key motivation was that these teachers would be easier to fire in case of poor performance relative to regular government school teachers. In many states, prominently Madhya Pradesh, the unions of these teachers won several concessions. In Madhya Pradesh, for instance, all teachers are hired on contract for an initial period of three years, after which they are confirmed based upon three criteria: (1) The class(es) taught by the contract teacher 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 for the relevant grade; and (3) they should have completed 3 years of service without any disciplinary action or leave without pay. One could argue that the system, despite low standards, is reasonable as regularization depends upon performance. In reality, however, these criteria have not been adhered to, and all contract teachers are regularized based upon union pressure or politicking. Indeed, the unionization of these teachers, and the fact that their leaders file court cases against the state government in order to stall the enactment of provisions of the contract, brings out the difficulty in designing performance-based criteria in schools in India.

(6) Freeing teachers from non-academic work

Teachers unions at the national level and the state level have fought long and hard to free teachers from non-academic work. Such work, which could range from conducting a cattle census in the village to cooking meals for the mid-day meal scheme, clearly took away time that the teacher had during the day to teach. The RTE Act has taken a strong stand on this, prohibiting the deployment of teachers for non-educational purposes. The exceptions are work related to the decennial population census, disaster relief duties or duties relating to election to the local authority or the State Legislatures or the Parliament (RTE Act, 2009).

(7) Teacher Eligibility Test

With the enactment of the RTE Act, 2009 the Central Government authorized the National Council for Teacher Education as the academic authority to lay down the minimum

qualifications for a person to be eligible for appointment as a teacher.¹¹ This resulted in the introduction of the Teacher Eligibility Test (TET) in 2011 as an eligibility criterion for teachers to be appointed. Across states, teacher and union ire has been directed at the quality of the teacher eligibility test, a test mandated by the Act and meant to ensure teachers have the necessary skill set to enter the profession. Clearing the TET is a necessary but not sufficient condition for entering the teaching profession. Unions assert that TET only tests the theoretical knowledge of aspirants, which may not be necessary for effective and quality classroom teaching. Interestingly, over 99% aspirants failed to clear the Central Teacher Eligibility Test (CTET) 2012 (Gupta, 2013), and in most states, the TET pass rate has been scandalous – less than 4%.

Educators agree with teachers in that the exam does not weigh the teaching aptitude and competence of teachers, nor their critical thinking abilities. Nevertheless, there is little reason why 99% of teachers (as B.Ed or equivalent degree holders) should fail the exam, given its syllabus (English, mathematics and environmental science, and child development and pedagogy), and 60% as the passing percentage. Gupta (2013) argues that the failure of teachers is being veiled by the ‘uselessness’ of the exam, as the supposed futility of the exam does not provide adequate explanation for the staggeringly low 1 percent pass rate.

5. Discussion

With over 200 million children in the school system — many of whom are learning little — and the skill demands of an ambitious growing economy, the need to improve the performance of schools could not be more urgent in India. At the same time, the fact that large numbers of teachers are indifferent, untrained, frequently absent or enter teaching as a second occupation, makes school reform difficult. These teachers are protected by powerful unions, especially at the state level, who, over the course of time, have won several concessions for teachers in terms of salaries, working conditions and accountability. Their concerted efforts to influence the RTE Act have led to the dilution of any teacher accountability related clause. Indeed, the RTE Act, which is meant to ensure all children between the ages of 6 to 14 years are educated, has no concrete

¹¹ MHRD notification, April, 2010: http://mhrd.gov.in/sites/upload_files/mhrd/files/upload_document/5.pdf

mechanisms to track whether its requirements are leading to learning gains in students, further weakening its hold on accountability.

Even though union membership rates vary considerably across states, even where membership rates are low, state level unions themselves are powerful because their leaders have political clout and connections. Importantly, our study suggests that regardless of union membership the teaching body generally believes unions will come to their aid. That being said, the relationship between unions and individual teachers is not as clean as the accounts in the different sections above suggest. There are two issues on which union leaders across states have been fighting vocally, but where they know that should policies be passed, their vested interests will be hurt: (1) rationalizing teachers/transparent teacher transfer policies and (2) freeing teachers from non-academic work. Transfer policies are important. In a system where schooling assignments are centrally determined, and where pay depends solely upon years of teaching, a teacher's working conditions can make a big difference to the overall benefit of their job. Transparent teacher transfer policies help the average teacher by ensuring there is mobility in their career by encouraging them to serve time in difficult schools/locations knowing they have the opportunity for assignments in easier schools/locations. Absent a transparent process for transfers, teachers often resort to powerful middlemen to facilitate convenient transfers, albeit for a price. While teachers unions in states such as Rajasthan have been publicly campaigning for transparent teacher policies, when asked in private whether such a policy would be in their interest, they laughed and agreed that it would not, since they would no longer be able to game the system. Further, as a recent study in the state shows, union leaders often act as middlemen asking teachers for bribes and promising to connect them to powerful politicians for transfer related favors. What would happen to this income if transfer policies suddenly became transparent? No wonder that they remain opaque and discretionary in all but two states.

Regarding academic work, since teachers are the largest employee base of the government and are educated, they are assigned tasks such as census work, polio vaccination and election duty. However, when teacher unions campaign for teachers being exempted from doing non-academic work, they cannot be entirely serious. At the end of the day, it is teachers' political activities before and during polling that gives them by power and allows them to make credible threats of defeating uncooperative politicians. Again, no wonder that little has changed in this regard —

teachers continue to perform election duty. The two instances discussed suggest that teacher unions do not always act in the interest of teachers since that would threaten their power.

As India attempts to reform its school system to meet the demands of a fast-growing economy, it will need to understand how it can design and implement better teacher management and accountability policies. In order to do so, we need to know more about the politics of education in India – not just at the national level, but in different states, districts, blocks and villages. As this chapter shows, teachers unions are a central piece of the puzzle in understanding the political economy of education in the country. We have, however, been able to only skim the surface of this landscape and the politics that underlie it; much more needs to be known on the internal structure and functioning of teachers unions across the country, and how they interact with the education system, bureaucracy and politicians for effective policies to be designed and implemented well. We hope future research will help us understand this better.

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